



# One Beverly Hills Overlay Specific Plan

## Draft Supplemental Environmental Impact Report

*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 301

Los Angeles, California 90012

**December 2020**

# One Beverly Hills Overlay Specific Plan

## Draft Supplemental Environmental Impact Report

*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 301

Los Angeles, California 90012

**December 2020**



**RINCON CONSULTANTS, INC.**

Environmental Scientists | Planners | Engineers

[rinconconsultants.com](http://rinconconsultants.com)

*This report prepared on 50% recycled paper with 50% post-consumer content.*

# Table of Contents

---

Executive Summary .....	ES-1
Project Synopsis .....	ES-1
Project Objectives .....	ES-5
Alternatives .....	ES-6
Areas of Known Controversy .....	ES-8
Issues to be Resolved .....	ES-8
Issues Not Studied in Detail in the SEIR .....	ES-9
Summary of Impacts and Mitigation Measures .....	ES-9
1 Introduction .....	1-1
1.1 Project Background .....	1-1
1.2 Supplemental Environmental Impact Report Background .....	1-2
1.3 Purpose and Legal Authority .....	1-12
1.4 Use of this SEIR for Future Projects .....	1-12
1.5 Scope and Content .....	1-13
1.6 Lead, Responsible, and Trustee Agencies .....	1-15
1.7 Environmental Review Process .....	1-16
2 Project Description .....	2-1
2.1 Project Applicant .....	2-1
2.2 Lead Agency Contact Person .....	2-2
2.3 Project Location .....	2-2
2.4 Existing Site Characteristics .....	2-7
2.4.1 Current Land Use Designation and Zoning .....	2-7
2.4.2 Existing Specific Plans .....	2-7
2.4.3 Surrounding Land Uses .....	2-8
2.5 Project Characteristics .....	2-11
2.5.1 Description of the Proposed Project .....	2-11
2.5.2 Site Access, Transportation Improvements, and Parking .....	2-25
2.5.3 Sustainability Features .....	2-26
2.5.4 Utilities .....	2-27
2.5.5 Demolition, Grading, and Construction .....	2-31
2.6 Project Objectives .....	2-32
2.7 Required Approvals .....	2-33
3 Environmental Setting .....	3-1
3.1 Regional Setting .....	3-1
3.2 Project Site Setting .....	3-1
3.3 Baseline and Cumulative Project Setting .....	3-2
3.3.1 EIR Baseline .....	3-2
3.3.2 Cumulative Development .....	3-3
4 Environmental Impact Analysis .....	4-1
4.1 Air Quality .....	4.1-1
4.1.1 Setting .....	4.1-1
4.1.2 Previous Environmental Review .....	4.1-11



4.1.3	Impact Analysis .....	4.1-12
4.1.4	Cumulative Impacts .....	4.1-41
4.2	Biological Resources.....	4.2-1
4.2.1	Setting.....	4.2-1
4.2.2	Previous Environmental Review .....	4.2-5
4.2.3	Impact Analysis .....	4.2-5
4.2.4	Cumulative Impacts .....	4.2-13
4.3	Cultural Resources .....	4.3-1
4.3.1	Setting.....	4.3-1
4.3.2	Previous Environmental Documents .....	4.3-21
4.3.3	Impact Analysis .....	4.3-23
4.3.4	Cumulative Impacts .....	4.3-45
4.4	Geology and Soils .....	4.4-1
4.4.1	Setting.....	4.4-1
4.4.2	Previous Environmental Review .....	4.4-10
4.4.3	Impact Analysis .....	4.4-11
4.4.4	Cumulative Impacts .....	4.4-15
4.5	Greenhouse Gas Emissions .....	4.5-1
4.5.1	Setting.....	4.5-1
4.5.2	Previous Environmental Review .....	4.5-11
4.5.3	Impact Analysis .....	4.5-12
4.5.4	Cumulative Impacts .....	4.5-33
4.6	Hazards and Hazardous Materials .....	4.6-1
4.6.1	Setting.....	4.6-1
4.6.2	Impact Analysis .....	4.6-6
4.6.3	Cumulative Impacts .....	4.6-11
4.7	Land Use and Planning.....	4.7-1
4.7.1	Setting.....	4.7-1
4.7.2	Previous Environmental Review .....	4.7-10
4.7.3	Impact Analysis .....	4.7-11
4.7.4	Cumulative Impacts .....	4.7-41
4.8	Noise .....	4.8-1
4.8.1	Setting.....	4.8-1
4.8.2	Previous Environmental Review .....	4.8-14
4.8.3	Impact Analysis .....	4.8-14
4.8.4	Cumulative Impacts .....	4.8-43
4.9	Transportation and Traffic .....	4.9-1
4.9.1	Setting.....	4.9-1
4.9.2	Impact Analysis .....	4.9-12
4.9.3	Cumulative Impacts .....	4.9-42
4.10	Tribal Cultural Resources .....	4.10-1
4.10.1	Setting.....	4.10-1
4.10.2	Impact Analysis .....	4.10-3
4.10.3	Cumulative Impacts .....	4.10-10
4.11	Utilities and Service Systems .....	4.11-1
4.11.1	Setting.....	4.11-1
4.11.2	Regulatory Setting .....	4.11-8
4.11.3	Previous Environmental Review .....	4.11-12

4.11.4	Impact Analysis .....	4.11-12
4.11.5	Cumulative Impacts .....	4.11-18
5	Other CEQA-Required Discussions .....	5-1
5.1	Growth Inducement.....	5-1
5.1.1	Population Growth .....	5-1
5.1.2	Economic Growth .....	5-2
5.1.3	Removal of Obstacles to Growth.....	5-4
5.2	Irreversible Environmental Effects.....	5-5
6	Alternatives.....	6-1
6.1	Alternative 1: No Project Alternative.....	6-6
6.1.1	Description.....	6-6
6.1.2	Impact Analysis .....	6-9
6.2	Alternative 2: No Further Development .....	6-15
6.2.1	Description.....	6-15
6.2.2	Impact Analysis .....	6-15
6.3	Alternative 3: One Residential/Hotel Tower and One Residential Tower .....	6-16
6.3.1	Description.....	6-16
6.3.2	Impact Analysis .....	6-19
6.4	Alternative 4: Preservation of the Wilshire Edge Building, Swimming Pool and Lanai Rooms .....	6-24
6.4.1	Description.....	6-24
6.4.2	Impact Analysis .....	6-27
6.5	Alternative 5: Reduced Building Heights .....	6-32
6.5.1	Description.....	6-32
6.5.2	Impact Analysis .....	6-35
6.6	Alternatives Considered but Rejected .....	6-39
6.7	Environmentally Superior Alternative .....	6-41
7	References .....	7-1
7.1	Bibliography .....	7-1
7.2	List of Preparers .....	7-16

## Tables

Table ES-1	Project Characteristics .....	ES-2
Table ES-2	Comparison of Approved and Proposed Entitlements on the Project Site .....	ES-4
Table ES-3	Comparison of Existing Conditions and Proposed Entitlements on the Project Site.....	ES-5
Table ES-4	Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts.....	ES-11
Table 1-1	NOP Comments and EIR Response .....	1-3
Table 2 1	Characteristics of the Proposed Project.....	2-17
Table 2 2	Comparison of Approved and Proposed Entitlements on the Project Site .....	2-18
Table 2 3	Comparison of Existing Conditions and Proposed Entitlements on the Project Site.....	2-19
Table 2-4	Construction Details.....	2-31

Table 3-1	Cumulative Projects List.....	3-4
Table 4.1-1	Representative Annual Ambient Air Quality Data .....	4.1-5
Table 4.1-2	Ambient Air Quality Standards and Basin Attainment Status.....	4.1-7
Table 4.1-3	Anticipated Construction Equipment List .....	4.1-13
Table 4.1-4	SCAQMD Regional Significance Thresholds .....	4.1-16
Table 4.1-5	SCAQMD LSTs for Construction.....	4.1-17
Table 4.1-6	Population, Household, and Employment Data and Forecasts for Beverly Hills ...	4.1-18
Table 4.1-7	Projected Population Growth from Existing Specific Plans as of 2010 and Proposed Project.....	4.1-20
Table 4.1-8	Projected Population Growth from Existing Specific Plans as of 2020 and Proposed Project.....	4.1-21
Table 4.1-9	Estimated Unmitigated Maximum Daily Construction Emissions (pounds per day) – Proposed Project Compared to Existing Conditions .....	4.1-23
Table 4.1-10	Estimated Unmitigated Maximum Daily Construction Emissions (pounds per day) – Proposed Project Compared to Approved Entitlements .....	4.1-24
Table 4.1-11	Estimated Mitigated Maximum Daily Construction Emissions (pounds per day) – Proposed Project Compared to Existing Conditions .....	4.1-30
Table 4.1-12	Estimated Maximum Unmitigated On-site Daily Construction Emissions (LSTs) (pounds per day) – Proposed Project Compared to Existing Conditions.....	4.1-32
Table 4.1-13	Estimated Maximum Unmitigated On-site Daily Construction Emissions (LSTs) (pounds per day) – Proposed Project Compared to Approved Entitlements.....	4.1-33
Table 4.1-14	Estimated Maximum Daily Operational Emissions (pounds per day) – Proposed Project Compared to Existing Conditions .....	4.1-35
Table 4.1-15	Estimated Maximum Daily Operational Emissions (pounds per day) – Proposed Project Compared to Approved Entitlements.....	4.1-37
Table 4.3-1	Beverly Hilton Construction and Ownership Chronology .....	4.3-17
Table 4.3-2	Contributing Buildings and Features of the Beverly Hilton Property by Tier .....	4.3-29
Table 4.5-1	SCE Energy Intensity Factors.....	4.5-14
Table 4.5-2	Service Populations for Remaining Buildout under Approved Entitlements and Proposed Project.....	4.5-16
Table 4.5-3	SB 32 Scoping Plan Emissions Sector Targets .....	4.5-19
Table 4.5-4	SB 32 Locally-Appropriate Project-Specific Threshold.....	4.5-20
Table 4.5-5	Project Consistency with City of Beverly Hills Sustainable City Plan .....	4.5-23
Table 4.5-6	Project Consistency with Applicable SCAG 2020-2045 RTP/SCS Strategies.....	4.5-26
Table 4.5-7	Estimated Construction Emissions (MT of CO <sub>2</sub> e) – Proposed Project.....	4.5-28
Table 4.5-8	Combined Annual Emissions (MT of CO <sub>2</sub> e per year) <sup>1</sup> – Proposed Project Compared to Existing Conditions.....	4.5-29
Table 4.5-9	Estimated Construction Emissions (MT of CO <sub>2</sub> e) – Proposed Project Compared to Approved Entitlements.....	4.5-31

Table 4.5-10	Combined Annual Emissions (MT of CO <sub>2</sub> e per year) – Proposed Project Compared to Approved Entitlements <sup>1</sup> .....	4.5-32
Table 4.7-1	Existing Land Uses and Zoning .....	4.7-3
Table 4.7-2	Project Consistency with General Plan Goals and Policies .....	4.7-13
Table 4.8-1	Vibration Damage Potential Threshold Criteria .....	4.8-4
Table 4.8-2	Vibration Annoyance Potential Criteria .....	4.8-5
Table 4.8-3	Project Site Sound Level Monitoring Results – Short-Term .....	4.8-6
Table 4.8-4	Project Site Noise Monitoring Results – Long Term .....	4.8-7
Table 4.8-5	Significance of Changes in Operational Noise Exposure .....	4.8-11
Table 4.8-6	Land Use Noise Compatibility Matrix.....	4.8-12
Table 4.8-7	Heavy-Duty Construction Traffic.....	4.8-16
Table 4.8-8	Vibration Levels Measured during Construction Activities.....	4.8-17
Table 4.8-9	Vibration Thresholds.....	4.8-19
Table 4.8-10	Estimated Construction Noise Levels – Proposed Project .....	4.8-21
Table 4.8-11	Mitigated Construction Noise Levels – School Hours .....	4.8-27
Table 4.8-12	Mitigated Construction Noise Levels – 6:00 p.m. to 8:00 a.m.....	4.8-28
Table 4.8-13	Outdoor Dining Noise at the Property Line of the Nearest Sensitive Receivers....	4.8-31
Table 4.8-14	Combined Operational Noise Levels (CNEL) at the Property Line of the Nearest Sensitive Receivers .....	4.8-33
Table 4.8-15	Traffic Noise Modeling – Proposed Project Compared to Existing Conditions.....	4.8-35
Table 4.8-16	Traffic Noise Modeling – Proposed Project Compared to Approved Entitlements.....	4.8-37
Table 4.8-17	Vibration Levels at the Structures of the Nearest Sensitive Receivers.....	4.8-39
Table 4.8-18	Cumulative and Cumulative Plus Proposed Project Traffic Noise Analysis.....	4.8-45
Table 4.9-1	Project Trip Generation Rates.....	4.9-13
Table 4.9-2	Baseline VMT for City of Beverly Hills .....	4.9-14
Table 4.9-3	City of Beverly Hills VMT Impact Thresholds for Land Use Projects .....	4.9-16
Table 4.9-4	Proposed Project Trip Generation Estimates.....	4.9-32
Table 4.9-5	Comparison of Proposed Project and the Remaining Approved Entitlements .....	4.9-34
Table 4.9-6	Proposed Project and Approved Entitlements Trip Generation Comparison.....	4.9-35
Table 4.9-7	SCAG Growth Assumptions for the Project Transportation Analysis Zone.....	4.9-44
Table 4.11-1	Projected Water Supply in Beverly Hills – Normal Water Year.....	4.11-2
Table 4.11-2	Projected Water Supply in Beverly Hills – Single and Multiple Dry Years .....	4.11-2
Table 4.11-3	Projected Water Demand .....	4.11-16
Table 6-1	Characteristics of Alternatives Compared to the Proposed Project .....	6-3
Table 6-2	Impact Comparison of Alternatives .....	6-43

## Figures

Figure 1-1	Environmental Review Process .....	1-18
Figure 2 1	Regional Location .....	2-3
Figure 2 2	Project Site Location .....	2-4
Figure 2 3a	Site Photographs .....	2-5
Figure 2–3b	Site Photographs .....	2-6
Figure 2–3c	Site Photographs .....	2-7
Figure 2 4	Approved Beverly Hilton Specific Plan Site Plan .....	2-9
Figure 2 5	Approved 9900 Wilshire Specific Plan Site Plan.....	2-10
Figure 2 6	Illustrative Site Plan.....	2-12
Figure 2 7	Detailed Site Plan .....	2-13
Figure 2 8a	Project Rendering.....	2-14
Figure 2–8b	Project Rendering.....	2-15
Figure 2 8c	Project Rendering.....	2-16
Figure 2 9	Proposed Demolition Plan .....	2-21
Figure 2 10	Project Elevation – South Elevation from North Santa Monica Boulevard .....	2-22
Figure 2 11	Project Elevation – West Elevation from Access Road and North Elevation from Wilshire Boulevard.....	2-23
Figure 2 12	Vehicle Access and Circulation.....	2-29
Figure 2 13	Pedestrian Access and Circulation .....	2-30
Figure 4.3-1	Beverly Hilton Property.....	4.3-13
Figure 4.4-1	Regional Surface Fault Map .....	4.4-2
Figure 4.4-2	Map of Site and Transects, Trenches and Fault Studies .....	4.4-7
Figure 4.7-1	General Plan Land Use Designations.....	4.7-4
Figure 4.7-2	Zoning Designations.....	4.7-5
Figure 4.8-1	A-Weighted Decibel Scale .....	4.8-3
Figure 4.8-2	Noise Measurement Locations .....	4.8-9
Figure 4.9-1	Proposed Pedestrian Circulation Plan.....	4.9-25
Figure 4.9-2	Proposed Site Circulation Plan .....	4.9-39
Figure 4.11-1	Conceptual Utility Exhibit – Beverly Hills Domestic Water .....	4.11-5
Figure 4.11-2	Conceptual Utility Exhibit – Metropolitan Water District Water.....	4.11-6
Figure 4.11-3	Conceptual Utility Exhibit – Beverly Hills Fire Water .....	4.11-7
Figure 6-1	Conceptual Site Plan for Alternative 1 .....	6-7
Figure 6-2	Massing Diagram for Alternative 1 .....	6-8
Figure 6-3	Conceptual Site Plan for Alternative 3.....	6-17
Figure 6-4	Massing Diagram for Alternative 3 .....	6-18
Figure 6-5	Conceptual Site Plan for Alternative 4.....	6-25

Figure 6-6	Massing Diagram for Alternative 4 .....	6-26
Figure 6-7	Conceptual Site Plan for Alternative 5 .....	6-33
Figure 6-8	Massing Diagram for Alternative 5 .....	6-34

## Appendices

Appendix A	Notice of Preparation, Initial Study, and Scoping Comments
Appendix B	Air Quality and GHG Modeling Results
Appendix C	Focused Bat Survey
Appendix D	Cultural Resources Report
Appendix E	Geology Studies
Appendix F	Noise
Appendix G	Transportation

*This page intentionally left blank*

# Executive Summary

---

This document is a Supplemental Environmental Impact Report (SEIR) analyzing the environmental effects of the proposed One Beverly Hills Overlay Specific Plan (proposed project). This section summarizes the characteristics of the proposed project, alternatives to the proposed project, and the environmental impacts and mitigation measures associated with the proposed project.

## Project Synopsis

### Project Applicant

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

### Lead Agency Contact Person

Masa Alkire, AICP, Principal Planner  
City of Beverly Hills, Community Development Department  
455 North Rexford Drive, First Floor  
Beverly Hills, California 90210  
[malkire@beverlyhills.org](mailto:malkire@beverlyhills.org)  
(310) 285-1135

### Project Location

The 17.4-acre project site contains the parcels located at 9850, 9876, 9900, and 9988 Wilshire Boulevard, west of the intersection of Wilshire Boulevard and North Santa Monica Boulevard at the western edge of the City of Beverly Hills. The site is comprised of Assessor's Parcel Numbers (APNs): 4327-028-002 through -016. The site is regionally accessible from the San Diego Freeway (Interstate 405, or I-405) and the Santa Monica Freeway (Interstate 10, or I-10), and locally accessible from North Santa Monica Boulevard (State Route 2) and Wilshire Boulevard. I-405 is located approximately 2.3 miles southwest of the project site and I-10 is located approximately 2.3 miles south of the project site.

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 (herein referred to as the "Beverly Hilton site"), an existing gas station with convenience store (although not currently in operation) at 9988 Wilshire Boulevard ("gas station site"), and a vacant, partially excavated property at 9900 Wilshire Boulevard ("9900 Wilshire Boulevard site"). 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.



## **Project Background**

The 9900 Wilshire Boulevard site has an approved entitlement for future development (9900 Wilshire Specific Plan) that allows for the construction of up to 193 condominium units and a 134-room luxury hotel. The Beverly Hilton site has an approved entitlement (Beverly Hilton Specific Plan) that allows for the future construction of 110 condominium units and demolition and reconstruction of approximately 51,600 SF of retail, restaurant, meeting and office space.

The proposed Overlay Specific Plan Project is a unified development plan that encompasses the sites with the currently Approved Entitlements (9900 Wilshire Specific Plan and Beverly Hilton Specific Plan) and the gas station site at 9988 Wilshire Boulevard. The proposed project consists of two new residential buildings, a new hotel/residential building, alterations to the existing Beverly Hilton hotel, a below grade parking structure, and structures supporting project amenities and features. An elevated platform over Merv Griffin Way from the Beverly Hilton to the southwestern property line would support an 8-acre botanical garden that includes water features, pathways, and other amenities. Approximately 4.5 acres of the botanical gardens are proposed to be publicly accessible.

## **Project Description**

The Overlay Specific Plan Project would allow for alternative site development of the 17.4-acre project site than the site development authorized by the approved 9900 Wilshire Specific Plan, the approved Beverly Hilton Specific Plan, and the C-3 zoning designation applicable to the gas station site. The proposed Project includes the following:

- New 162 residential unit, 499,806 SF, 32-story, 410' tall residential building (Santa Monica Residences)
- New 141 residential unit, 424,266 SF, 28-story, 369' tall residential building (Garden Residences)
- New 37 residential unit and 42 hotel room, 213,966 SF, 11-story, 124' tall hotel/residential building (Wilshire Building)
- New 127,324 SF structure containing amenities and support areas, including 30 residential accessory spaces that could be used for staff housing (Promenade)
- Replacement 37,562 SF, 31' tall conference center for Beverly Hilton Hotel
- Replacement 72,697 SF, 20' tall hotel restaurant, retail, 36 hotel room, and support area structure (Beverly Hilton Enhancement)
- 13.4-acres of open space, including 8-acre botanical garden<sup>1</sup>

Table ES-1 summarizes the characteristics of the proposed project. Table ES-2 presents the Approved Entitlements under the Existing Specific Plans and zoning and compares the Approved Entitlements and the maximum allowed development under existing C-3 zoning to those of the proposed Overlay Specific Plan. Table ES-3 summarizes the existing conditions of the project site and compares the existing conditions to the proposed entitlements.

---

<sup>1</sup> Public open space area is inclusive of the 10 acres associated with portions of the project site proposed to be modified and 3.4 acres of unmodified open space areas associated with the existing Beverly Hilton and the existing Waldorf-Astoria Beverly Hills.

**Table ES-1 Project Characteristics**

	<b>On the Beverly Hilton Site</b>	<b>On the 9900 Wilshire Boulevard Site and Gas Station Site</b>
Lot Area (sf)	389,597	368,467
Total Building Floor Area (sf)	Beverly Hilton Hotel (E): 350,789 Waldorf-Astoria Beverly Hills 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 <sup>1</sup>
Building Heights <sup>2</sup>	Beverly Hilton Hotel (E): 79'-1" <sup>3</sup> Waldorf-Astoria Beverly Hills Hotel (E): 124'-0" <sup>3</sup> Conference Center (N): 31'-0" <sup>3</sup> Beverly Hilton Enhancement (N): 19'-6" <sup>3</sup>	Santa Monica Residences (N): 410'-0" <sup>3</sup> Garden Residences (N): 369'-0" <sup>3</sup> Wilshire Building (N): 124'-0" <sup>3</sup> Park Pavilion (N): 20'- 1" <sup>3</sup> Promenade <sup>4</sup> (N): 5'-0" <sup>3</sup>
Residences (units [sf])	0 [0]	340 [1,024,553]
Hotels (rooms [sf])	558 [632,838]	42 [113,485]
Shared Hotel/Residential Amenities <sup>1</sup> (sf)	0	117,232
Accessory Spaces (units [sf])	0 [0]	30 [10,092]
Retail (sf)	35,236	0
<b>Total Project Parking Spaces</b>	<b>2,179<sup>5,6</sup></b>	
<b>Total Project Private Open Space (sf)<sup>7</sup></b>	<b>174,240<sup>5</sup></b>	
<b>Total Project Public Open Space (sf)<sup>8</sup></b>	<b>409,412<sup>5</sup></b>	
<b>Total Project Combined Open Space area (sf)</b>	<b>583,652<sup>5,8</sup></b>	

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

<sup>1</sup> Accessory spaces located in the Promenade are accounted for in the square-footage reported for "Accessory Spaces" and "Shared Hotel/Residential Amenities" reports square-footage for shared hotel/residential amenities space in the promenade.

<sup>2</sup> Due to natural variation in the elevations across the project site, building heights are measured from a horizontal plane of reference from which all vertical dimensions are measured (or datum level) so that the reported building heights can be standardized and comparable to one another.

<sup>3</sup> Measured from +301 AMSL datum. Note the datum has changed between the Existing Specific Plans and the proposed project because the Municipal Code requires the height of commercial buildings to be measured from the highest point on the sidewalk adjacent to the site. Because the gas station site is included in the project site, the datum was adjusted to reflect the highest point on the sidewalk adjacent to the project site, which is a location adjacent to the gas station site.

<sup>4</sup> The Promenade is a shared hotel/residential amenity space that connects the buildings and contains the Park Pavilion Building

<sup>5</sup> Includes the entire project site (Beverly Hilton site, 9900 Wilshire Boulevard site, and gas station site)

<sup>6</sup> The project includes 1,865 new parking spaces. In addition, 314 existing parking spaces would remain at the Waldorf-Astoria Beverly Hills Hotel

<sup>7</sup> Private open space would be reserved for hotel guests and residents

<sup>8</sup> Open space includes the gardens and other landscaped areas, water features and pools, publicly accessible roadways/walking paths, and similar areas. Public open space area is inclusive of the 10 acres associated with portions of the project site proposed to be modified and 3.4 acres of unmodified open space areas associated with the existing Beverly Hilton and the existing Waldorf-Astoria Beverly Hills.

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

	<b>Currently Approved Entitlements and Existing C-3 Zoning<sup>1</sup></b>	<b>Proposed Entitlements</b>	<b>Net Change (Proposed Entitlements – Currently Approved)</b>
Residences (units [sf])	303 [1,068,676]	340 [1,024,553]	+37 [-44,123]
Hotels (rooms [sf])	656 [806,403]	600 [746,323]	-56 [-60,080]
Shared Hotel/Residential Amenities <sup>2</sup> (sf)	0	117,232	+117,232
Accessory Spaces (units [sf])	0 [0]	30 [10,092]	+30 [+10,092]
Retail Floor Area (sf)	46,686 <sup>3</sup>	35,236 <sup>4</sup>	-11,450
Total Floor Area Ratio	2.54 <sup>3</sup>	2.55	0.01
Maximum Building Height	9900 Wilshire Boulevard Site: 185'-0" <sup>5</sup> Gas Station Site: 45'-0" <sup>9</sup> Beverly Hilton Site: 200'-0" <sup>6</sup>	9900 Wilshire Boulevard Site: 410'-0" <sup>7</sup> Gas Station Site: 124'-0" <sup>7</sup> Beverly Hilton Site: 124'-0" <sup>7</sup>	9900 Wilshire Boulevard Site: +236'-0" <sup>8</sup> Gas Station Site: +79'-0" Beverly Hilton Site: -60'-0" <sup>8</sup>
Open space (acres)	8.0	13.4	5.4
Parking Spaces	3,323	2,179	-1,144

<sup>1</sup> Sources: City of Beverly Hills 2008a and 2016a

<sup>2</sup> Shared amenity space includes the Promenade and a park pavilion building

<sup>3</sup> Average of the FAR for the gas station site (9988 Wilshire Boulevard) of 2.0 allowable under C-3 zoning and FAR of 2.55 for the remainder of the project site (9900 Wilshire Boulevard site and Beverly Hilton site). The retail floor area estimate is based on this 2.0 FAR allowable under C-3 zoning.

<sup>4</sup> 35,236 sf of proposal retail includes the Santa Monica Retail component of the Beverly Hilton Enhancement only. All hotel retail uses are captured under hotel land use.

<sup>5</sup> Measured from +290 datum

<sup>6</sup> Measured from +285 datum

<sup>7</sup> Measured from +301 datum

<sup>8</sup> Height difference measures physical difference (adjusted for datum difference)

<sup>9</sup> Gas station site maximum height is the maximum height allowed under C-3 zoning

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

	Existing Conditions	Proposed Entitlements	Net Change (Proposed Entitlements – Existing Conditions)
Residential Uses (units [sf])	0	340 [1,024,553]	+340 [+1,024,553]
Hotel Uses (rooms [sf])	739 [724,649]	600 [746,323]	-139 [+21,674]
Shared Hotel/Residential Amenities <sup>1</sup> (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" <sup>2</sup> Beverly Hilton Site: 124'-0" <sup>2</sup> Gas Station Site: 21'-10" <sup>2</sup>	9900 Wilshire Boulevard Site: 410'-0" <sup>2</sup> Beverly Hilton Site: 124'-0" <sup>2</sup> Gas Station Site: 124'-0" <sup>2</sup>	9900 Wilshire Boulevard Site: +410'-0" Beverly Hilton Site: +0'-0" Gas Station Site: +102'-2"
Open Space (acres)	3.7 <sup>3</sup>	13.4	9.7
Parking Spaces	1,239	2,179	+940

<sup>1</sup> Shared amenity space includes the Promenade and Park Pavilion Building.

<sup>2</sup> Measured from +301 datum

<sup>3</sup> This open space number does not include the vacant undeveloped 9900 Wilshire site and does not include the 9988 Wilshire gas station site.

## Project Objectives

The project includes the following objectives:

- Preserve the Existing Specific Plans while allowing for a comprehensive and coordinated master plan for the project site, through the Overlay Specific Plan, that increases the amount of open space as compared to the Existing Specific Plans and takes advantage of the physical, social, and economic potential of the project site
- Define a comprehensive and coordinated master plan for the project site, through the Overlay Specific Plan, generally consistent with the uses and floor area provided for by the Existing Specific Plans and zoning that enhances the City's western gateway and views of the project site from Wilshire and North Santa Monica boulevards
- Establish a new architectural gateway to the City of Beverly Hills at its westernmost entrance
- Allow the hotels on the project site to remain competitive in the hotel industry and local and regional marketplaces through the replacement of rooms in detached buildings, increasing the supply of luxury hotel rooms, and adding appealing new retail and amenities to the site. These features would encourage Beverly Hills visitors to continue to shop, stay, and dine in Beverly Hills

- Maintain the integrity of the existing Welton Becket-designed Beverly Hilton Wilshire Tower and the existing Waldorf-Astoria Beverly Hills and ancillary uses
- Minimize building footprints to create approximately 13.4 acres of open space, including publicly accessible botanical gardens, for the use and enjoyment of the Beverly Hills community and project residents and guests by constructing an unifying landscaped elevated platform over Merv Griffin Way from the Beverly Hilton to the new residential components of the Overlay Specific Plan
- Open the project site from Wilshire Boulevard and North Santa Monica Boulevard to pedestrians and provide bicycle parking and connections to the City's existing bike paths to promote active transportation and pedestrian activity in and around the project site
- Increase open space along Wilshire Boulevard through the development of a sculpture garden for the use and enjoyment of the public and which complements the existing Beverly Gardens Park on the north side of Wilshire Boulevard
- Create a Beverly Hilton conference center that meets the needs of today's business travelers, hotel guests, and meeting attendees
- Improve traffic circulation in and around the project site by providing additional vehicular access points on Wilshire Boulevard and North Santa Monica Boulevard for project residents and guests to reduce travel on Merv Griffin Way
- Establish environmental and sustainability goals that will meet or exceed LEED Gold and WELL requirements, implement capture and reuse of rainwater and greywater, and add green roofs to new buildings
- Provide new housing opportunities within the City, in close proximity to nearby office and retail areas, and at a location well-served by existing and under construction public transit options
- Provide full service residential units with hotel-like amenities that are competitive with existing and proposed residential projects in the Wilshire Corridor and Century City, and have comparable views
- Provide annual net revenue to the City that substantially exceeds the revenue the City would receive under the Existing Specific Plans or other commercial uses on the project site

## Alternatives

As required by the California Environmental Quality Act (CEQA), this SEIR examines alternatives to the proposed project. Studied alternatives include the following five alternatives. Based on the alternatives analysis, Alternative 4 was determined to be the environmentally superior alternative.

- Alternative 1: No Project (Buildout of Approved Entitlements)
- Alternative 2: No Further Development
- Alternative 3: One Residential/Hotel Tower and One Residential Tower
- Alternative 4: Preservation of the Wilshire Edge Building, Swimming Pool and Lanai Rooms
- Alternative 5: Reduced Building Heights

**Alternative 1 (No Project Alternative)** assumes that the proposed project would not move forward. Development under the Approved Entitlements would continue on the project site, including construction of the 8-story Residences A building, 18-story Residences B building, and two-story Beverly Hilton conference/hotel facilities building on the Beverly Hilton site; and construction on the 9900 Wilshire Boulevard site 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 space, 7,940 sf of meeting space, 14,435 sf of spa and fitness, and other guest amenities. Further, the gas station would become operational again. The No Project (Approved Entitlements) Alternative would involve construction of 37 fewer residential units, 56 more hotel rooms, no accessory spaces, and 11,450 additional sf of retail. While maximum floor area would remain the same under both the proposed project and Approved Entitlements, the maximum building heights would be shorter on the 9900 Wilshire Boulevard site (maximum of 185 feet) and the gas station site (maximum of 45 feet), and taller on the Beverly Hilton site (maximum of 200 feet) under the No Project Alternative. This alternative would provide two acres less of open space in comparison to the proposed project.

**Alternative 2 (No Further Development)** would involve no change to the existing development on the project site would occur and hotel operations would remain largely the same as current conditions, although minor renovations and improvements to existing hotel facilities may occur in the foreseeable future. Under this scenario, the existing gas station at 9988 Wilshire Boulevard would become operational again. Alternative 2, like Alternative 1, is considered a “no project” alternative as it proposes no further action on the project site.

**Alternative 3 (One Residential/Hotel Tower and One Residential Tower)** would involve the development of the Garden Residence with combined residential/hotel uses and the Santa Monica Residence with residential uses. This alternative would not include construction of the Wilshire Building in order to allow for increased building setbacks from Wilshire Boulevard and North Santa Monica Boulevard. Removing the Wilshire Building would result in an increase in open space under this alternative by 0.7 acre compared to the proposed project. The residential and hotel uses included under the proposed project for the Wilshire Building would be redistributed to the Garden Residences and Santa Monica Residence buildings, increasing their heights by 40 and 30 feet, respectively. Under this alternative, access to the residential and hotel uses would continue to be provided via a new private road along the western property boundary, similar to the proposed project. All other components of this alternative would remain the same as those of the proposed project, including the total FAR of 2.55. Construction techniques, duration, and equipment would be similar to that used for construction of the proposed project. This alternative would have the same program of uses as the proposed project, including the same total building square footages, residential unit counts, and hotel room counts. The purpose of this alternative is to address historical resource impacts related to the historic viewshed of the Wilshire Tower from Wilshire Boulevard and North Santa Monica Boulevard, and views from the Wilshire Tower.

**Alternative 4 (Preservation of the Wilshire Edge Building, Swimming Pool and Lanai Rooms)** would alter development on the Beverly Hilton site to avoid demolition of the Wilshire Edge building and the Lanai Rooms, and include reconstruction of the Swimming Pool in kind in at the same location as it currently exists. The Wilshire Edge building would continue to be used as a conference center, and no new conference center building would be constructed under this alternative. The parking garage would be demolished under this alternative. Similar to Alternative 3, this alternative would not include construction of the Wilshire Building in order to allow for increased building setbacks from Wilshire Boulevard and North Santa Monica Boulevard. The remaining residential and hotel uses would be redistributed to a new 14-story, 110 foot tall building in the middle of the project site, parallel to Merv Griffin Way. Construction techniques, duration, and equipment would be similar to that used for construction of the proposed project. This building would also include uses previously envisioned for the Beverly Hilton Enhancement building under the proposed project, but the 36 poolside hotel rooms included in the proposed project would not be constructed as the existing

Lanai Rooms would remain in place. Under this alternative, access to the residential and hotel uses would continue to be provided via a new private road along the western property boundary, similar to the proposed project. All other components of this alternative would remain the same as those of the proposed project, including the total FAR of 2.55. This alternative would have the same program of uses as the proposed project, including the same total building square footages, residential unit counts, and hotel room counts. However, under this alternative, open space within the project site would be reduced to 8.2 acres. The purpose of this alternative is to address historic resource impacts related to the proposed project's impacts to historic views of Wilshire Tower from Wilshire Boulevard, and contributing buildings and features of the Beverly Hilton.

**Alternative 5 (Reduced Building Heights)**, similar to Alternative 4, would alter development on the Beverly Hilton site to avoid demolition of the Wilshire Edge building and the Lanai Rooms, and include reconstruction of the Swimming Pool in kind at the same location as it currently exists. The Wilshire Edge building would continue to be used as a conference center, and no new conference center building would be constructed under this alternative. The parking garage would be demolished under this alternative. This alternative would include the same program of uses, including a total FAR of 2.55, the same total building square footages, residential unit counts, and hotel room count (e.g. a total of 600 hotel rooms would be provided on the site including the 36 poolside hotel rooms in the existing Lanai Rooms which would remain in place). However, buildings under this alternative would not exceed the heights approved under the 9900 Wilshire Specific Plan (a maximum height of 174 feet measured from the project datum). Uses would be redistributed between six new buildings ranging in height from 9 stories (89 feet) near Wilshire Boulevard to 18 stories (174 feet) near North Santa Monica Boulevard. Under this alternative there is no elevated botanical garden or public open space. Construction techniques, duration, and equipment would be similar to that used for construction of the proposed project. Access to the residential and hotel uses would continue to be provided via a new private road along the western property boundary, similar to the proposed project. The purpose of this alternative is to address historic resource impacts related to the proposed project's impacts to contributing buildings and features of the Beverly Hilton.

Refer to Section 6, *Alternatives*, for the complete alternatives analysis.

## Areas of Known Controversy

The SEIR scoping process did not identify any areas of known controversy for the proposed project. Responses to the Notice of Preparation of a Draft SEIR and input received at the SEIR scoping meeting held by the City are summarized in Section 1, *Introduction*.

## Issues to be Resolved

The project would require the discretionary approval of the City of Beverly Hills. Unless otherwise indicated, the City's Planning Commission will provide a recommendation to the City Council. The City Council has the project approval authority. Specifically, the following approvals would be required:

- Certification of the Final SEIR
- Approval of a General Plan Amendment to add the One Beverly Hills Overlay Specific Plan land use designation to the project site
- Approval of the One Beverly Hills Overlay Specific Plan

- Approval of a Zone Text Amendment to add the One Beverly Hills Overlay Specific Plan to the Municipal Code and a Zoning Map Amendment to add the One Beverly Hills Overlay Specific Plan zoning designation to the project site
- Approval of a Development Agreement
- Other approvals as required by the City, applications for which have not yet been submitted:
  - Approval of a Tentative Tract Map
  - Approval of Architectural Review (by the Architectural Commission)
  - Approval of an After Hours Construction Permit (by the Building Official)
  - City of Beverly Hills Traffic Management Plan, Building Permit, Grading Permit, Dewatering Permit
- Other approvals required by other agencies (such as the City of Los Angeles, California Department of Transportation, and Metropolitan Water District of Southern California), including but not limited to the following:
  - State of California, Division of Transportation permits for haul routes and use of oversized transport vehicles on state facilities
  - City of Los Angeles permits for disposal of materials and haul routes
  - Metropolitan Water District of Southern California approval of a relocation agreement to move Metropolitan pipelines within the project site and approval of design plans for portions of project that could impact Metropolitan facilities

## Issues Not Studied in Detail in the SEIR

As indicated in the Initial Study (Appendix A), there is no substantial evidence that significant impacts would occur to the following issue areas: Aesthetics, Agriculture and Forestry Resources, Energy, Hydrology/Water Quality, Mineral Resources, Population/Housing, Public Services (except fire hydrant water flow, which is discussed in Section 4.11, *Utilities and Service Systems*), Recreation, and Wildfire. Section 1, *Introduction*, includes a list of environmental issues studied in the SEIR in Section 1.5, *Scope and Content*.

## Summary of Impacts and Mitigation Measures

For purposes of this SEIR, existing conditions and remaining buildout allowed under the Existing Specific Plans (Approved Entitlements) are both used as baselines for the analysis. Buildout allowed under the Existing Specific Plans (Approved Entitlements) is included as a baseline because it represents what is currently permitted for development at the project site. Table ES-4 summarizes the environmental impacts of the proposed project, proposed mitigation measures, and residual impacts (the impact after application of mitigation). A significance determination was made against both the existing conditions and Approved Entitlements under the Existing Specific Plans, and both conclusions are included in Table ES-4 for informational purposes. Since this is an SEIR, the final conclusions will be based on comparisons between Approved Entitlements and the proposed project. Impacts are categorized as follows:

- **Significant and Unavoidable.** An impact that cannot be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires a Statement of Overriding Considerations to be issued if the project is approved per §15093 of the CEQA Guidelines.



- **Less than Significant with Mitigation Incorporated.** An impact that can be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires findings under §15091 of the CEQA Guidelines.
- **Less than Significant.** An impact that may be adverse, but does not exceed the threshold levels and does not require mitigation measures. However, mitigation measures that could further lessen the environmental effect may be suggested if readily available and easily achievable.
- **No Impact.** The proposed project would have no effect on environmental conditions or would reduce existing environmental problems or hazards.

**Table ES-4 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measure(s)	Residual Impact
<b>Air Quality</b>		
<b>Impact AQ-1.</b> The proposed project would generate population growth and job growth. However, such growth would not exceed the growth forecasts on which the 2016 AQMP is based or delay the timely attainment of air quality standards. Regardless of whether compared to existing conditions or Approved Entitlements, impacts related to AQMP consistency would remain less than significant.	None required.	<p><b>Existing Conditions:</b> Less than significant</p> <p><b>Approved Entitlements:</b> Less than significant</p>
<b>Impact AQ-2.</b> The proposed project would generate temporary emissions of criteria air pollutants during construction. Construction-related emissions associated with the proposed project would exceed the SCAQMD regional threshold for NO <sub>x</sub> emissions. Although previous environmental documentation determined that the Existing Specific Plans would have a significant and unavoidable construction air quality impact, implementation of Mitigation Measures MM-AQ-1 through MM-AQ-9 would reduce the impacts of the proposed project to a less than significant level. Therefore, in comparison to existing conditions and Approved Entitlements, impacts of the proposed project would be less than significant with mitigation. In addition, in comparison to Approved Entitlements, project impacts would be less than what were identified in previous environmental documentation.	<p>The following mitigation measures would be required for the proposed project. These measures include Mitigation Measures MM-AQ-1 through MM-AQ-7, as revised and adapted to current industry standards from the previous environmental documentation, as well as two new mitigation measures (MM-AQ-8 and MM-AQ-9). These measures would supersede Mitigation Measures MM AQ-1 through MM AQ-15 from the Beverly Hilton Specific Plan 2008 EIR and Mitigation Measures MM AQ-1 through MM AQ-13 from the 9900 Wilshire Specific Plan 2016 SEIR, which have been replaced to consolidate, update, and clarify the mitigation needed for the proposed project. The remaining mitigation measures from the previous environmental documents (MM AQ-9 through MM AQ-15 from the Beverly Hilton Specific Plan 2008 EIR and MM AQ-9 through MM AQ-13 from the 9900 Wilshire Specific Plan 2016 SEIR) are not necessary to mitigate project impacts because the analysis in this SEIR did not identify significant construction-related impacts associated with PM<sub>10</sub> and PM<sub>2.5</sub> emissions. Nevertheless, this mitigation measures are required for the Existing Specific Plans and therefore are carried forward in this SEIR as required mitigation for the proposed project.</p> <p><b>MM-AQ-1.</b> Prior to issuance of a grading, demolition, or building permit, whichever comes first, the Developer shall prepare a Construction Traffic Emission Management Plan to minimize emissions from vehicles including, but not limited to, scheduling truck deliveries and haul routes to avoid peak-hour traffic conditions, consolidating truck deliveries, and prohibiting truck idling in excess of 5 minutes. The</p>	<p><b>Existing Conditions:</b> Less than significant</p> <p><b>Approved Entitlements:</b> Less than significant</p>

Impact	Mitigation Measure(s)	Residual Impact
	<p>Construction Traffic Emission Management Plan shall be submitted to the City of Beverly Hills Community Development Department, and reviewed and approved by the appropriate City Departments/Divisions (e.g. Building and Safety, Planning, Transportation).<sup>2</sup></p> <p><b>MM-AQ-2.</b> The Contractor shall ensure that the use of all fossil-fueled construction equipment is suspended during first-stage smog alerts.<sup>3</sup></p> <p><b>MM-AQ-3.</b> The Contractor shall promote the use of electricity or alternate fuels for on-site mobile equipment instead of diesel equipment to the extent feasible.<sup>4</sup></p> <p><b>MM-AQ-4.</b> The Contractor shall maintain construction equipment by conducting regular tune-ups according to the manufacturers' recommendations.<sup>5</sup></p> <p><b>MM-AQ-5.</b> The Contractor shall promote the use of electric welders to avoid emissions from gas or diesel welders, to the extent feasible.<sup>6</sup></p> <p><b>MM-AQ-6.</b> The Contractor shall promote the use of on-site electricity or alternative fuels rather than diesel-powered or gasoline-powered generators to the extent feasible.<sup>7</sup></p> <p><b>MM-AQ-7.</b> Prior to use in construction, the Developer and Contractor shall evaluate the feasibility of retrofitting the large off-road construction equipment that will be operating for significant periods. Retrofit technologies such as particulate traps, selective catalytic reduction, oxidation catalysts, air enhancement technologies, etc., shall be evaluated. These technologies shall be required if they are verified by CARB and/or the USEPA and are commercially available and can feasibly be retrofitted onto construction equipment. Prior to the start of each construction phase, the Contractor shall</p>	

<sup>2</sup> Equivalent to Mitigation Measure MM AQ-1 from both previous environmental documents.

<sup>3</sup> Equivalent to Mitigation Measure MM AQ-2 from both previous environmental documents.

<sup>4</sup> Equivalent to Mitigation Measure MM AQ-3 from both previous environmental documents.

<sup>5</sup> Equivalent to Mitigation Measure MM AQ-4 from both previous environmental documents.

<sup>6</sup> Equivalent to Mitigation Measure MM AQ-5 from both previous environmental documents.

<sup>7</sup> Equivalent to Mitigation Measure MM AQ-6 from both previous environmental documents.

Impact	Mitigation Measure(s)	Residual Impact
	<p>submit an equipment inventory report to the City of Beverly Hills Community Development Department for review and approval. The equipment inventory report shall indicate which equipment will not be operating for significant periods (and will thus be excluded from consideration for retrofits) and which equipment will be retrofitted. For all equipment that will operate for significant periods but will not be retrofitted, the equipment inventory report shall provide substantial evidence as to why retrofits are not available or feasible.<sup>8</sup></p> <p><b>MM-AQ-8.</b> The Contractor shall use tandem trucks (also known as double belly dump trucks) with a minimum capacity of 28 cubic yards (CY) for hauling soil material from the project site.</p> <p><b>MM-AQ-9.</b> Demolition and grading phases shall not be conducted concurrently. Each demolition or grading phase must be fully completed before commencement of the subsequent demolition or grading phase.</p> <p><b>MM AQ-10*.</b> The Contractor shall ensure that traffic speeds on all unpaved roads are reduced to 15 miles per hour or less.<sup>9</sup></p> <p><b>MM AQ-11*.</b> The Contractor shall ensure that the project site is watered at least three times daily during dry weather.<sup>10</sup></p> <p><b>MM AQ-12*.</b> The Contractor shall install wind monitoring equipment on site, to the extent feasible, and suspend grading activities when wind speeds exceed 25 miles per hour per SCAQMD guidelines.<sup>11</sup></p> <p><b>MM AQ-13*.</b> The Contractor shall water storage piles or apply cover when wind events are declared (wind speeds in excess of 25 miles per hour).<sup>12</sup></p> <p><b>MM AQ-14*.</b> The Contractor shall apply nontoxic chemical soil stabilizers on inactive construction areas (disturbed lands</p>	

<sup>8</sup> Equivalent to Mitigation Measure MM AQ-7 from both previous environmental documents.

<sup>9</sup> Equivalent to Mitigation Measure MM AQ-8 from both previous environmental documents.

<sup>10</sup> Equivalent to Mitigation Measure MM AQ-9 from both previous environmental documents.

<sup>11</sup> Equivalent to Mitigation Measure MM AQ-10 from both previous environmental documents.

<sup>12</sup> Equivalent to Mitigation Measure MM AQ-11 from both previous environmental documents.

Impact	Mitigation Measure(s)	Residual Impact
	<p>within construction projects that are unused for at least four consecutive days).<sup>13</sup></p> <p><b>MM AQ-15*.</b> The Contractor shall replace ground cover in disturbed areas as quickly as possible.<sup>14</sup></p> <p><b>MM AQ-16*.</b> The project proponent shall establish a third-party air quality consultant to conduct monitoring of the PM<sub>10</sub> (dust) concentrations during the project demolition, excavation, and grading phases of project construction (approximately 588 work days<sup>15</sup>) to determine compliance with applicable air quality standards. Monitoring shall be accomplished using DustTrak™ aerosol monitors or other similar monitoring network and shall meet the following requirements:</p> <ul style="list-style-type: none"> <li>▪ The third-party consultant shall be approved by the City of Beverly Hills Planning Department.</li> <li>▪ Costs for the monitoring network and tests by the third-party consultant shall be borne by the project applicant.</li> <li>▪ Monitors shall be located in such a manner that appropriate upwind (background) and two downwind locations from the project are selected. The locations shall be selected in order to monitor the project's contribution to ambient PM<sub>10</sub> concentrations and to minimize the influence of dust contributions from outside sources. One downwind monitoring station shall be located near El Rodeo School's southern perimeter. The other downwind monitor shall be located in an area beyond the project boundary where the general public could be present for a period of more than one hour. The upwind and downwind directions shall be based on the prevailing daytime wind direction in the vicinity of the project site. All locations</li> </ul>	

<sup>13</sup> Equivalent to Mitigation Measure MM AQ-12 from both previous environmental documents.

<sup>14</sup> Equivalent to Mitigation Measure MM AQ-13 from both previous environmental documents.

<sup>15</sup> The Beverly Hilton Specific Plan 2008 FEIR stated that an air quality consultant would be required to conduct monitoring for approximately 92 work days. However, the updated construction schedule provided by the applicant for the proposed project indicates that demolition, grading, and excavation phases will require approximately 588 work days. Therefore, this measure has been revised accordingly.

Impact	Mitigation Measure(s)	Residual Impact
	<p>shall be approved by the third-party air quality consultant and the Community Development Director.</p> <ul style="list-style-type: none"> <li>▪ The monitoring network shall include at least one anemometer to measure wind speeds and directions.</li> <li>▪ Each monitoring station shall be secured in such a manner to prevent access and tampering by unauthorized persons and to prevent damage to the equipment.</li> <li>▪ Each monitoring station shall be sited in a location with access to necessary infrastructure (e.g., electricity needs, foundation requirements, internet connectivity).</li> <li>▪ Monitors shall be calibrated using collocated filter-based samplers (Mini-Vol or other similar equipment). The third-party consultant shall calibrate the DustTrak™ monitors as needed to ensure that data is within acceptable margins of error as determined by manufacturer's specifications.</li> <li>▪ The 5-hour rolling average dust concentration threshold is equal to the threshold specified in SCAQMD Rule 403 (50 micrograms per cubic meter) as determined by the difference between the upwind and downwind stations. The 1-hour average dust concentration threshold shall be set at a level of 150 micrograms per cubic meter to provide sufficient warning for on-site construction managers or supervisors to implement corrective measures. An exceedance of the 1-hour threshold shall not be deemed as a violation of any air quality standard or regulation.</li> <li>▪ Monitoring shall be continuous and provide data at 5-minute intervals. The data shall report rolling 5-hour and rolling 1-hour average PM<sub>10</sub> concentrations. Monitoring shall be active on any day that construction activity occurs during the demolition, excavation, and grading phases of project construction. Data shall be made available to the third-party consultant, the City of Beverly Hills, the project applicant, and the on-site contractor on a secured internet website. The general public shall have access to 5-hour average PM<sub>10</sub> concentrations on a publicly accessible website.</li> </ul>	

Impact	Mitigation Measure(s)	Residual Impact
	<ul style="list-style-type: none"> <li>▪ Monitors shall be equipped with a visual alarm (strobe light or similar) that shall notify appropriate on-site construction managers or supervisors if established thresholds are exceeded. Additionally, an email shall be sent to appropriate on-site construction managers or supervisors if specified PM<sub>10</sub> thresholds are exceeded.</li> <li>▪ All corrective measures, as necessary to reduce emissions to acceptable levels, shall be implemented immediately. If immediate implementation of a specific corrective measure will result in the creation of a hazardous situation, as determined by the Environmental Monitor, construction activity shall be allowed to continue for a reasonable period of time as determined by the Environmental Monitor, until such time that it is safe to implement that corrective measure. Corrective measures shall be documented by the construction contractor in a log book accessible to the third-party air quality consultant and the City of Beverly Hills. Records shall be maintained of the specific action taken, the time and date the corrective action was taken, and written verification by the appropriate on-site construction manager or supervisor that the corrective action was taken.</li> <li>▪ The project applicant and contractor shall develop a corrective action plan. The plan shall be prepared and finalized prior to the commencement of project demolition, the Plan shall indicate steps to safely and adequately reduce on-site dust emissions. The plan shall contain a list of possible corrective measures. The measures shall include, but are not limited to, application of water or other soil stabilizers, temporary reduction in on-site vehicle speed, temporary reduction in construction activity, suspension of construction activity, and other appropriate measures. The plan shall also require notification of the Principal of El Rodeo School and the Beverly Hills Unified School District Superintendent in the event of an exceedance of any of the established thresholds. The project applicant and contractor shall obtain approval of the plan from the City of Beverly Hills</li> </ul>	

Impact	Mitigation Measure(s)	Residual Impact
	<p>Community Development Director prior to commencing demolition.<sup>16</sup></p> <p><b>MM AQ-17*.</b> The project applicant and/or contractor shall comply with SCAQMD Rule 403 by ensuring visible dust emissions from the project site do not go beyond the property line.</p> <ul style="list-style-type: none"> <li>▪ The project applicant and/or contractor shall designate a person located on-site who is trained and certified by CARB to conduct visible emissions evaluations (VEE). The designated person shall ensure compliance with SCAQMD Rule 403 by observing for visible dust emissions beyond the property line during daytime working hours. Observations shall be conducted in accordance with USEPA Method 9 (Title 40, Code of Federal Regulations, Part 60, Appendix A).</li> <li>▪ The project applicant and/or contractor shall obtain a schedule of outdoor activities and athletic events at El Rodeo School and Beverly Hills High School during the construction period from the City or the Beverly Hills Unified School District as soon as the information becomes available, The City shall immediately provide this information to the project applicant and contractor. Provided that the Beverly Hills Unified School District has provided the scheduling information in a timely manner, the project applicant and contractor shall require coordination of all construction activities so as to minimize the occurrence of high-emitting fugitive dust construction activities during the scheduled outdoor events to the extent feasible.</li> <li>▪ In the event visible dust emissions are observed beyond the property line, the designated person shall immediately inform a lead supervisor or other appropriate managing personnel. The supervisor shall immediately implement corrective measures. If visible dust emissions are anticipated to impact El Rodeo School, the supervisor shall notify the Principal of El Rodeo School and the Beverly Hills</li> </ul>	

<sup>16</sup> Equivalent to Mitigation Measure MM AQ-14 from the Beverly Hilton Specific Plan 2008 EIR.



Impact	Mitigation Measure(s)	Residual Impact
	<p>Unified School District Superintendent. If immediate implementation of a corrective measure shall result in the creation of a hazardous situation, construction activity shall be allowed to continue for a reasonable period of time until such time that it is safe to implement corrective measures. Corrective measures shall be documented by the construction contractor in a log book accessible to a third-party air quality consultant and the City of Beverly Hills. Records shall be maintained of the specific action taken, the time and date the corrective action was taken, and written verification by the appropriate on-site construction manager or supervisor that the corrective action was taken.<sup>17</sup></p> <p>* These mitigation measures are required for the Existing Specific Plans and therefore are carried forward and required for the proposed project.</p>	
<p><b>Impact AQ-3.</b> The proposed project would generate temporary localized emissions of criteria air pollutants during construction. Although the Beverly Hilton Specific Plan 2008 EIR concludes that the Beverly Hilton Specific Plan would have a significant and unavoidable impact associated with construction-related emissions of PM<sub>10</sub> and PM<sub>2.5</sub> in excess of SCAQMD LSTs, updated air pollutant modeling of the remaining buildout under the Existing Specific Plans shows that construction activities would no longer exceed SCAQMD LSTs for maximum daily construction emissions. Similarly, construction-related emissions from the proposed project would not exceed the SCAQMD LSTs. Therefore, regardless of whether compared to existing conditions or Approved Entitlements, localized construction air quality impacts under the proposed project would be less than significant and impacts would be less than what was identified in the previous environmental documentation.</p>	None required.	<p><b>Existing Conditions:</b> Less than significant</p> <p><b>Approved Entitlements:</b> Less than significant</p>
<p><b>Impact AQ-4.</b> The proposed project would generate long-term emissions of criteria air pollutants during operation. Although the proposed project would result in a net increase of air pollutant emissions as compared to the Approved Entitlements and existing uses to be demolished, emissions would not exceed SCAQMD recommended thresholds. Therefore,</p>	None required.	<p><b>Existing Conditions:</b> Less than significant</p> <p><b>Approved Entitlements:</b> Less than significant</p>

<sup>17</sup> Equivalent to Mitigation Measure MM AQ-15 from the Beverly Hilton Specific Plan 2008 EIR.

Impact	Mitigation Measure(s)	Residual Impact
regardless of whether compared to existing conditions or Approved Entitlements, operational air quality impacts related to criteria air pollutant emissions under the proposed project would remain less than significant.		
<b>Impact AQ-5.</b> The proposed project would generate localized emissions of carbon monoxide and TACs. However, the proposed project would not expose sensitive receptors to substantial concentrations of these pollutants. Regardless of whether compared to existing conditions or Approved Entitlements, impacts related to carbon monoxide hotspots and TACs would be less than significant.	None required.	<p><b>Existing Conditions:</b> Less than significant</p> <p><b>Approved Entitlements:</b> Less than significant</p>
<b>Biological Resources</b>		
<b>Impact BIO-1.</b> The project could have a substantial adverse effect on locally important wildlife species that may occur on the project site. Regardless of whether compared to existing conditions or Approved Entitlements, impacts would be less than significant with mitigation.	<p><b>MM-BIO-1.</b> The project applicant/contractor should 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 should be initiated during the avian breeding and nesting season (February 1 – August 31).</p> <p>If, however, construction activity is initiated during the avian breeding and nesting season (February 1 – August 31), 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.</p> <p>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.</p> <p>If construction activities are delayed after the survey has been conducted, the qualified biologist shall conduct an additional</p>	<p><b>Existing Conditions:</b> Less than significant</p> <p><b>Approved Entitlements:</b> Less than significant</p>

Impact	Mitigation Measure(s)	Residual Impact
	<p>nesting bird survey such that no more than seven days have elapsed between the last survey and the commencement of construction activities.</p> <p>If construction is inactive for over seven days during the least Bell’s vireo nesting season (April 10 to July 31) a spot check shall be performed by a qualified biologist to ensure nests have not been established in the interim. If nests are found, the requirements detailed above shall be implemented.</p> <p><b>MM-BIO-2.</b> If demolition is scheduled outside of the bat maternity season (April 1–August 31), a pre-construction clearance survey shall be conducted within two weeks prior to demolition of the gas station site buildings to determine whether bats are roosting. If bats are confirmed absent, the buildings may be removed. If bats are present, the building shall not be demolished until the steps described below are completed.</p> <p>If bats are determined to be present during the pre-construction clearance survey, prior to demolition of the Spanish tile-roofed buildings, a qualified bat biologist shall install or directly supervise installation of humane eviction devices and exclusionary material to evict bats that are present and to prevent bats from roosting in the buildings. Implementation of the humane eviction/exclusions is typically performed in the fall (September or October) preceding construction activity at each structure to avoid impacts to hibernating bats during the winter months or during the maternity season (typically from April 1 through August 31 in Southern California), when flightless young are present. Humane evictions/exclusions cannot be performed during the bat maternity season because this would result in “take” of juvenile bats and should be avoided during the winter because bats are not consistently active and may be hibernating. Any humane eviction/exclusion devices must be installed at least 10 to 14 days prior to the demolition of a structure housing bats to allow sufficient time for the bats to vacate the roost(s).</p> <p>If demolition is scheduled during the bat maternity season (April 1–August 31), a pre-construction clearance survey shall be conducted within two weeks of demolition of the gas</p>	

Impact	Mitigation Measure(s)	Residual Impact
	station site buildings to determine whether maternity colonies use the gas station site buildings. If the pre-construction clearance survey determines maternity colonies use the gas station site buildings or their use of the buildings cannot be ruled out, replacement bat roosting habitat structures shall be installed on site. The design of these structures shall be developed in coordination with a bat biologist who has experience designing roosting habitat mitigation to ensure that appropriate crevice sizes and adequate thermal characteristics are included in the specifications. The aspect and location of the roost structures shall also be determined in coordination with a bat biologist.	
<p><b>Impact BIO-2.</b> There are no sensitive habitats, riparian habitats, or state or federally protected wetlands within or adjacent to the project site. Therefore, regardless of whether the project is compared to existing conditions or Approved Entitlements, no impacts would result.</p>	None required.	<p><b>Existing Conditions:</b> No impact</p> <p><b>Approved Entitlements:</b> No impact</p>
<p><b>Impact BIO-3.</b> The project would not substantially interfere with the movement of resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors on the project site. The project site has the potential to support wildlife nursery sites (bird nests and bat maternity colonies), regardless of whether compared to existing conditions or Approved Entitlements, and impacts would be less than significant with mitigation.</p>	Please refer to <b>MM-BIO-1</b> and <b>MM-BIO-2</b> .	<p><b>Existing Conditions:</b> Less than significant</p> <p><b>Approved Entitlements:</b> Less than significant</p>
<p><b>Impact BIO-4.</b> The project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Therefore, regardless of whether the project is compared to existing conditions or Approved Entitlements, no impacts would result.</p>	None required.	<p><b>Existing Conditions:</b> No impact</p> <p><b>Approved Entitlements:</b> No impact</p>
<p><b>Impact BIO-5.</b> The project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan. Therefore, regardless of whether the project is compared to existing conditions or Approved Entitlements, no impacts would result.</p>	None required.	<p><b>Existing Conditions:</b> No impact</p> <p><b>Approved Entitlements:</b> No impact</p>

Impact	Mitigation Measure(s)	Residual Impact
<b>Cultural Resources</b>		
<p><b>Impact CUL-1.</b> The Beverly Hilton Property is significant for its direct and important associations with postwar commercial and cultural history, Conrad Hilton and Welton Becket, and its noteworthy architectural features. The Beverly Hilton property and the Wilshire Tower are considered a historical resource in accordance with CEQA and are eligible for designation as a City landmark. Therefore, in comparison to existing conditions, the project would result in a significant and unavoidable impact to historical resources. The previous environmental documentation concludes that a significant and unavoidable impact to historical resources would occur under the existing specific plans. although historical resource impacts under the proposed project would not be greater than that determined in the previous environmental documentation, the proposed project would also result in a significant and unavoidable impact to historical resources, similar to the Approved Entitlements.</p>	<p>Mitigation Measures MM-CR-5 and MM-CR-6, as modified below, seek to expand knowledge of the property’s social and cultural history and convey that knowledge to the general public.</p> <p><b>MM-CR-5.</b> Because the period of significance for the property is relatively modern (1955-1966), efforts shall be made to document oral histories of individuals who have relevant knowledge and experience with the cultural and social history of the property during this time period. Individuals with valuable institutional knowledge of the property should be interviewed to capture this history before it is lost forever. Outreach shall be conducted to identify a maximum of two individuals to complete interviews, not to exceed one hour each. Outreach should include but not be limited to coordination with the Hilton Worldwide Holdings, Inc. (formerly Hilton Hotels Corporation) and former associates and/or family of Welton Becket. Interviews shall be conducted using audio and/or video documentation and shall be transcribed. The resulting interview materials shall be offered to a minimum of two local organizations such as the Beverly Hills Historical Society and the Beverly Hills Public Library (Historical Collection).</p> <p><b>MM-CR-6.</b> An interpretive plaque discussing the history of the property, its significance, and its important details and features shall be installed at the site. The plaque shall be installed by the project proponent prior to issuance of building occupancy permits on a publicly accessible building or in a publicly accessible outdoor location on the project site. The plaque shall include images and details from the previously prepared HABS documentation, oral histories, and any collected research pertaining to the historic property. The content shall be prepared by a qualified architectural historian or historian who meets the Secretary of the Interior’s Professional Qualification Standards for History and/or Architectural History (NPS 1983). Installation of the plaque</p>	<p><b>Existing Conditions:</b>  Significant and unavoidable</p> <p><b>Approved Entitlements:</b>  Significant and unavoidable, but not an increased severity impact in comparison to Approved Entitlements  Section 6, <i>Alternatives</i>, of the SEIR analyzes the following four alternatives that would reduce the project’s significant and unavoidable impacts to historic resources: Alternative 2: No Further Development, Alternative 3: One Residential/Hotel Tower and One Residential Tower, Alternative 4: Preservation of the Wilshire Edge Building, Swimming Pool and Lanai Rooms, and Alternative 5: Reduced Building Heights. , However only Alternative 2 (No Further Development) would reduce impacts to historic resources to a less than significant level.</p>

Impact	Mitigation Measure(s)	Residual Impact
	<p>shall be completed within one year of the date of completion of construction of the proposed project.</p> <p>The mitigation measures from the previous environmental documentation, reproduced below, would continue to apply to the project: Mitigation Measure MM-CR-3 from the Beverly Hilton Specific Plan 2008 EIR (labeled MM-CR-3a in this SEIR) and the 9900 Wilshire Specific Plan 2016 SEIR, and Mitigation Measure MM-CR-3 from the original 9900 Wilshire Specific Plan 2008 EIR (labeled MM-CR-3b in this SEIR). Mitigation Measure MM-CR-1 from the Beverly Hilton Specific Plan 2008 EIR was fully implemented prior to demolition activities under the Approved Entitlements in 2014 and thus is no longer applicable to the project. Potentially historic streetlights were removed in 2011 and thus Mitigation Measure MM-CR-2 from the Beverly Hilton Specific Plan 2008 EIR is no longer applicable.</p> <p><b>MM-CR-3a.</b> In the event a previously unknown artifact is uncovered during project construction, all work shall cease until a certified archaeologist can investigate the finds and make appropriate recommendations. Any artifacts uncovered shall be recorded and removed for storage at a location to be determined by the monitor.</p> <p><b>MM-CR-3b.</b> Potentially historic sign posts adjacent to the project site on Merv Griffin Way shall be preserved and reinstalled in approximately the same locations, as appropriate, in consultation with the project proponents, the City of Beverly Hills, and an architectural historian qualified under the Secretary of the Interior's Standards.</p>	
<p><b>Impact CUL-2.</b> The likelihood of encountering undisturbed archaeological resources is unlikely due to the highly disturbed nature of the project site. Regardless of whether compared to existing conditions or Approved Entitlements, the proposed project would result in less than significant impacts to archaeological resources and human remains with mitigation.</p>	<p><b>MM-CR-4.</b> If buried cultural resources are encountered during construction, all work shall be halted in the vicinity of the archaeological discovery until a qualified archaeologist can assess the nature and significance of the archaeological discovery, per <i>CEQA Guidelines</i> Section 15064.5(f). 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</p>	<p><b>Existing Conditions:</b> Less than significant</p> <p><b>Approved Entitlements:</b> Less than significant</p>

Impact	Mitigation Measure(s)	Residual Impact
	<p>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.</p> <p><b>MM-CR-5b.</b> If human remains are found, State of California Health and Safety Code, Section 7050.5, states that no further disturbance should occur until the County Coroner has made a determination of origin and disposition pursuant to California Public Resources Code, Section 5097.98. In the event of an unanticipated discovery of human remains, the County Coroner must be notified immediately. If the human remains are determined to be prehistoric, the coroner will notify the Native American Heritage Commission, which will determine and notify a most likely descendant. The most likely descendant should complete the inspection of the site within 48 hours of being granted access and provide recommendations for the treatment of the remains.</p>	
<b>Geology and Soils</b>		
<p><b>Impact GEO-1.</b> Although the Santa Monica Fault Zone was recently designated as an Alquist-Priolo Earthquake Fault Zone, the proposed project is not located within 50 feet of this Fault Zone. Furthermore, no active faults exist within the project site and no active faults are trending toward the project site. Therefore, regardless of whether the project is compared to existing conditions or Approved Entitlements, impacts related to surface rupture would be less than significant.</p>	<p>None required.</p>	<p><b>Existing Conditions:</b> Less than significant</p> <p><b>Approved Entitlements:</b> Less than significant</p>
<p><b>Impact GEO-2.</b> Seismically-induced ground shaking could damage structures and infrastructure, resulting in loss of property or risk to human safety. Similar to the Approved Entitlements, the design and construction of the proposed project would be required to comply with applicable provisions of the Beverly Hills Municipal Code and CBC. Regardless of whether the project is compared to existing conditions or buildout of the Approved Entitlements, with implementation of modified mitigation measures contained in the previous environmental documentation, impacts related to ground shaking would be less than significant.</p>	<p>Mitigation Measure MM-GEO-1 from the Beverly Hilton Specific Plan 2008 EIR, as revised below, would apply to the proposed project. Additions and revisions are shown as italicized, underlined text. Deletions are shown as strikethrough text.</p> <p><b>MM-GEO-1.</b> <u><i>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.</i></u> <del>The Approved proposed project</del> shall be designed and constructed in</p>	<p><b>Existing Conditions:</b> Less than significant</p> <p><b>Approved Entitlements:</b> Less than significant</p>

Impact	Mitigation Measure(s)	Residual Impact
	<p>accordance with recommendations contained in the site-specific geotechnical investigation <del>Report of Geotechnical Investigation prepared by Mactec Engineering and Consulting, Inc.</del> 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. <u>All buildings shall be engineered to withstand the expected ground acceleration that may occur at the project site. 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.</u></p>	
<b>Greenhouse Gas Emissions</b>		
<p><b>Impact GHG-1.</b> Construction and operation of the proposed project would generate temporary and long-term GHG emissions. The proposed project would result in a net increase in GHG emissions as compared to the existing uses to be demolished (existing conditions) and incrementally greater net new emissions than remaining buildout of the Approved Entitlements. However, the proposed project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions, including the City's General Plan and Sustainable City Plan, SCAG 2020-2045 RTP/SCS, 2017 Scoping Plan, and EO B-55-18. Furthermore, project-related GHG emissions would not exceed the locally-applicable, project-specific threshold of 3.2 MT of CO<sub>2</sub>e per year or the SCAQMD bright-line threshold of 3,000 MT of CO<sub>2</sub>e. Therefore, regardless of whether compared to existing conditions or Approved Entitlements, GHG emission impacts under the proposed project would remain less than significant.</p>	<p>None required.</p>	<p><b>Existing Conditions:</b> Less than significant</p> <p><b>Approved Entitlements:</b> Less than significant</p>



Impact	Mitigation Measure(s)	Residual Impact
<b>Hazards and Hazardous Materials</b>		
<p><b>Impact HAZ-1.</b> The gas station site has three underground storage tanks that would be removed prior to construction of the proposed project. Additionally, the project site has an existing gas station, convenience store, and other buildings which may contain asbestos, LBP, and/or PCBs and would be demolished as part of the proposed project. Regardless of whether the project is compared to existing conditions or Approved Entitlements, with implementation of the proposed mitigation measures, potential impacts related to the underground storage tanks and potentially hazardous building materials removal during construction would be less than significant. Operation of the proposed project would not involve the use, generation, or storage of substantial quantities of hazardous materials and potential impacts related to reasonably foreseeable upset and accident conditions and emissions of hazardous materials within 0.25 mile of a school during project operation would be less than significant.</p>	<p><b>MM-HAZ-1.</b> Any suspect lead-based paint shall be sampled prior to any renovations or demolition activities. Any identified lead-based paint located within buildings scheduled for renovation or demolition, or noted to be damaged, shall be abated by a licensed lead-based paint abatement contractor, and disposed of according to all state and local regulations.</p> <p><b>MM-HAZ-2.</b> Construction activities shall comply with SCAQMD Rule 1403- Asbestos Emissions from Demolition/Renovation Activities. This rule is intended to limit asbestos emissions from demolition or renovation of structures and the associated disturbance of asbestos-containing materials (ACMs) generated or handled during these activities. The rule requires that SCAQMD be notified before demolition or renovation activity occurs. This notification includes a description of structures and methods utilized to determine the presence of or absence of asbestos. All ACMs found on the site shall be removed prior to demolition or renovation in accordance with the requirements of Rule 1403.</p> <p><b>MM-HAZ-3.</b> Prior to demolition activities, the sampling of suspect materials for lead content shall be conducted. If these surfaces are determined to contain concentrations of lead at or above regulatory limits, their removal by a licensed abatement contractor in accordance with applicable regulations shall be necessary prior to demolition or renovation activities.</p> <p><b>MM-HAZ-4.</b> During demolition or renovation activities, the airborne lead concentration shall not exceed the Permissible Exposure Level (PEL), as required by the California Occupational Health and Safety Administration (Cal/OSHA), Title 8, California Code of Regulations (CCR), Construction Safety Orders for Lead, Section 1532.1.</p> <p><b>MM-HAZ-5.</b> The demolition debris waste stream shall be analyzed for lead content during materials separation to ensure compliance with USEPA regulations related to transportation and disposal of hazardous materials.</p>	<p><b>Existing Conditions:</b> Less than significant</p> <p><b>Approved Entitlements:</b> Less than significant</p>

Impact	Mitigation Measure(s)	Residual Impact
	<p><b>MM-HAZ-6.</b> All personnel workers potentially exposed to lead-containing materials shall be trained and protected in accordance with federal OSHA regulations.</p> <p><b>MM-HAZ-7.</b> Fluorescent light ballast labels shall be inspected prior to demolition. If the ballast labels do not include the statement “No PCBs”, the ballast(s) shall be properly removed by a licensed PCB removal contractor and disposed of as PCB-containing waste prior to demolition.</p> <p><b>MM-HAZ-8.</b> The project shall comply with the closure conditions as directed in the Closure Permit to be issued by LADWP EPD and shall meet, at a minimum, the applicable requirements of California Health and Safety Code Division 20, Chapter 6.7, Section 25298, California Code of Regulations Title 23, Division 3, Chapter 16, Sections 2670 through 2672, and the Los Angeles County Code. Additionally, the project applicant shall provide noticing to Beverly Hills Unified School District and to the administrative office of El Rodeo School at the time of the UST removal and upon receipt of approval of a UST Closure Permit from the LACDPW EPD.</p>	
<p><b>Land Use and Planning</b></p> <p><b>Impact LU-1.</b> The proposed project would adhere to the approved land uses and overall approved floor area ratio of the Existing Specific Plans, but would exceed the permitted FAR for C-3 uses and would allow for increased building heights on the 9900 Wilshire Boulevard site and gas station site in order to accommodate the creation of approximately 13.4 acres of open space. Regardless of whether the project is compared to existing conditions or Approved Entitlements, the proposed project would be consistent with applicable local and regional planning policies, regulations, and standards with implementation of mitigation measures from other issue areas throughout this SEIR. Therefore, the proposed project’s impacts related to land use and planning would be less than significant.</p>	<p>With approval of the proposed Overlay Specific Plan, along with adherence to existing regulations and implementation of mitigation measures identified in other sections of this SEIR (specifically, Mitigation Measures MM-AQ-1 through MM-AQ-17*; MM-BIO-1 and MM-BIO-2; MM-CR-3a through MM-CR-6; MM-GEO-1; MM-HAZ-1 through MM-HAZ-8; MM-NOISE-1 through MM-NOISE-4; and MM-TRAF 1 through MM-TRAF-10; MM-TCR-1 through MM-TCR-6; and MM-UTIL-1), would be consistent with applicable policies of the City’s General Plan and the Existing Specific Plans.</p>	<p><b>Existing Conditions:</b> Less than significant</p> <p><b>Approved Entitlements:</b> Less than significant</p>

Impact	Mitigation Measure(s)	Residual Impact
<b>Noise</b>		
<p><b>Impact N-1.</b> Daily construction activities associated with buildout of the proposed project would generate temporary noise increases above existing conditions that would be audible at nearby sensitive receivers and comparable to those that would be generated under buildout of the Approved Entitlements. Potential construction-related noise associated with the proposed project would result in an increase of more than 5 dBA at El Rodeo School during school hours, which would exceed the noise increase permitted by the City’s Noise Ordinance. In addition, similar to the Approved Entitlements, construction activities under the proposed project that occur outside the City’s allowed construction hours (8:00 a.m. to 6:00 p.m., excluding weekends and public holidays) would result in an increase of 5 dBA above ambient noise levels. Although the Beverly Hilton Specific Plan 2008 EIR determined that buildout of the Beverly Hilton Specific Plan would have a significant and unavoidable construction noise impact, implementation of Mitigation Measure MM-NOISE-1 would reduce the impact of the proposed project to a less than significant level. Therefore, in comparison to existing conditions and Approved Entitlements, impacts of the proposed project would be less than significant with mitigation. In addition, in comparison to Approved Entitlements, project impacts would be less than what were identified in previous environmental documentation.</p>	<p>The following mitigation measure, which includes measures revised and adapted to current industry standards from the previous environmental documentation, would be required for the proposed project. This measure would supersede Mitigation Measure MM NOISE-1 from the Beverly Hilton Specific Plan 2008 EIR and Mitigation Measure MM NOISE-1 from the 9900 Wilshire Specific Plan 2016 SEIR, which have been replaced to consolidate, update, and clarify the mitigation needed for the proposed project.</p> <p><b>MM-NOISE-1.</b> Prior to issuance of grading permits, the Developer shall submit a Construction Management Plan satisfactory to the Director of Community Development and the Building Official. The Building Official shall enforce noise attenuating construction requirements. The Construction Management Plan shall include, but not be limited to, the following noise attenuation measures:</p> <ul style="list-style-type: none"> <li>▪ Excavation, grading, and other construction activities related to the proposed project shall comply with Section 5-1-206, Restrictions on Construction Activity, of the Beverly Hills Municipal Code. Any deviations from these standards shall require the written approval of the City Building Official.</li> <li>▪ Stockpiling and vehicle staging areas shall be located as far away as practicable from residences to the north and El Rodeo School.</li> <li>▪ All heavy-duty stationary construction equipment (e.g., air compressors, generators, etc.) shall be placed so that emitted noise is directed away from the nearest sensitive receivers (i.e., residences to the north and El Rodeo School).</li> <li>▪ Whenever practicable, construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.</li> <li>▪ Haul routes for removing excavated materials from the site shall be designed to avoid residential areas and areas</li> </ul>	<p><b>Existing Conditions:</b>  Less than significant</p> <p><b>Approved Entitlements:</b>  Less than significant</p>

Impact	Mitigation Measure(s)	Residual Impact
	<p>occupied by noise-sensitive receivers (e.g., hospitals, schools, convalescent homes, etc.).</p> <ul style="list-style-type: none"> <li>▪ Prior to the start of every school year, the Developer shall obtain a schedule of testing periods at El Rodeo School. The Developer shall submit a construction schedule for review and approval by the Community Development Director and the Environmental Monitor that ensures that no construction activity generating the highest noise levels (e.g., simultaneous demolition, grading, and building construction) is undertaken during any designated testing periods at the school. Such testing periods typically occur for one week per semester; however, the exact dates and times will be determined by the Beverly Hills Unified School District.</li> <li>▪ For construction activities occurring during the City's allowed hours of construction (weekdays, excluding public holidays, 8:00 a.m. to 6:00 p.m.), the following shall be required: <ul style="list-style-type: none"> <li>▫ All equipment, fixed or mobile, shall be operated with closed engine doors and shall be equipped with properly operating and maintained residential grade mufflers consistent with manufacturers' standards that provide at least a 5-dBA reduction in noise levels.</li> <li>▫ The Contractor shall use portable sound enclosures for all generators and air compressors that provide at least a 10-dBA reduction in noise levels.</li> </ul> </li> <li>▪ For construction activities occurring outside the City's allowed hours of construction, the following shall be required: <ul style="list-style-type: none"> <li>▫ Simultaneous occurrence of two or more construction phases (demolition, site preparation, grading, building construction, paving, and architectural coating) shall be prohibited unless the project applicant reduces the number of construction equipment used for each overlapping phase and it can be demonstrated through a quantitative acoustical analysis prepared by a qualified professional that this reduced construction equipment portfolio utilized for overlapping phases will</li> </ul> </li> </ul>	

Impact	Mitigation Measure(s)	Residual Impact
	<p>not result in noise levels in excess of 5 dBA above ambient noise levels. The acoustical analysis shall be reviewed and approved by the City prior to allowing simultaneous occurrence of two or more construction phases outside the City's allowed hours of construction.</p> <ul style="list-style-type: none"> <li>▫ All equipment, fixed or mobile, shall be operated with closed engine doors and shall be equipped with properly operating and maintained mufflers consistent with manufacturers' standards that provide at least a 20-dBA reduction in noise levels.</li> <li>▫ The Contractor shall use portable sound enclosures for all generators and air compressors that provide at least a 10-dBA reduction in noise levels.</li> </ul>	
<p><b>Impact N-2.</b> Noise associated with operation of the proposed project, including noise from HVAC equipment, outdoor dining, and recreational activities in the botanical gardens and the pools, would potentially be audible at nearby noise-sensitive receivers. However, the project's operational noise would not increase ambient noise levels above the standards established in Policy N 1.5 of the City's General Plan Noise Element. Therefore, regardless of whether compared to existing conditions or Approved Entitlements, operational noise impacts associated with the proposed project would be less than significant.</p>	<p>None required.</p>	<p><b>Existing Conditions:</b> Less than significant</p> <p><b>Approved Entitlements:</b> Less than significant</p>
<p><b>Impact N-3.</b> The net increase in vehicle trips associated with the proposed project would increase off-site traffic noise at nearby sensitive receivers. However, the project's off-site traffic noise would not increase ambient noise levels above the standards established in Policy N 1.5 of the City's General Plan Noise Element. Therefore, regardless of whether compared to existing conditions or Approved Entitlements, off-site traffic noise impacts associated with the proposed project would be less than significant.</p>	<p>None required.</p>	<p><b>Existing Conditions:</b> Less than significant</p> <p><b>Approved Entitlements:</b> Less than significant</p>
<p><b>Impact N-4.</b> Construction of the proposed project would generate daytime and nighttime construction vibration. Transient and steady-state vibration levels would not exceed the thresholds for human annoyance or structural damage to historic buildings or residences. Although previous environmental documentation determined that the Approved Entitlements would have a significant and unavoidable construction</p>	<p>None required.</p>	<p><b>Existing Conditions:</b> Less than significant</p> <p><b>Approved Entitlements:</b> Less than significant</p>

Impact	Mitigation Measure(s)	Residual Impact
<p>vibration impact, updated vibration analysis indicates that impacts for both scenarios would be less than significant. No operational vibration impacts would occur. Therefore, in comparison to existing conditions and Approved Entitlements, impacts of the proposed project would be less than significant with mitigation. In addition, in comparison to Approved Entitlements, project impacts would be less than what were identified in previous environmental documentation.</p>		
<p><b>Impact N-5.</b> Although the effect of ambient noise on the proposed project is not an impact under CEQA, the potential noise levels at noise-sensitive receivers included in the proposed project are provided for public disclosure. Similar to the Approved Entitlements, the proposed project would be exposed to traffic noise from Wilshire Boulevard and North Santa Monica Boulevard in excess of the City's exterior and interior noise standards for multi-family residences and hotels of 65 CNEL and 45 CNEL, respectively, as well as the City's exterior noise standard for commercial uses of 75 CNEL. Mitigation Measures MM-NOISE-2* and MM-NOISE-3* from previous environmental documentation would continue to apply to the project.</p>	<p>The following mitigation measures, which include measures revised and adapted from previous environmental documentation, would be required for the proposed project.</p> <p><b>MM-NOISE-2*.</b> The Developer shall implement sound attenuation features to reduce noise levels at all private outdoor livable spaces (i.e., balconies) and outdoor dining areas. Such features may include double-paned or laminated glass, or Plexiglas. Acoustical analysis shall be performed prior to the issuance of an occupancy permit to demonstrate that noise levels at the exterior livable spaces and outdoor dining areas do not exceed the City's noise/land use standards for residences, hotels, and commercial uses. This requirement shall be incorporated into the plans to be submitted by the Developer to the City of Beverly Hills for review and approval prior to the issuance of building permits.</p> <p><b>MM-NOISE-3*.</b> The Developer shall incorporate building materials and techniques that reduce sound transmission through walls, windows, doors, ceilings, and floors of on-site residences in order to achieve interior noise levels in habitable rooms that are below the CCR Title 24 standard for interior noise of 45 CNEL. Such building materials and techniques may include double-paned windows, staggered studs, or sound-absorbing blankets incorporated into building wall design. All exterior wall assemblies (including windows and wall components) shall meet a minimum STC 40 rating to ensure the adequate attenuation of noise at a range of frequencies. All residential units shall be provided with forced-air mechanical ventilation with non-operable windows. Acoustical analysis shall be performed prior to the issuance of an occupancy permit to demonstrate that noise levels in habitable rooms do not exceed the CCR Title 24 standard of 45</p>	<p><b>Existing Conditions:</b> Less than significant</p> <p><b>Approved Entitlements:</b> Less than significant</p>

Impact	Mitigation Measure(s)	Residual Impact
	<p>CNEL. This requirement shall be incorporated into the plans to be submitted by the Developer to the City of Beverly Hills for review and approval prior to the issuance of building permits.</p> <p>* These mitigation measures are required for the Existing Specific Plans and therefore are carried forward and required for the proposed project.</p>	
<p><b>Cumulative.</b> Construction activities conducted for the proposed project before 8:00 a.m. or after 6:00 p.m. could generate a noise level increase of 5 dBA above ambient noise levels outside the hours permitted by the City’s Noise Ordinance, which would be a significant impact, and implementation of Mitigation Measure MM-NOISE-1 would be required. In the event that the 9900-9908 South Santa Monica Boulevard Project and 140 South Lasky Drive Project also conduct construction activities outside the hours specified in the City’s Noise Ordinance and combined construction noise levels result in a 5 dBA increase in ambient noise levels, the cumulative construction noise impact would be significant, similar to the Approved Entitlements.</p>	<p>The following mitigation measure, which include measures revised and adapted from previous environmental documentation, would be required for the proposed project. This measure would supersede Mitigation Measure MM-NOISE-4 from the Beverly Hilton Specific Plan 2008 EIR and Mitigation Measure MM NOISE-4 from the 9900 Wilshire Specific Plan 2016 SEIR.</p> <p><b>MM-NOISE-4.</b> Prior to the start of construction and during construction, the Developer shall coordinate with the 9900-9908 South Santa Monica Boulevard Project and 140 South Lasky Drive Project Developers regarding the following:</p> <ul style="list-style-type: none"> <li>▪ All temporary roadway closures shall be coordinated to limit overlap of roadway closures; and</li> <li>▪ All major deliveries for the three projects shall be coordinated to limit the occurrence of simultaneous deliveries. The Developers shall ensure that deliveries of items such as concrete and other high-volume items will not be done simultaneously.</li> </ul>	<p><b>Existing Conditions:</b></p> <p>Significant and unavoidable (in the event that construction occurs outside the City’s permitted hours), but not an increased severity impact in comparison to Approved Entitlements</p> <p><b>Approved Entitlements:</b></p> <p>Significant and unavoidable (in the event that construction occurs outside the City’s permitted hours), but not an increased severity impact in comparison to Approved Entitlements</p> <p>Section 6, Alternatives, of the SEIR analyzes Alternative 2: No Further Development, which would reduce significant and unavoidable impacts to a less than significant level. None of the other alternatives analyzed would reduce this cumulative impact to a less than significant level because each could include construction activities outside the City’s allowed hours, as permitted with issuance of an after hours</p>

Impact	Mitigation Measure(s)	Residual Impact
		construction permit per BHMC Section 5-1-205(C-D).
<b>Transportation and Traffic</b>		
<p><b>Impact T-1.</b> The proposed project would not conflict with any programs, plans, ordinances or policies or involve any significant disruptions to the local public transit, active transportation, and roadway systems. Regardless of whether the project is compared to existing conditions or Approved Entitlements, with implementation of mitigation measures contained in the previous environmental documentation as modified herein, impacts would be less than significant with implementation of mitigation.</p>	<p>Mitigation Measures MM-TRAF-1 through MM-TRAF-6 from the Beverly Hilton Specific Plan 2008 EIR and 9900 Wilshire Specific Plan 2016 SEIR, as included below with minor revisions, would apply to the proposed project. Revisions to the mitigation measures from the previous environmental documentation are shown as italicized, underlined text for additions and strikethrough for removed text.</p> <p><b>MM-TRAF-1.</b> An Environmental Monitor shall be retained that will be responsible for monitoring compliance with the mitigation measures in the adopted Mitigation Monitoring Program. The name, phone number, and other contact information for the Environmental Monitor shall be posted on the construction trailer or other location visible to public view as determined by the Community Development Director. The developer shall deposit funds sufficient to pay for the Environmental Monitor who will be hired by and work for the City.</p> <p><b>MM-TRAF-2.</b> The Environmental Monitor shall proactively inform the public of the ongoing project progress and exceptions to the expected plans. This shall include sending a quarterly mailer to all property owners within 1,000 feet of the exterior boundaries of the property. The developer shall be responsible for the full cost of the mailer including postage. The Environmental Monitor shall also respond to requests for information and assistance from members of the public when impacts raise special concerns by members of the public.</p> <p><b>MM-TRAF-3.</b> The Construction Relations Officer shall be assigned, and a hotline number shall be published on construction signage placed along the boundary of the project site, along Wilshire Boulevard, Merv Griffin Way, and <u>North</u> Santa Monica Boulevard to address day-to-day issues.</p> <p><b>MM-TRAF-4.</b> The Developer, Construction Relations Officer, and Environmental Monitor shall each provide monthly project updates to the Community Development Department</p>	<p><b>Existing Conditions:</b> Less than significant</p> <p><b>Approved Entitlements:</b> Less than significant</p>



Impact	Mitigation Measure(s)	Residual Impact
	<p>(CDD) Director, unless otherwise warranted due to resident complaints.</p> <p><b>MM-TRAF-5.</b> The Developer shall <del>revise and finalize</del> <u>submit a</u> Construction Traffic Management Plan to <del>minimize traffic flow interference from construction activities. The Final Construction Traffic Management Plan shall be submitted to the City and shall</del> include plans to accomplish the following:</p> <ul style="list-style-type: none"> <li>▪ Maintain existing access for land uses in the proximity of the project site during project construction;</li> <li>▪ Schedule deliveries and pick-ups of construction materials to non-peak travel periods, to the maximum extent feasible;</li> <li>▪ Coordinate haul trucks, deliveries and pick-ups to reduce the potential for trucks waiting to load or unload for protracted periods of time;</li> <li>▪ Minimize obstruction of through-traffic lanes on Wilshire Boulevard and <u>North</u> Santa Monica Boulevard, <del>and prohibit obstruction of these same lanes that accommodate construction during peak hours;</del></li> <li>▪ Construction equipment traffic from the contractors shall be controlled by <del>flagmen</del> <u>flag persons</u>;</li> <li>▪ Designate transport routes for heavy trucks and haul trucks to be used over the duration of the project;</li> <li>▪ Schedule vehicle movements to ensure that there are no vehicles waiting off-site and impeding public traffic flow on the surrounding streets;</li> <li>▪ Establish requirements for loading/unloading and storage of materials on the project site, where parking spaces would be encumbered, length of time traffic travel lanes can be encumbered, sidewalk closings or pedestrian diversions to ensure the safety of the pedestrian and access to local businesses;</li> <li>▪ <del>Prior to submittal to the City of Beverly Hills, the Developer shall provide their Construction Traffic Management Plan and Construction Worker Parking Management Plan to the Beverly Hills Unified School District and the Los Angeles Metropolitan Transportation Authority for their review and</del></li> </ul>	

Impact	Mitigation Measure(s)	Residual Impact
	<p>comment. The Developer shall notify the City of Beverly Hills of all comments received from these agencies related to the Construction Traffic Management Plan.</p> <ul style="list-style-type: none"> <li>▪ <u>The Developer shall coordinate with Beverly Hills Unified School District (BHUSD) in developing the Construction Traffic Management Plan and shall notify BHUSD of any traffic or pedestrian lane disruptions on Wilshire Boulevard in advance.</u></li> <li>▪ <u>The Developer shall coordinate with the Los Angeles Country Club regarding the US Open tournament activities at the club when developing the Construction Traffic Management Plan and shall notify the Los Angeles Country Club of any traffic or pedestrian lane disruptions on Wilshire Boulevard occurring during US Open tournament activities in advance.</u></li> <li>▪ Coordinate with adjacent businesses and emergency service providers to ensure adequate access exists to the project site and neighboring businesses;</li> <li>▪ Coordinate with Metro regarding the bus stop relocation at least 30 days prior to start of construction;</li> <li>▪ Prohibit parking for construction workers except on the project site and any designated off-site parking locations. These off-site locations will require the approval of the City of Beverly Hills. These off-site parking locations cannot include any residential streets including Whittier Drive and those streets which connect to Whittier Drive.</li> </ul> <p>The Final Construction Traffic Management Plan shall be submitted and approved by the City no later than 30 days prior to commencement of construction and shall include:</p> <ul style="list-style-type: none"> <li>▪ A requirement for use of double belly trucks <del>to the maximum extent feasible</del> to reduce the number of truck trips;</li> <li>▪ Provisions for the Environmental Monitor to oversee and coordinate concurrent construction activities at 9900 Wilshire (One Beverly Hills) and the Beverly Hilton project;</li> </ul>	

Impact	Mitigation Measure(s)	Residual Impact
	<ul style="list-style-type: none"> <li>▪ An Action Plan to avoid construction-related traffic congestion and how to respond to unforeseen congestion that may occur;</li> <li>▪ Requiring truck access and deliveries in non-peak traffic periods to the greatest extent feasible; and</li> <li>▪ Prohibition of queuing of construction-related vehicles on public streets in the City.</li> </ul> <p><b>MM-TRAF-6.</b> The Developer shall submit a Construction Workers Parking Plan that identifies parking locations for construction workers. To the maximum extent feasible, all worker parking shall be accommodated on the project site. During demolition and construction activities when construction worker parking cannot be accommodated on the project site, the Plan shall identify alternate parking locations for construction workers and <del>specify the method of transportation</del> <u>shall include the shuttling of workers to and from the project site using zero emissions vehicles. The Plan shall be submitted</u> for approval by the City <u>at least</u> 30 days prior to commencement of construction. The Construction Workers Parking Plan must include appropriate measures to ensure that the parking location requirements for construction workers will be strictly enforced. These include but are not limited to the following measures:</p> <ul style="list-style-type: none"> <li>▪ All construction contractors shall be provided with written information on where their workers and their subcontractors are permitted to park and provide clear consequences to violators for failure to follow these regulations. This information will clearly state that no parking is permitted on residential streets north of Wilshire Boulevard or in public parking structures;</li> <li>▪ No parking for construction workers shall be permitted <u>within 500 feet of the nearest point of the project site</u> except within designated areas. The contractor shall be responsible for informing subcontractors and construction workers of this requirement, and if necessary, <del>as determined by the Community Development Director,</del> for hiring a security guard to enforce these parking provisions. The contractor shall be responsible for all costs associated</li> </ul>	

Impact	Mitigation Measure(s)	Residual Impact
	<p>with parking and the enforcement of this mitigation measure; and</p> <ul style="list-style-type: none"> <li>▪ In lieu of the above, the project applicant/construction contractor has the option of phasing demolition and construction activities such that all construction worker parking can be accommodated on the project site throughout the entire duration of demolition, excavation and construction activities.</li> </ul>	
<p><b>Impact T-2.</b> The proposed project would result in increased daily trips to the project site compared to existing conditions. However, the project would reduce daily trips compared to buildout of the Approved Entitlements. In comparison to existing conditions and Approved Entitlements, the project would meet the City's VMT Screening Criteria for land use projects, indicating that the proposed project would have a less than significant impact to VMT within the city. Therefore, regardless of whether the project is compared to existing conditions or buildout of the Approved Entitlements, the proposed project would not conflict with or be inconsistent with <i>CEQA Guidelines</i> Section 15064.3, subdivision (b).</p>	<p>None required.</p>	<p><b>Existing Conditions:</b> Less than significant</p> <p><b>Approved Entitlements:</b> Less than significant</p>
<p><b>Impact T-3.</b> The proposed project driveways would provide adequate site access and would not create hazardous traffic conditions with implementation of modified mitigation measures contained in the previous environmental documentation. Therefore, regardless of whether the project is compared to existing conditions or Approved Entitlements, impacts associated with the proposed project would be less than significant.</p>	<p>Mitigation Measure MM-TRAF-7 from the Beverly Hilton Specific Plan 2008 EIR and Mitigation Measures MM-TRAF-7 and MM-TRAF-8 from the 9900 Wilshire Specific Plan 2016 SEIR, as included below with minor revisions, would apply to the proposed project. Revisions to the mitigation measures from the previous environmental documentation are shown as italicized, underlined text for additions and strikethrough for removed text.</p> <p><b>MM-TRAF-7.</b> The project applicant shall revise the project site plan to indicate on-site traffic control planned for the project. At a minimum, all traffic control devices shall be placed at all project exits onto Wilshire Boulevard, North Santa Monica Boulevard, and Merv Griffin Way prior to occupancy of the new buildings proposed on the site.</p> <p><b>MM-TRAF-8.</b> Traffic control devices, and specifically stop signs, shall be installed at each driveway exit point prior to building occupancy.</p> <p><b>MM-TRAF-9.</b> The project applicant shall <del>revise the project site plan to increase the curb radius at the driveway on Wilshire</del></p>	<p><b>Existing Conditions:</b> Less than significant</p> <p><b>Approved Entitlements:</b> Less than significant</p>

Impact	Mitigation Measure(s)	Residual Impact
	<p><del>Boulevard to allow vehicles traveling 25 to 35 mph to turn safely.</del> ensure that the curb radius at the driveway at Wilshire Boulevard <u>and the westerly edge of the project</u> will allow vehicles traveling 25 to 35 mph to turn safely.</p>	
<p><b>Cumulative Impact.</b> Construction associated with the proposed project would have a cumulatively considerable contribution to cumulative traffic impacts.</p>	<p>Mitigation Measure MM-TRAF-8/MM-TRAF-9 from the previous environmental documentation (shown as Mitigation Measure MM-TRAF-10 in this document), as revised below, would apply to the proposed project. Revisions to the mitigation measures from the previous environmental documentation are shown as italicized, underlined text for additions and strikethrough for removed text.</p> <p><b>MM-TRAF-10.</b> The applicant for the proposed project shall coordinate with the applicants for <u>certain adjacent projects, including 9900-9908 South Santa Monica Boulevard Project and 140 South Lasky Drive Project</u> <del>The Beverly Hilton Revitalization Plan/9900 Wilshire Plan</del> and the City of Beverly Hills during all phases of construction regarding the following:</p> <ul style="list-style-type: none"> <li>▪ All temporary roadway closures for the proposed project shall be coordinated to limit overlap of roadway closures;</li> <li>▪ All major deliveries for the proposed project shall be coordinated to limit the occurrence of simultaneous deliveries. The applicants shall ensure that deliveries of items such as concrete and other high-volume items shall not be done simultaneously; and</li> <li>▪ The applicants shall coordinate regarding the loading and unloading of delivery vehicles. <del>Any off-site staging areas for delivery vehicles shall be consolidated and shared; and</del></li> <li>▪ Applicants or their representatives shall meet on a regular basis during construction to address any outstanding issues related to construction traffic, deliveries, and worker parking.</li> </ul>	<p><b>Existing Conditions:</b> Less than significant</p> <p><b>Approved Entitlements:</b> Less than significant</p>

Impact	Mitigation Measure(s)	Residual Impact
<b>Tribal Cultural Resources</b> <p><b>TCR-1.</b> No tribal cultural resources are known to be present on-site. However, based on the information provided during tribal consultation for the proposed project, the project site and vicinity are considered to be highly sensitive to tribal cultural resources by two consulted tribal organizations. construction of the proposed project would involve ground-disturbing activities such as grading and surface excavation, which have the potential to unearth or adversely affect previously unidentified significant tribal cultural resources. This potential would be similar to that of buildout of the Approved Entitlements. Regardless of whether the project is compared to existing conditions or Approved Entitlements, the proposed project's impact would be less than significant with mitigation incorporated.</p>		
	<p><b>MM-TCR-1.</b> Retain a Qualified Principal Investigator. A qualified principal investigator, defined as an archaeologist who meets the Secretary of the Interior's Standards for professional archaeology and has had a minimum of 10 years of experience as a principal investigator working with Native American archaeological sites in southern California, shall be retained to carry out all mitigation measures related to archaeological and historical resources (hereafter qualified archaeologist). The qualified archaeologist shall be contacted in the event of an inadvertent archaeological discovery.</p> <p><b>MM-TCR-2.</b> Preconstruction Worker Training. At the project kickoff and before construction activities begin, the qualified archaeologist or their designee shall provide training to construction personnel on information regarding regulatory requirements for the protection of cultural resources including tribal cultural resources. As part of this training, construction personnel will be briefed on proper procedures to follow should unanticipated cultural resources discoveries be made during construction. Workers will be provided contact information and protocols to follow in the event that inadvertent discoveries are made. If necessary, the qualified archaeologist can create a training video, PowerPoint presentation, or printed literature that can be shown to new workers and contractors to avoid continuous training throughout the course of the project.</p> <p><b>MM-TCR-3.</b> Retain Native American Monitoring. Native American monitoring shall be conducted by a representative of the Gabrieleño Band of Mission Indians-Kizh Nation and a representative of the Gabrieleño/Tongva San Gabriel Band of Mission Indians, hereafter referred to collectively as "Monitoring Tribes"). Monitoring shall occur during all project-related, initial ground-disturbing construction activities (i.e. grubbing, tree removal, boring, grading, excavation, potholing, drilling and trenching etc.). The tribal monitors shall complete daily monitoring logs that shall provide descriptions of the day's activities, including construction activities, locations, soil and any cultural materials identified. Once excavation is</p>	<p><b>Existing Conditions:</b> Less than significant</p> <p><b>Approved Entitlements:</b> Less than significant</p>

Impact	Mitigation Measure(s)	Residual Impact
	<p>completed for a portion of the project site and entered into the daily monitoring log, the monitoring of an area shall be considered complete. The on-site monitoring shall end when all ground-disturbing activities at the project site are completed, or when the representatives of one or both Monitoring Tribes have indicated that all upcoming ground-disturbing activities at the project site have little to no potential for impacting Tribal Cultural Resources of their respective Tribe. Additionally, the qualified archaeologist, in consultation with the City and the Native American monitor, may recommend the reduction or termination of monitoring depending upon observed conditions (e.g., no resources encountered within the first 50 percent of ground disturbance). Should neither the Gabrieleño Band of Mission Indians – Kizh Nation and/or the Gabrieleño/Tongva San Gabriel Band of Mission Indians not have sufficient qualified staff, or not provide monitoring services at market rates, after consultation between the two tribes and the City’s Director of Community Development, the applicant may contract with a different firm to provide a Native American monitor, subject to approval by the City of Beverly Hills Director of Community Development. If one of the Monitoring Tribes opts not to engage in monitoring activities required herein, Developer can proceed with the project provided that the other Monitoring Tribe provides the monitoring required by this mitigation measure.</p> <p><b>MM-TCR-4.</b> Unanticipated Discovery of Tribal Cultural Resources. In the event a Native American monitor identifies cultural or archeological resources, the monitor shall be given the authority to temporarily halt construction in the immediate vicinity and within 50 feet of the discovery and to contact the qualified archaeologist to investigate the find and determine if it is a tribal cultural resource under CEQA by the City of Beverly Hills in consultation with the ancestrally related tribe(s) and qualified archaeologist. Construction activities can continue in areas 50 feet away from the find and not associated with the cultural resource location. In the event of a find during ground disturbing activities, the Gabrieleño Band of</p>	

Impact	Mitigation Measure(s)	Residual Impact
	<p>Mission Indians- Kizh Nation and the Gabrieleño/Tongva San Gabriel Band of Mission Indians shall be notified by the City to provide recommendations as to the treatment and disposition of the find(s). Cultural Resources Monitoring and Mitigation Plan shall be developed to outline monitor procedures.</p> <p><b>MM-TCR-5.</b> Unanticipated Discovery of Human Remains. In the event that human remains are encountered at the project site, all work in the immediate vicinity of the burial must cease, and any necessary steps to ensure the integrity of the immediate area shall be taken. The Los Angeles County Coroner will be immediately notified. The Coroner must then determine whether the remains are Native American. Should the Coroner determine the remains are Native American, the Coroner has 24 hours to notify the Native American Heritage Commission (NAHC), who shall in turn, notify the person they identify as the most likely descendent (MLD). Further actions shall be determined in part by the recommendations of the MLD. The MLD has 48 hours of being granted access to the project site to complete their inspection and make recommendations or preferences for treatment of the remains. If the MLD does not make recommendations within 48 hours, the owner shall, with appropriate dignity, re-inter the remains in an area of the property secure from further disturbance. Alternatively, if the owner does not accept the MLD's recommendations, the owner or the descendent may request mediation by the NAHC. Procedures of conduct following the discovery of human remains have been mandated by Health and Safety Code Section 7050.5, PRC Section 5097.98, and the California Code of Regulations Section 15064.5(e) (CEQA).</p> <p><b>MM-TCR-6.</b> Reburial Treatment Measures. Prior to the continuation of ground disturbing activities where human remains and/or ceremonial object has been identified, the Developer shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains shall be covered with</p>	



Impact	Mitigation Measure(s)	Residual Impact
	<p>muslin cloth and a steel plate that can be moved by heavy equipment shall be placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard shall be posted outside of working hours. If feasible, the project shall be diverted to keep the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed. The MLD shall work with the qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the MLD, documentation shall be taken which includes at a minimum detailed descriptive notes and sketches. Additional types of documentation shall be approved by the MLD for data recovery purposes. Cremations shall either be removed in bulk or by means as necessary to ensure complete recovery of all material. If the discovery of human remains includes four or more burials, the location is considered a cemetery and a separate treatment plan shall be created. Once complete, a final report of all activities is to be submitted to the MLD and NAHC. The MLD does not authorize any scientific study or utilization of any invasive and/or destructive diagnostics on human remains.</p> <p>Each occurrence of human remains and associated funerary objects shall be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony shall be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location agreed upon between the MLD and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.</p>	

Impact	Mitigation Measure(s)	Residual Impact
<b>Utilities and Service Systems</b>		
<p><b>UTIL-1.</b> The proposed project would introduce additional population, building height, and development area (including the gas station site) to the project site as compared to existing conditions and Approved Entitlements. However, similar to the previous environmental documentation, mitigation is available to reduce potential impacts related to fire flow facilities to a less than significant level. Regardless of whether the project is compared to existing conditions or Approved Entitlements, the proposed project would have a less than significant impact to fire flow facilities with mitigation incorporated.</p>	<p><b>MM-UTIL-1.</b> Prior to issuance of grading permits, the project applicant shall provide a preliminary design for the fire flow infrastructure to the City for review by the PWD and Fire Department. The project applicant shall pay for a hydraulic analysis of the preliminary design to be prepared by the City-selected consultant to ensure adequate fire flow is provided to the project site and water quality of the water main is not adversely impacted by the proposed design. The project applicant shall pay a “fair share” of the cost to upgrade the water main feeding hydrants serving the project site, which may include the entire cost of upgrading the water main. Upgrading of the water main shall be completed prior to project building construction and prior to building occupancy to ensure that adequate fire flow is available during project construction and operation.</p>	<p><b>Existing Conditions:</b> Less than significant</p> <p><b>Approved Entitlements:</b> Less than significant</p>
<p><b>UTIL-2.</b> Increased development on the project site would result in increased water demand compared to existing conditions. However, the project would result in a net decrease in water demand by approximately 16.5 acre-feet per year, as compared to Approved Entitlements. Regardless of whether the project is compared to existing conditions or Approved Entitlements, the proposed project’s water demand can be accommodated by the current and planned water supplies as presented in the 2015 Urban Water Management Plan. Therefore, the proposed project’s impacts to water supply would be less than significant.</p>	<p>None required.</p>	<p><b>Existing Conditions:</b> Less than significant</p> <p><b>Approved Entitlements:</b> Less than significant</p>

*This page intentionally left blank.*

# 1 Introduction

---

This document is a Draft Supplemental Environmental Impact Report (SEIR) for the One Beverly Hills Overlay Specific Plan (herein referred to as the “proposed project”, “project”, or “Overlay Specific Plan”). The proposed project would establish a new overlay specific plan that allows 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 portions of the project site or the current C-3 zoning on the portion of the project site located at 9988 Wilshire Boulevard (the gas station site). The two existing, previously approved specific plans include: (i) the Beverly Hilton Specific Plan, which was approved in 2008 and covers 9850-9876 Wilshire Boulevard, and (ii) the 9900 Wilshire Specific Plan, which was approved in 2008 and amended in 2016 and covers 9900 Wilshire Boulevard. Collectively, these are referred to as the “Existing Specific Plans.” The existing, currently closed gas station at 9988 Wilshire Boulevard is zoned C-3 commercial and while not covered by either of the Existing Specific Plans, it is incorporated into the scope of the Overlay Specific Plan.

If enacted, the proposed Overlay Specific Plan would regulate development of the entire project site upon collective approval of all project property owners and lenders. The applicant has proposed that the Floor Area Ratio (FAR) 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 Overlay Specific Plan’s allowable floor area assumed for the gas station site (identified in the project application as a “calculated entitlement” of approximately 58,350 square feet [sf]). The 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 13.4 acres of open space on the project site, including a publicly accessible botanical garden and a sculpture garden along Wilshire Boulevard and 3.4 acres of unmodified open space areas associated with the existing Beverly Hilton and the existing Waldorf-Astoria Beverly Hills.

This section discusses 1) the project background; 2) the SEIR background; 3) the legal basis for preparing an SEIR; 4) the scope and content of the SEIR; 5) issue areas found not to be significant by the Initial Study; 6) the lead, responsible, and trustee agencies; and 7) the environmental review process required under the California Environmental Quality Act (CEQA). The proposed project is described in detail in Section 2, *Project Description*.

## 1.1 Project Background

The City of Beverly Hills (City) adopted the Beverly Hilton Specific Plan and certified its accompanying Environmental Impact Report (“Beverly Hilton Specific Plan 2008 EIR”) in 2008. The Beverly Hilton site is being developed in five phases under the Beverly Hilton Specific Plan (City of Beverly Hills 2008a). It 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 Beverly Hills is a 170-room luxury hotel located on the east corner of the triangular Beverly Hilton site, adjacent to the intersection of North Santa Monica Boulevard and Wilshire Boulevard. The Waldorf-Astoria Beverly Hills, 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 compared to conditions existing in 2008 when the Beverly Hilton Specific Plan was adopted and the like-for-like demolition and reconstruction of approximately 51,600 sf of retail, restaurant, meeting, and office space (City of Beverly Hills 2008).

The 9900 Wilshire Specific Plan applies to the 9900 Wilshire Boulevard site, which is currently vacant and graded. The City approved the 9900 Wilshire Specific Plan and certified its accompanying EIR in 2008. In 2016, the City amended the 9900 Wilshire Specific Plan and certified a Supplemental EIR ("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 space, 7,940 sf of meeting space, 14,435 sf of spa and fitness, and other guest amenities space (City of Beverly Hills 2016a).

For purposes of this SEIR, existing conditions and remaining buildout allowed under the Existing Specific Plans (Approved Entitlements) are both used as baselines for the analysis. Buildout allowed under the Existing Specific Plans (Approved Entitlements) is included as a baseline because it represents what is currently permitted for development at the project site. A significance determination was made against both the existing conditions and Approved Entitlements under the Existing Specific Plans. The Beverly Hilton Specific Plan 2008 EIR, 9900 Wilshire Specific Plan 2016 SEIR, and associated studies are used in this analysis, where appropriate, since there was no substantial change to the Existing Specific Plans, and no subsequent environmental review, following certification of these two CEQA documents (City of Beverly Hills 2008a; 9900 Wilshire Specific Plan 2016 SEIR).

## 1.2 Supplemental Environmental Impact Report Background

The City of Beverly Hills distributed a Notice of Preparation (NOP) of the SEIR for a 30-day agency and public review period starting on September 4, 2020. The original NOP indicated an end of October 5, 2020 for the 30-day public review period. While the NOA was delivered to the Los Angeles County Clerk Recorder by the start of public review, the County Clerk-Recorder did not post the NOA until September 7, 2020. To align with the posting date by the Los Angeles County Clerk-Recorder, the public review period was extended to October 8, 2020. In addition, the City held a virtual EIR Scoping Meeting on Monday, September 21, 2020. Notices for the NOP and scoping meeting were mailed out to residents and property owners within 1,000 feet of the project site, posted online on the City's website and on-site at the project site, and published in both of the City's locally adjudicated newspapers. The meeting, held from 6:30 PM to 8:00 PM, was aimed at providing information about the proposed project to members of public agencies, interested stakeholders and residents/community members. The meeting was held virtually online and via phone using the GoToMeeting platform. The City received 13 letters from agencies and individuals in response to the NOP during the public review period, as well as various verbal comments during the EIR Scoping Meeting. The NOP is presented in Appendix A of this SEIR, along with the Initial Study that was prepared for the project and the NOP comments received. Table 1-1 on the following pages summarizes the content of the letters and verbal comments and indicates how and where the issues raised are addressed in the SEIR.

**Table 1-1 NOP Comments and EIR Response**

Commenter	Comment/Request	How and Where It Was Addressed in Draft SEIR
<b>Agency Comments</b>		
California Department of Transportation (Caltrans)	Notes the nearest State facility to the project site is Interstate 405 and indicates they do not expect project approval to result in direct adverse impacts to the facility.	This comment is noted. Transportation impacts are addressed in Section 4.9, <i>Transportation and Traffic</i> .
	Supports reducing the amount of parking whenever possible, and suggests that the project is designed to induce demand for additional vehicle trips because of the amount of parking proposed. Recommends that if the parking structure is built that it be designed for adaptive reuse.	The SEIR evaluates the project as proposed. The commenter's recommendations regarding the parking structure being designed for adaptive reuse will be provided to City decision makers for their consideration. The project would provide less parking than required by the City's Municipal Code and Parking Standard. Moreover, Public Resources Code (PRC) Section 21099(d)(1) states that parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area (as is the proposed project) shall not be considered significant on the environment.
	Recommends secure bicycle parking for each residential unit and long-term bicycle parking onsite to encourage bicycle mode of travel.	As detailed in Section 2, <i>Project Description</i> , the project includes secure bicycle parking.
	Recommends the project include walking and biking connections to the Wilshire/Rodeo and Century City/Constellation stations of the Metro Purple (D Line) Extension Transit Project, which should be operational by 2025.	Project impacts to bicycle and pedestrian facilities are addressed in Section 4.9, <i>Transportation and Traffic</i> .
	States the proposed project would require a Caltrans transportation permit for the transportation of heavy construction equipment and/or materials which requires the use of oversized-transport vehicles. Recommends that large size truck trips be limited to off-peak commute periods.	As detailed in Section 2, <i>Project Description</i> , the project may require transportation permits from Caltrans for the transportation of heavy construction equipment and/or materials which require the use of oversized-transport vehicles on State facilities.
Native American Heritage Commission (NAHC)	States that the proposed project is subject to the requirements and provisions under Assembly Bill (AB) 52 for tribal cultural resources and may be subject to Senate Bill (SB) 18. Summarizes portions of AB 52 and SB 18, and provides NAHC recommendations for conducting cultural resources assessments.	Consultation required by AB 52 and SB 18 was carried out by the City of Beverly Hills. Subsequent issues are discussed in Section 4.10, <i>Tribal Cultural Resources</i> , of this SEIR and a Cultural Resources Assessment is provided as Appendix D.
California Department of Fish and Wildlife	Recommends measures be taken to avoid impacts to nesting birds, including avoiding staging and construction activities during the avian breeding season from February 15 to August 31 (as early as January 1 for some raptors).	Comments are addressed in Section 4.2, <i>Biological Resources</i> .

Commenter	Comment/Request	How and Where It Was Addressed in Draft SEIR
	Recommends the SEIR provide a discussion of potential impacts to bats and roosts from project construction, and include bat-specific avoidance and/or mitigation measures.	Comments are addressed in Section 4.2, <i>Biological Resources</i> .
	Recommends inclusion of complete list of proposed native and cultured California plant species for the proposed botanical garden. Recommends avoiding planting of non-native, invasive plants and encourages use of native, locally appropriate plant species and drought tolerant lawn grass alternatives.	The commenter's recommendations regarding the plantings for the proposed botanical garden are noted and will be provided to City decision makers for their consideration.
	Recommends a biological resources assessment of the project site that addresses and mitigates direct, indirect and cumulative impacts to biological resources.	Comments are addressed in Section 4.2, <i>Biological Resources</i> .
	Recommends the project description include construction staging areas and access routes and the SEIR to include a range of feasible alternatives that reduce impacts to sensitive biological resources and wildlife movement areas.	Section 2, <i>Project Description</i> , includes construction staging areas and access routes. Alternatives are discussed in Section 6, <i>Alternatives</i> .
Office of Planning and Research State Clearinghouse	Acknowledges receipt of CDFW comment letter.	No response required.
South Coast Air Quality Management District (SCAQMD)	Requests that the SEIR be sent to them for review, including all appendices and modeling data related to air quality and greenhouse gas (GHG) emissions. Recommends use of CEQA Air Quality Handbook for guidance in preparing air quality analysis and use CalEEMod for analysis.	The Draft SEIR along with modeling data will be sent to the SCAQMD during the public review period. As noted in Section 4.1, <i>Air Quality</i> , SCAQMD's CEQA Air Quality Handbook was used as guidance for preparing air quality analysis and CalEEMod was used.
	Requests calculation of regional and localized air quality impacts and comparison to SCAQMD thresholds.	Comments are addressed in Section 4.1, <i>Air Quality</i> .
	Requests construction-related and operation-related air quality analysis, including impacts from indirect sources. If construction and operation overlap, recommends comparing combined emissions to operational thresholds.	Comments are addressed in Section 4.1, <i>Air Quality</i> .
	Recommends a mobile source health risk assessment, if the project would generate diesel emissions from long-term construction or attract diesel-fueled vehicular trips.	Comments are addressed in Section 4.1, <i>Air Quality</i> . As noted in Section 4.1, <i>Air Quality</i> , a health risk assessment was not conducted for the project because the project does not meet any of the criteria that would trigger the need for a health risk assessment.

Commenter	Comment/Request	How and Where It Was Addressed in Draft SEIR
	Requests mitigation measures to minimize or eliminate significant adverse impacts related to air quality, greenhouse gas emissions, and health risk.	Comments are addressed in Section 4.1, <i>Air Quality</i> , and Section 4.5, <i>Greenhouse Gas Emissions</i> .
Southern California Association of Governments (SCAG)	Requests that the SEIR be sent to them for review, providing, at a minimum, the full public comment for review.	The Draft SEIR and its appendices will be sent to the SCAG during the public review period.
	Recommends assessing consistency with the adopted 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS or Connect SoCal) goals in table format.	Comments are addressed in Section 4.5, <i>Greenhouse Gas Emissions</i> .
	States that the Connect SoCal strategies are provided as guidance for lead agencies when considering proposed projects.	Connect SoCal strategies were reviewed and considered as guidance during preparation of the SEIR.
	Provides the Connect SoCal adopted regionwide and Beverly Hills growth forecasts for population, households, and employment.	Comments are addressed in Section 14, <i>Population and Housing</i> , in the Initial Study, and Section 4.1, <i>Air Quality</i> , of this SEIR.
	Recommends that the lead agency review project-level mitigation measures contained in the Final Program Environmental Impact Report for Connect SoCal for guidance, as appropriate.	Project-level mitigation measures contained in the Final Program EIR for Connect SoCal were reviewed for guidance during preparation of this SEIR.
Metropolitan Water District of Southern California (Metropolitan)	Requests the applicant and City work with Metropolitan to reduce potential impacts to Metropolitan's pipeline (Santa Monica feeder) from project construction to ensure service isn't disrupted and water quality is not adversely affected. Anticipates entering into a relocation agreement with the project applicant and requests to be identified as a responsible entity under CEQA.	Metropolitan is identified as a responsible entity within this section (Section 1.6, Lead, Responsible and Trustee Agencies) and Section 2, <i>Project Description</i> , and the potential need for a relocation agreement is included therein.
	Requests review and approval of future design plans for any activity in the area of Metropolitan's pipelines or facilities. States that approval of the project should be contingent on Metropolitan's approval of design plans for portions of the proposed project that could impacts its facilities.	Metropolitan is identified as a responsible entity within this section (Section 1.6, Lead, Responsible and Trustee Agencies) and Section 2, <i>Project Description</i> , and the potential need for Metropolitan's approval of project design plans is included therein.
	States that appropriate property rights must be obtained from Metropolitan for any activities within their property, including road easements or license.	Metropolitan is identified as a responsible entity within this section (Section 1.6, Lead, Responsible and Trustee Agencies) and Section 2, <i>Project Description</i> , and the potential need for Metropolitan's approval of road easements or licenses is include therein.
	States concern with water conservation and encourages projects to include water conservation measures.	Section 2, <i>Project Description</i> , includes details regarding the project's water conservation design features and measures.



Commenter	Comment/Request	How and Where It Was Addressed in Draft SEIR
Los Angeles County Metropolitan Transportation Authority (Metro)	Summarizes transit service provided in the proximity of the project site. States Antelope Valley Transit Authority may provide service in the vicinity of the project and recommends consulting them.	Comments are addressed in Section 4.9, <i>Transportation and Traffic</i> . Antelope Valley Transit Authority services the project vicinity via Route 786 from Palmdale/Lancaster to Century City/West Los Angeles. No stops are located adjacent to the project site. The nearest Route 786 stops to the project site are located at Century Park E./Constellation, 0.3 mile southwest of the project site, and Wilshire Boulevard/Rodeo Drive, approximately 0.6 mile east of the project site.
	States impacts to Metro Bus services should be analyzed and mitigation provided, if necessary. Indicates potential impacts may include impacts to transportation services, stops, and temporary or permanent bus service rerouting. Recommends mitigation related to bus stop conditions, bus operations coordination, driveways, and bus stop enhancements.	Comments are addressed in Section 4.9, <i>Transportation and Traffic</i> .
	Recommends applicant to review the Transit Supportive Planning Toolkit. States Metro supports development of commercial and residential properties near transit bus stops and encourages pedestrian access to stops.	The Transit Supportive Planning Toolkit was reviewed during preparation of the SEIR, and this comment is provided to the applicant for their consideration.
	Encourages installation of project features to facilitate safe travel to/from the project site by pedestrians, bicyclists, and transit users, and provisioning of bicycle parking. Refers applicant to Metro's Annual Transit Access Pass (A-TAP), the Employer Pass Program (E-Pass), and Small Employer Pass (SEP) Program, which offer efficiencies and group rates for businesses and residential projects.	Comments are addressed in Section 4.9, <i>Transportation and Traffic</i> .
	Encourages the project applicant to provide wayfinding signage inclusive of all modes of transportation.	This is not an environmental issue under CEQA, but the comment is noted and provided to the applicant for their consideration.
	Recommends reduction or removal of minimum parking requirements.	PRC Section 21099(d)(1) states that parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area (as is the proposed project) shall not be considered significant on the environment. The project would provide less parking than required by the City's Municipal Code and Parking Standard.
	States wayfinding signage referencing Metro services must be reviewed and approved by Metro.	This is not an environmental issue under CEQA, but the comment is noted and provided to the applicant for their consideration.

Commenter	Comment/Request	How and Where It Was Addressed in Draft SEIR
	Provides Metro Adjacent Development Handbook (attached), which provides an overview of common concerns for development adjacent to Metro right-of-way (ROW) and transit facilities.	This handbook was considered during preparation of the SEIR.
<b>Individual Comments</b>		
Jill Goldner	Requests discussion of congestion and traffic.	Comments are addressed in Section 4.9, <i>Transportation and Traffic</i> . Regarding traffic congestion, <i>CEQA Guidelines</i> Section 15064.2 requires that lead agencies, for the purposes of CEQA, evaluate the transportation impacts of a project using the metric “vehicles miles traveled” (VMT), rather than level of service (LOS). Lead Agencies were required to begin using the VMT metric by July 1, 2020. While LOS analysis is no longer considered for CEQA purposes, the City has adopted Local Transportation Assessment guidelines. A Local Transportation Assessment has been prepared for the project that assesses intersection operation and local street segment operation. The Local Transportation Assessment will be provided to the public and decision-makers as part of the entitlement review process for this project, and separate from the CEQA documentation.
Frank and Rio Morse	Expresses concern regarding proposed building heights and traffic impacts.	Aesthetic impacts related to building height are addressed in the Initial Study (Appendix A). Transportation and traffic impacts are addressed in Section 4.9, <i>Transportation and Traffic</i> .
Siobhan M. Burke, President, The Los Angeles Country Club (LACC)	Questions whether it is appropriate for the City to continue to tier off of the original environmental impact reports given the passage of time, changes to conditions and CEQA requirements, and changes to the scope and design of the project.	This comment is addressed Section 1.3, <i>Purpose and Legal Authority</i> and Section 1.5, <i>Scope and Content</i> .
Dale J. Goldsmith of Armbruster Goldsmith & Delvac LLP on behalf of the LACC	States the proposed building heights are confusingly measured from different datum points than used for the existing approved project and states the Garden Residences datum point is unclear. Requests that the SEIR measure height for all buildings based on the same data points as the existing approved project.	Due to natural variation in the elevations across the project site, building heights are measured from a horizontal plane of reference from which all vertical dimensions are measured (or datum level) so that the reported building heights can be standardized and comparable to one another. The proposed project is being compared to two separate existing specific plans, the Beverly Hilton Specific Plan and the 9900 Wilshire Specific Plan, both of which use different datums to measure approved building heights. The proposed project’s datum is established at the highest point of the public sidewalk adjacent to the project site, which is the same method of establishing a datum point used for both the Beverly Hilton Specific Plan and 9900 Wilshire Specific Plan. The Beverly Hills Municipal Code identifies this height measurement method for

Commenter	Comment/Request	How and Where It Was Addressed in Draft SEIR
		use in commercial zones throughout the City. Therefore, it isn't possible to compare the proposed building heights against the same data points used in the Existing Specific Plans. However, the project's net change in building heights (Proposed Entitlements – Currently Approved Entitlements) provided in Table 2-2 is the physical difference in building heights taking into consideration datum differences. As noted in Section 2, <i>Project Description</i> , the Garden Residences' height is measured from the +301 datum.
	States that the project's shadow impacts will adversely impact grass and other vegetation on the North and South Golf Courses, which would result in impacts related to land use incompatibility.	Section 4.7, <i>Land Use and Planning</i> , discusses project impacts related to land use compatibility with open spaces (see goals and policies Land Use 2.1 and Open Space 6). The LACC lies within the City of Los Angeles Westwood Community Plan Area. The Westwood Community Plan does not include policies related to compatibility of private open space, like the LACC, with adjacent uses. Potential shadow impacts to the LACC are addressed in Section 4.3, <i>Cultural Resources</i> .
	States the LACC is culturally and historically significant and the SEIR must analyze the project's potential cultural resource impacts.	This comment is addressed in Section 4.3, <i>Cultural Resources</i> .
	States the SEIR needs to analyze the project's shadow impacts to LACC's operation as a recreational facility.	<i>CEQA Guidelines</i> Appendix G thresholds for recreation impacts relate to whether a project would result in physical deterioration of a recreational facility due to increased use or if the project would include or require construction of a recreational facility which would have an adverse physical effect on the environment. As discussed in Section 16, <i>Recreation</i> , of the Initial Study (Appendix A of the SEIR), the project would not result in significant impacts with respect to either of these thresholds. A project's potential effect on financial values of other properties, like its potential impact to the operation of the LACC, is not an environmental issue under CEQA. However, this comment is noted and will be considered by the City Council during their decision on whether to approve the proposed project.
	States concern related to the project's construction and operational traffic impacts with respect to pedestrian/vehicular conflict during the 2023 U.S. Open.	This comment is addressed in Section 4.9, <i>Transportation and Traffic</i> .
	States concern related to the project's construction noise and vibration impacts during the 2023 U.S. Open.	This comment is addressed in Section 4.8, <i>Noise</i> .

Commenter	Comment/Request	How and Where It Was Addressed in Draft SEIR
	States the SEIR must analyze potential cumulative impacts associated with all of the foregoing. States the SEIR must analyze impacts to LACC's operations during construction and operation, and provide appropriate mitigation measures, and alternatives.	These comments are addressed throughout the SEIR, but particularly in Section 4.3, <i>Cultural Resources</i> , Section 4.7, <i>Land Use and Planning</i> , Section 4.8, <i>Noise</i> , and Section 4.9, <i>Transportation and Traffic</i> . Section 6, <i>Alternatives</i> , provides a discussion of alternatives.
David P. Waite of Cox, Castle & Nicholson LLP on behalf of the Peninsula Beverly Hills (Peninsula).	States a subsequent EIR should be prepared for the project instead of a supplemental EIR. Suggests combining the prior environmental reviews of two smaller projects into a single environmental document would result in piecemealing the larger project, which would avoid identifying significant impacts. States the City must prepare a new, subsequent EIR because of substantial changes to the Existing Specific Plans.	CEQA Guidelines Section 15163(a)(2) states that a lead agency may choose to prepare a supplement to an EIR rather than a subsequent EIR if only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation. The City determined that a supplemental EIR is the appropriate CEQA compliance document for the proposed project since only minor additions/changes are necessary to make the previous Beverly Hilton Specific Plan 2008 EIR and 9900 Wilshire Specific Plan 2016 SEIR apply. In addition, these previous environmental documents both retain informational value. Nevertheless, the environmental impact analyses in the Initial Study and this SEIR are based on a full set of new studies and analyses that provide a comparison between the proposed project and existing conditions, in addition to a comparison of the proposed project and Approved Entitlements based on current conditions, thresholds, regulations, and cumulative conditions. In addition, this SEIR considers the totality of the project or the "whole of an action," including the portion of the unified development proposed on the gas station site, which was not previously considered in the existing environmental documentation. Section 1.5, <i>Scope and Content</i> , provides additional discussion regarding the appropriateness of preparation of a SEIR for this project.
	States that aesthetic impacts need to be analyzed in the SEIR because the PRC Section 21099(d)(1) "exemption" does not apply to the project. The commenter suggests the project site is not within a transit priority area, which is required for the exemption, because it is currently not located within 0.5 mile of a major transit stop, defined as a stop serviced by at least two major bus routes with service intervals of 15 minutes or less during the morning and afternoon peak commute periods. The commenter states that LA Metro has adjusted service in response to COVID-19 and as such, the current service	This comment is addressed in the Initial Study (Appendix A of the SEIR) and in Section 4.9, <i>Transportation and Traffic</i> .

Commenter	Comment/Request	How and Where It Was Addressed in Draft SEIR
	intervals during peak hours are not 15 minutes or less.	
	States that the SEIR must include analysis of the project's geology and soils impacts related to the Santa Monica Fault Zone with respect to the entire project site and proposed building heights.	This comment is addressed in Section 4.4, <i>Geology and Soils</i> .
	States the SEIR must ensure the cumulative analysis doesn't understate the project's incremental environmental impacts due to tiering off of two separate EIRs.	The environmental impact analyses in the Initial Study and this SEIR are based on a full set of new studies and analyses that provide a comparison between the proposed project and existing conditions, as well as a comparison of the proposed project and the Approved Entitlements based on current conditions, thresholds, regulations, and cumulative conditions. In addition, the previous environmental documentation for each Existing Specific Plan considered buildout of the other specific plan in its cumulative analysis. Therefore, neither tiering off of the two previous environmental documents nor comparing the proposed project to existing cumulative conditions would understate environmental impacts.
	States that the gas station site, which was not analyzed in previous environmental documentation, must be analyzed in the SEIR.	Project impacts related to proposed improvements on the gas station site are addressed throughout the SEIR.
	States that impacts related to the project's increased building heights should be analyzed with respect to any historic resources on and in the vicinity of the project site.	This comment is addressed in Section 4.3, <i>Cultural Resources</i> .
	States that the SEIR should consider impacts of the proposed buildings heights specifically as it related to the City, and not buildings in Century City.	This comment is addressed in Section 4.7, <i>Land Use and Planning</i> .
	States that impacts to public services related to increased building heights should be analyzed in the SEIR.	This comment is addressed in Section 15, <i>Public Services</i> , of the Initial Study (Appendix A of the SEIR). As discussed therein, the proposed project, including the increased building heights, would not 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.
	States that VMT analysis must be done accurately in the SEIR.	This comment is addressed in Section 4.9, <i>Transportation and Traffic</i> .

Commenter	Comment/Request	How and Where It Was Addressed in Draft SEIR
<b>Public Comments</b>		
Jeffrey Best	Expresses concern regarding impacts from shadows, wind/airflow, and window glare from proposed building towers, particularly on nearby residences. Expresses concern the proposed buildings are of a similar height to The Ten Thousand, a 40-story residential building located at 10000 North Santa Monica Boulevard.	Comments regarding aesthetic impacts (shadows, window glare, and views) are addressed in Section 1, <i>Aesthetics</i> , of the Initial Study (Appendix A of the Draft SEIR). Section 4.3, <i>Cultural Resources</i> , and Section 4.7, <i>Land Use</i> , of the Draft SEIR address impacts related to compatibility of proposed buildings, including heights, with historic resources and General Plan policies, respectively. Project impacts to wind/airflow are not a CEQA-related issue area included in Appendix G of the <i>CEQA Guidelines</i> .
	States concern regarding parking impacts, particularly during special events.	PRC Section 21099(d)(1) states that parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area (as is the proposed project) shall not be considered significant on the environment. Nonetheless, while for this project parking is not subject to CEQA, a Parking Needs Analysis and Parking Management Plan will be provided to the public and decision-makers as part of the entitlement review process for this project.
	Concerned mailings were sent to “Residents” only and that the mailing did not include residences outside of the 1,000-foot mailing radius, but who would be within the proposed buildings’ shadows.	NOP notices were mailed out to residents and property owners within 1,000 feet of the project site consistent with City of Beverly Hills policy for CEQA noticing. In addition, on site notices were posted and the notices were published in both of the City’s locally adjudicated newspapers. CEQA does not require that mailings be sent to every residence that could be shaded by a proposed project.
Laura (Surname Unknown)	Expresses concern regarding building heights and the project’s consistency with the General Plan and heights of other buildings along the Wilshire Boulevard corridor.	Section 4.3, <i>Cultural Resources</i> , and Section 4.7, <i>Land Use</i> , of the Draft SEIR address impacts related to compatibility of proposed buildings, including heights, with historic resources and General Plan policies, respectively.
	Notes that when the Waldorf-Astoria Beverly Hills was built it impacted telephone reception due to building height, and expresses concern the proposed building towers would have similar impacts to reception.	Project impacts to telecommunication facilities are addressed in Section 19, <i>Utilities and Service Systems</i> , of the Initial Study (Appendix A of the SEIR).
	States that residential uses provide less taxable income to the City, in comparison to hotels.	This is not an environmental issue under CEQA, but this comment has been provided to City decision makers for their consideration. This project includes a request for a Development Agreement and as part of the City’s review of a Development Agreement the financial implications of the project will be evaluated.
	Expresses concern regarding the project’s traffic generation and potential impacts.	This comment is addressed in Section 4.9, <i>Transportation and Traffic</i> .

Commenter	Comment/Request	How and Where It Was Addressed in Draft SEIR
Bennett Ross	Expresses concern related to Merv Griffin Way being used as a pass through street and the addition of the proposed traffic light at Merv Griffin Way and North Santa Monica Boulevard.	Comments are addressed in Section 4.9, <i>Transportation and Traffic</i> .
	Expresses concern regarding project construction traffic impact, parking, and potential traffic impacts on El Rodeo School.	This comment is addressed in Section 4.9, <i>Transportation and Traffic</i> . Regarding parking, PRC Section 21099(d)(1) states that parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area (as is the proposed project) shall not be considered significant on the environment. Nonetheless, while for this project parking is not subject to CEQA, a Parking Needs Analysis and Parking Management Plan will be provided to the public and decision-makers as part of the entitlement review process for this project.

### 1.3 Purpose and Legal Authority

The proposed project requires the discretionary approval of the City of Beverly Hills Planning Commission and City Council; therefore, the project is subject to the environmental review requirements of CEQA. In accordance with Section 15121 of the *CEQA Guidelines* (California Code of Regulations, Title 14), the purpose of this SEIR is to serve as an informational document that “will inform public agency decision makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.”

This SEIR has been prepared pursuant to Section 15163 of the *CEQA Guidelines*, which outlines the requirements of a supplement to an EIR. This SEIR is to serve as an informational document for the public and City of Beverly Hills decision makers. The process will culminate with Planning Commission hearings to consider recommending certification of the Final SEIR and approval of the proposed project, and City Council hearings to consider certification of the Final SEIR and approval of the proposed project.

### 1.4 Use of this SEIR for Future Projects

In practice, this SEIR will be utilized as a first tier of environmental review for development projects proposed on the project site. This SEIR has been developed specifically to comply with *CEQA Guidelines* Section 15183 in order to minimize future environmental review of proposed projects on the project site. Section 15183 of the *CEQA Guidelines* provides an exemption from environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. Section 15183 also specifies that examination of environmental effects for such projects shall be limited to those effects that:

- a. are peculiar to the project or parcel on which the project would be located;
- b. were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent;
- c. are potentially significant off-site and cumulative impacts which were not discussed in the underlying EIR; and
- d. are previously identified in the EIR, but which are determined to have a more severe adverse impact than that discussed in the underlying EIR.

Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for that project solely on the basis of that impact. Pursuant to Section 15183(f), an effect is not considered peculiar if uniformly applied development policies or standards previously adopted by the City would substantially mitigate the environmental effect. Examples of uniformly applied development policies or standards include, but are not limited to: Parking ordinances, flood plain ordinances, habitat protection or conservation ordinances, view protection ordinances, and requirements for reducing GHG emissions [Section 15183(g)].

Consistent with *CEQA Guidelines* Section 15183, future development projects in the project site would not require subsequent environmental review if it can be shown that:

1. The project is consistent with:
  - a. A community plan adopted as part of a general plan,
  - b. A zoning action which zoned or designated the parcel on which the project would be located to accommodate a particular density of development, or
  - c. A general plan of a local agency, and
2. An EIR was certified by the lead agency for the zoning action, the community plan, or the general plan.

Prior to the issuance of any entitlements for future development on the project site, the City must determine either that the SEIR analysis is sufficiently specific and comprehensive to cover the project proposed, or that the project requires additional environmental review.

## 1.5 Scope and Content

Pursuant to *CEQA Guidelines* Section 15163, a lead agency may choose to prepare a supplement to an EIR rather than a subsequent EIR if any of the conditions described in Section 15162 would require the preparation of a subsequent EIR, and only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation. The *CEQA Guidelines* further state the following:

- A supplement to the EIR need contain only the information necessary to make the previous EIR adequate for the project as revised.
- A supplement to an EIR shall be given the same kind of notice and public review as is given to a draft EIR under Section 15087.
- A supplement to an EIR may be circulated by itself without recirculating the previous draft or final EIR.



- When the agency decides whether to approve the project, the decision-making body shall consider the previous EIR as revised by the supplemental EIR. A finding under Section 15091 shall be made for each significant effect shown in the previous EIR as revised.

The proposed project is similar to development envisioned in the Existing Specific Plans originally entitled in 2008 and 2016; therefore, the City has determined that a Supplemental EIR (SEIR) is the appropriate CEQA document in this situation.

The applicant has proposed that the FAR 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 Overlay Specific Plan's allowable floor area assumed for the gas station site (identified in the project application as a "calculated entitlement" of approximately 58,350 sf). As detailed in Table 2-2, *Comparison of Approved and Proposed Entitlements on the Project Site*, in Section 2, *Project Description*, the project proposes similar land uses and floor area as the Approved Entitlements under the Existing Specific Plans, including residential, hotel, and retail uses. Because the proposed uses, size, and location of the built components of the project would remain similar to development envisioned under the Existing Specific Plans studied in the Beverly Hilton Specific Plan 2008 EIR and the 9900 Wilshire Specific Plan 2016 SEIR (hereinafter referred to as the "previous environmental documentation"; City of Beverly Hills 2008a; City of Beverly Hills 2016a) with only a minor expansion of the project site footprint to include the gas station site (9988 Wilshire Boulevard), this SEIR focuses on the issues for which the Initial Study determined may have environmental impacts above and beyond those associated with the Approved Entitlements and identified in the previous environmental documentation, and issues determined to be potentially significant based on responses to the NOP. The following issues have been studied in the SEIR:

- |                                   |                              |
|-----------------------------------|------------------------------|
| ▪ Air Quality                     | ▪ Land Use and Planning      |
| ▪ Biological Resources            | ▪ Noise                      |
| ▪ Cultural Resources              | ▪ Transportation and Traffic |
| ▪ Geology and Soils               | ▪ Tribal Cultural Resources  |
| ▪ Greenhouse Gas Emissions        | ▪ Utilities                  |
| ▪ Hazards and Hazardous Materials |                              |

Based on the review of the project, analysis completed to date, and comments received during the NOP process, the City of Beverly Hills determined that there was no substantial evidence that the project would cause or otherwise result in significant environmental effects in the areas of Aesthetics, Agriculture and Forestry Resources, Energy, Hydrology and Water Quality, Mineral Resources, Population and Housing, Public Services, Recreation, and Wildfire. No further environmental review of these issues is necessary for the reasons summarized in the Initial Study (Appendix A).

This SEIR builds upon the analysis performed in the previous environmental documentation, addresses the issues referenced above, and identifies potentially significant environmental impacts, including site-specific and cumulative effects of the project in accordance with the provisions set forth in CEQA and the *CEQA Guidelines*. In addition, this SEIR recommends feasible mitigation measures, where possible, that would reduce or eliminate adverse environmental effects.

A summary of cumulative impacts, which gives consideration to other projects in the vicinity, is described in each resource section within Section 4, *Environmental Impact Analysis*. Cumulative project analyses represent a comprehensive assessment of potential impacts on City resources using

a list of past, present, and probable future projects capable of producing related or cumulative impacts.

The alternatives section of the SEIR (Section 6) was prepared in accordance with Section 15126.6 of the *CEQA Guidelines*. The alternatives discussion evaluates the CEQA-required “no project” alternative (which would consist of continued redevelopment of the project site per the Approved Entitlements) and four other alternative development scenarios for the site, including a “No Further Development” alternative, which assumes no change to the existing development on the project site would occur and hotel operations would remain largely the same as current conditions.

In preparing the SEIR, use was made of pertinent City policies and guidelines, certified EIRs and adopted CEQA documents, and background documents prepared by the City. A full reference list is contained in Section 7, *References*.

Certain development standards contained in the adopted Existing Specific Plans and mitigation measures included in the previous environmental documentation are discussed in this SEIR in the context of the issues studies in this SEIR. However, all standards contained in the Existing Specific Plans and mitigation measures included in the previous environmental documentation and mitigation monitoring and reporting program (MMRP), including those not specifically discussed in this SEIR, continue to apply to development in the applicable Specific Plan area within the current project site unless they are specifically superseded by new or revised Specific Plan standards or new or revised mitigation measures identified in this SEIR and adopted as requirements by the City.

The level of detail contained throughout this SEIR is consistent with the requirements of CEQA and applicable court decisions. In addition to a comparison of the project against buildout allowed under the Approved Entitlements, this SEIR also compares the proposed project to existing conditions to determine project impacts. Significance findings are based on both the project compared to existing conditions and buildout of Approved Entitlements. The *CEQA Guidelines* provide the standard of adequacy on which this document is based. Section 15151 of the *CEQA Guidelines* states:

An EIR should be prepared with a sufficient degree of analysis to provide decisionmakers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of the proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection, but for adequacy, completeness, and a good faith effort at full disclosure.

## 1.6 Lead, Responsible, and Trustee Agencies

The *CEQA Guidelines* define lead, responsible and trustee agencies. The City of Beverly Hills is the lead agency for the project because it holds principal responsibility for approving the project.

A responsible agency refers to a public agency other than the lead agency that has discretionary approval over the project. Responsible agencies include the Los Angeles Regional Water Quality Control Board, which regulates water quality in the region; the SCAQMD, which regulates air quality in the region; Caltrans, which regulates state transportation facilities; Metropolitan, which controls some water facilities and rights-of-ways near the project site; and the City of Los Angeles. The SEIR will also be submitted to these agencies for review and comment.

A “trustee agency” refers to a state agency having jurisdiction by law over natural resources affected by a project that are held in trust for the people of the State of California. *CEQA Guidelines*

Section 15386 designates four agencies as trustee agencies. The only trustee agency that is applicable to this project is the California Department of Fish and Wildlife (CDFW).

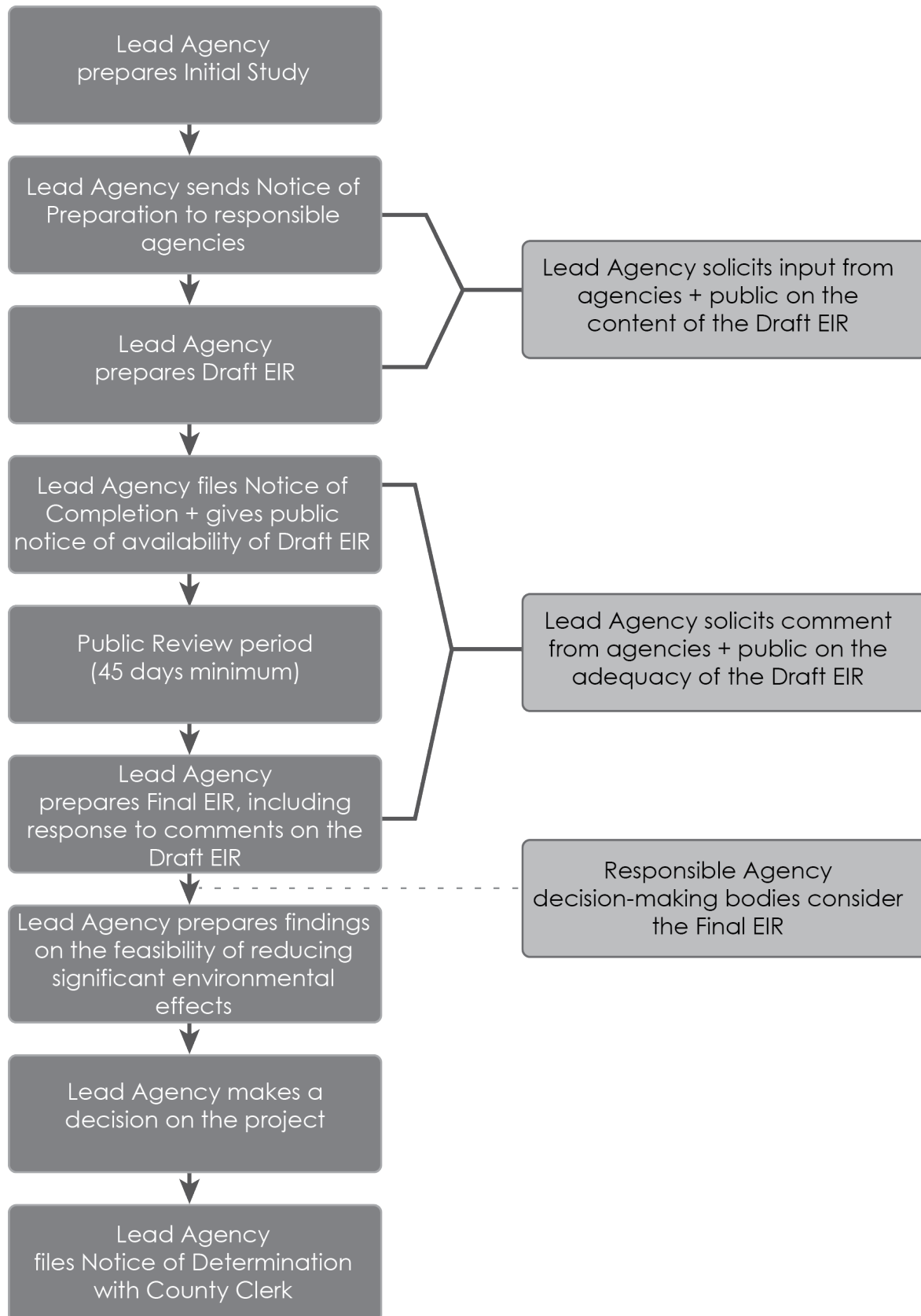
## 1.7 Environmental Review Process

The environmental impact review process, as required under CEQA, is summarized below and illustrated in Figure 1-1. The steps are presented in sequential order.

1. **Notice of Preparation (NOP).** After deciding that an SEIR is required, the lead agency (City of Beverly Hills) must file a NOP soliciting input on the SEIR scope to the State Clearinghouse, other concerned agencies, and parties previously requesting notice in writing (*CEQA Guidelines* Section 15082; PRC Section 21092.2). The NOP must be posted in the County Clerk's office for 30 days.
2. **Initial Study.** The NOP may be accompanied by an Initial Study that identifies the issue areas for which the project could create significant environmental impacts. The City distributed a NOP of the SEIR for a 30-day agency and public review period starting on September 4, 2020. The NOP included a link to the Initial Study posted on the City's website. Both the NOP and Initial Study are included as Appendix A of this SEIR.
3. **Draft SEIR Prepared.** The Draft SEIR must contain: a) table of contents or index; b) summary; c) project description; d) environmental setting; e) discussion of significant impacts (direct, indirect, cumulative, growth-inducing and unavoidable impacts); f) a discussion of alternatives; g) mitigation measures; and h) discussion of irreversible changes.
4. **Notice of Completion (NOC).** The lead agency must file a NOC with the State Clearinghouse when it completes a Draft SEIR and prepare a Public Notice of Availability of a Draft SEIR. The lead agency must place the NOC in the County Clerk's office for 30 days (PRC Section 21092) and send a copy of the NOC to anyone requesting it (*CEQA Guidelines* Section 15087). Additionally, public notice of Draft SEIR availability must be given through at least one of the following procedures: a) publication in a newspaper of general circulation; b) posting on and off the project site; and c) direct mailing to owners and occupants of contiguous properties. The lead agency must solicit input from other agencies and the public and respond in writing to all comments received (PRC Sections 21104 and 21253). The minimum public review period for a Draft SEIR is 30 days. When a Draft SEIR is sent to the State Clearinghouse for review, the public review period must be 45 days unless the State Clearinghouse approves a shorter period (PRC 21091).
5. **Final SEIR.** A Final SEIR must include: a) the Draft SEIR; b) copies of comments received during public review; c) list of persons and entities commenting; and d) responses to comments.
6. **Certification of Final SEIR.** Prior to making a decision on a proposed project, the lead agency must certify that: a) the Final SEIR has been completed in compliance with CEQA; b) the Final SEIR was presented to the decision-making body of the lead agency; and c) the decision making body reviewed and considered the information in the Final SEIR prior to approving a project (*CEQA Guidelines* Section 15090).
7. **Lead Agency Project Decision.** The lead agency may a) disapprove the project because of its significant environmental effects; b) require changes to the project to reduce or avoid significant environmental effects; or c) approve the project despite its significant environmental effects, if the proper findings and statement of overriding considerations are adopted (*CEQA Guidelines* Sections 15042 and 15043).

8. **Findings/Statement of Overriding Considerations.** For each significant impact of the project identified in the SEIR, the lead agency must find, based on substantial evidence, that either:
  - a) the project has been changed to avoid or substantially reduce the magnitude of the impact;
  - b) changes to the project are within another agency's jurisdiction and such changes have or should be adopted; or
  - c) specific economic, social, or other considerations make the mitigation measures or project alternatives infeasible (*CEQA Guidelines* Section 15091). If an agency approves a project with unavoidable significant environmental effects, it must prepare a written Statement of Overriding Considerations that sets forth the specific social, economic, or other reasons supporting the agency's decision.
9. **Mitigation Monitoring Reporting Program.** When the lead agency makes findings on significant effects identified in the SEIR, it must adopt a reporting or monitoring program for mitigation measures that were adopted or made conditions of project approval to mitigate significant effects.
10. **Notice of Determination (NOD).** The lead agency must file a NOD after deciding to approve a project for which an SEIR is prepared (*CEQA Guidelines* Section 15094). A local agency must file the NOD with the County Clerk. The NOD must be posted for 30 days and sent to anyone previously requesting notice. Posting of the NOD starts a 30-day statute of limitations on CEQA legal challenges (PRC Section 21167[c]).

**Figure 1-1 Environmental Review Process**



## 2 Project Description

---

This section describes the proposed project, including the project applicant, the project site and surrounding land uses, major project characteristics, project objectives, and discretionary actions needed for approval, and is intended to provide a general description of the project's technical, economic, and environmental characteristics.

The One Beverly Hills Overlay Specific Plan (herein referred to as the “proposed project”, “project”, or “Overlay Specific Plan”) would establish a new overlay specific plan that allows 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 portions of the project site or the current C-3 zoning on the portion of the project site located at 9988 Wilshire Boulevard (the gas station site). The two existing, previously approved specific plans include: (i) the Beverly Hilton Specific Plan, which was approved in 2008 and covers 9850-9876 Wilshire Boulevard, and (ii) the 9900 Wilshire Specific Plan, which was approved in 2008 and amended in 2016 and covers 9900 Wilshire Boulevard. Collectively, these are referred to as the “Existing Specific Plans.” The existing, currently closed gas station at 9988 Wilshire Boulevard is zoned C-3 commercial and while not covered by either of the Existing Specific Plans, it is incorporated into the scope of the Overlay Specific Plan.

If enacted, the proposed Overlay Specific Plan would regulate development of the entire project site upon collective approval of all project property owners and lenders. The applicant has proposed that the Floor Area Ratio (FAR)<sup>1</sup> 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 Overlay Specific Plan's allowable floor area assumed for the gas station site (identified in the project application as a “calculated entitlement” of approximately 58,350 square feet [sf]). The 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 13.4 acres of open space on the project site, including a publicly accessible botanical garden and a sculpture garden along Wilshire Boulevard.<sup>2</sup>

### 2.1 Project Applicant

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

---

<sup>1</sup> 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).

<sup>2</sup> This 13.4 acres of open space is inclusive of the 10 acres associated with portions of the project site proposed to be modified and 3.4 acres of unmodified open space areas associated with the existing Beverly Hilton and the existing Waldorf-Astoria Beverly Hills.

## 2.2 Lead Agency Contact Person

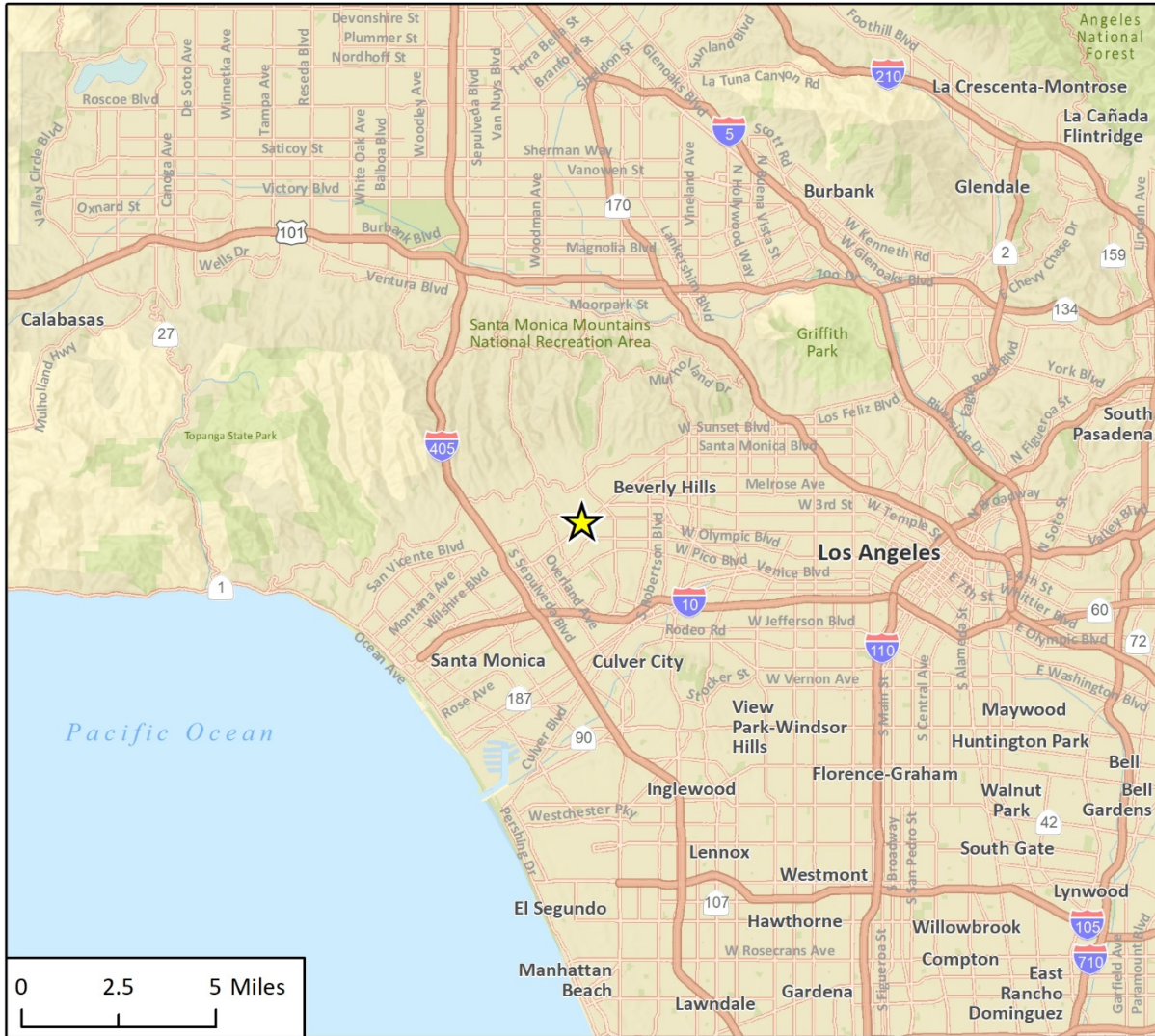
Masa Alkire, AICP, Principal Planner  
City of Beverly Hills, Community Development Department  
455 North Rexford Drive, First Floor  
Beverly Hills, California 90210  
[malkire@beverlyhills.org](mailto:malkire@beverlyhills.org)  
(310) 285-1135

## 2.3 Project Location

The 17.4-acre project site contains the parcels located at 9850, 9876, 9900, and 9988 Wilshire Boulevard, west of the intersection of Wilshire Boulevard and North Santa Monica Boulevard at the western edge of the City of Beverly Hills. The site is comprised of Assessor's Parcel Numbers (APNs): 4327-028-002 through -016. The site is regionally accessible from the San Diego Freeway (Interstate 405, or I-405) and the Santa Monica Freeway (Interstate 10, or I-10), and locally accessible from North Santa Monica Boulevard (State Route 2) and Wilshire Boulevard. I-405 is located approximately 2.3 miles southwest of the project site and I-10 is located approximately 2.3 miles south of the project site. Figure 2-1 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 (herein referred to as the "Beverly Hilton site"), a currently closed gas station with convenience store at 9988 Wilshire Boulevard ("gas station site"), and a vacant, partially excavated property at 9900 Wilshire Boulevard ("9900 Wilshire Boulevard site"). 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 2-2 shows the location of the site on a local scale and Figure 2-3a through Figure 2-3c provide photos of the existing conditions on the project site.

**Figure 2-1 Regional Location**



★ Project Location

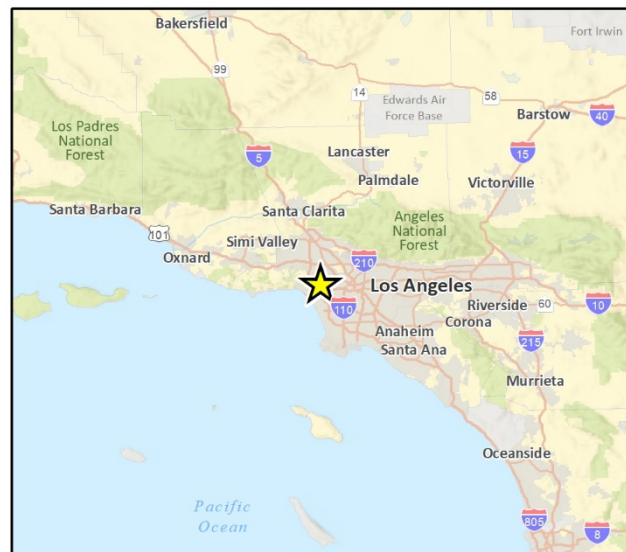


Fig 1 Regional Location



Figure 2-2 Project Site Location





**Figure 2-3a Site Photographs**



**Photograph 1.** Looking east from near the southwest corner of the project site. The vacant, graded area of the 9900 Wilshire Boulevard site is shown in the foreground and the existing Beverly Hilton and Waldorf-Astoria Beverly Hills hotels with related facilities on the Beverly Hilton site is shown in the background.



**Photograph 2.** Looking north from southern portion of the 9900 Wilshire Boulevard site. The Beverly Hilton site is shown to the right.



**Figure 2-3b Site Photographs**



**Photograph 3.** Looking north from near the southwest corner of the 9900 Wilshire Boulevard site. The Beverly Hilton site is shown to the right.



**Photograph 4.** Looking south from near Wilshire Boulevard into the gas station site at 9988 Wilshire Boulevard



**Figure 2-3c Site Photographs**

**Photograph 5.** Looking northwest from the Beverly Hilton Wilshire Tower across the project site. The Palm/Oasis Court Hotel is shown in the foreground, and the vacant, graded 9900 Wilshire Boulevard site and the gas station site are shown in the background.

## 2.4 Existing Site Characteristics

### 2.4.1 Current Land Use Designation and Zoning

The Beverly Hilton site has a General Plan land use designation of Beverly Hilton Specific Plan, the 9900 Wilshire Boulevard site has a General Plan land use designation of 9900 Wilshire Specific Plan, and the gas station site has a General Plan land use designation of General Commercial, Low Density. The Beverly Hilton site is zoned Beverly Hilton Specific Plan, the 9900 Wilshire Boulevard site is zoned 9900 Wilshire Specific Plan, and gas station site is zoned C-3 (Commercial).

### 2.4.2 Existing Specific Plans

#### **Beverly Hilton Specific Plan**

The City adopted the Beverly Hilton Specific Plan and certified its accompanying Environmental Impact Report ("Beverly Hilton Specific Plan 2008 EIR") in 2008. The Beverly Hilton site (see Figure 2-2) is being developed under the Beverly Hilton Specific Plan (City of Beverly Hills 2008a). It 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 Beverly Hills is a 170-room luxury hotel located on the east corner of the triangular Beverly Hilton site, adjacent to the intersection of North Santa Monica Boulevard and Wilshire Boulevard. The Waldorf-Astoria Beverly Hills, 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 compared to conditions existing in 2008 when the Beverly Hilton Specific Plan was adopted and the like-for-like demolition and reconstruction of approximately 51,600 sf of retail, restaurant, meeting, and office space (City of Beverly Hills 2008). The approved site plan for the Beverly Hilton Specific Plan is shown in Figure 2-4.

### **9900 Wilshire Specific Plan**

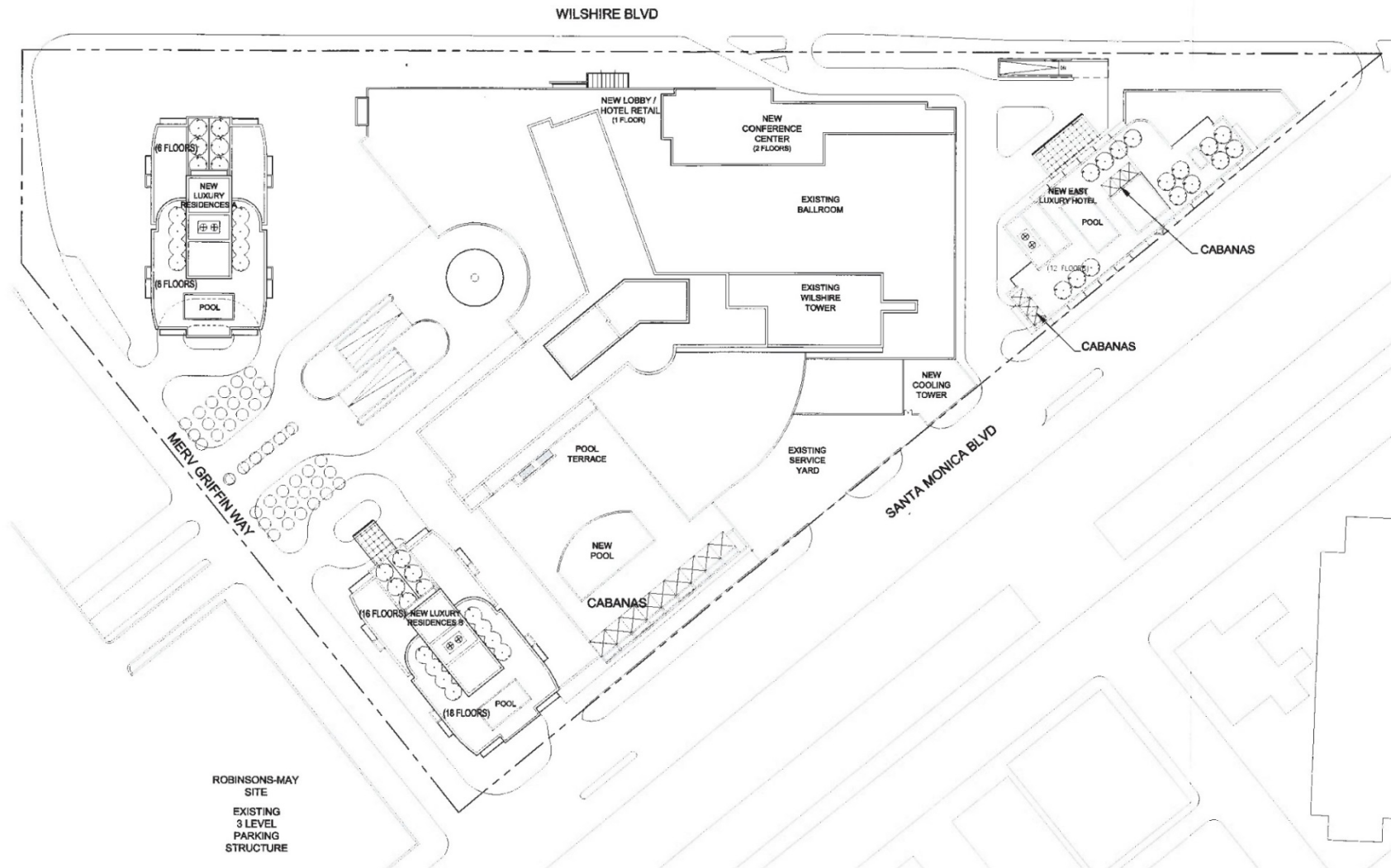
The 9900 Wilshire Specific Plan applies to the 9900 Wilshire Boulevard site, which is currently vacant and graded (see Figure 2-2). The City approved the 9900 Wilshire Specific Plan and certified its accompanying EIR in 2008. In 2016, the City amended the 9900 Wilshire Specific Plan and certified a Supplemental EIR (“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 space, 7,942 sf of meeting space, 14,435 sf of spa and fitness, and other guest amenities space (City of Beverly Hills 2016a). The approved site plan for the 9900 Wilshire Specific Plan, as amended in 2016, is shown in Figure 2-5.

### **2.4.3 Surrounding Land Uses**

The project site is located near the western City limit and is bounded on the north by Wilshire Boulevard, on the south by North Santa Monica Boulevard, on the east by the intersection of Wilshire and North Santa Monica Boulevards, and on the west by the Los Angeles Country Club’s south golf course. Surrounding land uses include the following:

- **North.** Located to the north of the project site, immediately across Wilshire Boulevard, are 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 North 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, North 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 North 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 country club), and farther to the west is the community of Century City in the City of Los Angeles. Century City is characterized by a concentration of high-rise residential towers along the North Santa Monica Boulevard corridor and office towers farther west and south.

**Figure 2-4 Approved Beverly Hilton Specific Plan Site Plan**



Source: Beverly Hills 2008a

**Figure 2-5** Approved 9900 Wilshire Specific Plan Site Plan



Source: Richard Meier & Partners LLP 2015

## 2.5 Project Characteristics

### 2.5.1 Description of the Proposed Project

Implementation of the proposed Overlay Specific Plan would, upon collective approval of all project property owners and lenders, result in the development of two residential buildings, a hotel/residential building, a parking structure, structures for supporting amenities and features, including a park pavilion, and three pools, as well as some alterations to existing Beverly Hilton structures. Approximately 13.4 acres of the project site would be open space. An elevated platform over Merv Griffin Way from the Beverly Hilton to the west property line would consist of an 8-acre botanical garden with native and cultured<sup>3</sup> 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 reserved for residents, members of the Amenities Access Program (AAP)<sup>4</sup>, 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, City representatives, and representatives of the hotels. The public and private 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. The pools would be open from 7:00 a.m. to 10:00 p.m. Figure 2-6 and Figure 2-7 provide an illustrative version of the proposed site plan and a detailed site plan, respectively. Figure 2-8 provides three project renderings (Figures 2-8a, 2-8b, and 2-8c). A description of additional details of the proposed project follows. Table 2-1 summarizes the characteristics of the proposed project. Table 2-2 presents the Approved Entitlements under the Existing Specific Plans and zoning and compares the approved entitlements and the maximum allowed development under existing C-3 zoning to those of the proposed Overlay Specific Plan. Table 2-3 summarizes the existing conditions of the project site and compares the existing conditions to the proposed entitlements.

---

<sup>3</sup> Cultured California plant species refers to drought-tolerant, non-invasive plants.

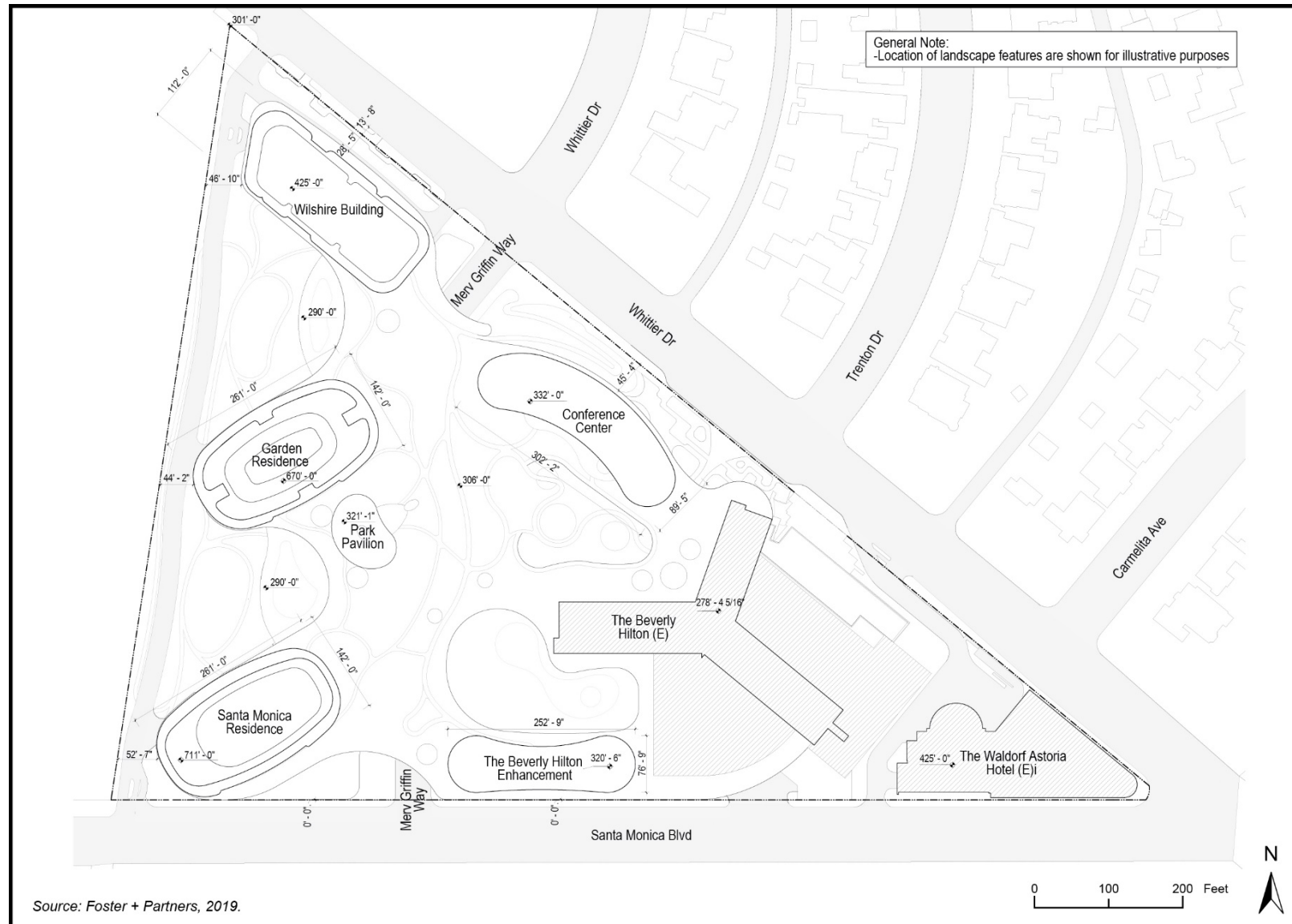
<sup>4</sup> The AAP would allow 250 non-residents/non-hotel guests to access the residential and hotel amenity spaces subject to guidelines, bylaws, and rules established for the AAP.



Figure 2-6 Illustrative Site Plan



Figure 2-7 Detailed Site Plan





**Figure 2-8a Project Rendering**



An aerial view of the project site looking southwest through the site towards Century City

Source: DBOX August 2020. Figure for general illustrative purposes only.



**Figure 2-8b Project Rendering**



A view looking south from the intersection of Merv Griffin Way and Wilshire Boulevard

Source: Gensler August 2020. Figure for general illustrative purposes only.



**Figure 2-8c Project Rendering**



A view looking north from the intersection of Merv Griffin Way and North Santa Monica Boulevard

Source: Gensler August 2020. Figure for general illustrative purposes only.

**Table 2-1 Characteristics of the Proposed Project**

	<b>On the Beverly Hilton Site</b>	<b>On the 9900 Wilshire Boulevard Site and Gas Station Site</b>
Lot Area (sf)	389,597	368,467
Total Building Floor Area (sf)	Beverly Hilton Hotel (E): 350,789 Waldorf-Astoria Beverly Hills 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 <sup>1</sup>
Building Heights <sup>2</sup>	Beverly Hilton Hotel (E): 79'-1" <sup>3</sup> Waldorf-Astoria Beverly Hills Hotel (E): 124'-0" <sup>3</sup> Conference Center (N): 31'-0" <sup>3</sup> Beverly Hilton Enhancement (N): 19'-6" <sup>3</sup>	Santa Monica Residences (N): 410'-0" <sup>3</sup> Garden Residences (N): 369'-0" <sup>3</sup> Wilshire Building (N): 124'-0" <sup>3</sup> Park Pavilion (N): 20'- 1" <sup>3</sup> Promenade <sup>4</sup> (N): 5'-0" <sup>3</sup>
Residences (units [sf])	0 [0]	340 [1,024,553]
Hotels (rooms [sf])	558 [632,838]	42 [113,485]
Shared Hotel/Residential Amenities <sup>1</sup> (sf)	0	117,232
Accessory Spaces (units [sf])	0 [0]	30 [10,092]
Retail (sf)	35,236	0
<b>Total Project Parking Spaces</b>	<b>2,179<sup>5,6</sup></b>	
<b>Total Project Private Open Space (sf)<sup>7</sup></b>	<b>174,240<sup>5</sup></b>	
<b>Total Project Public Open Space (sf)<sup>8</sup></b>	<b>409,412<sup>5</sup></b>	
<b>Total Project Combined Open Space area (sf)</b>	<b>583,652<sup>5,8</sup></b>	

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

<sup>1</sup> Accessory spaces located in the Promenade are accounted for in the square-footage reported for "Accessory Spaces" and "Shared Hotel/Residential Amenities" reports square-footage for shared hotel/residential amenities space in the promenade.

<sup>2</sup> Due to natural variation in the elevations across the project site, building heights are measured from a horizontal plane of reference from which all vertical dimensions are measured (or datum level) so that the reported building heights can be standardized and comparable to one another.

<sup>3</sup> Measured from +301 AMSL datum. Note the datum has changed between the Existing Specific Plans and the proposed project because the Municipal Code requires the height of commercial buildings to be measured from the highest point on the sidewalk adjacent to the site. Because the gas station site is included in the project site, the datum was adjusted to reflect the highest point on the sidewalk adjacent to the project site, which is a location adjacent to the gas station site.

<sup>4</sup> The Promenade is a shared hotel/residential amenity space that connects the buildings and contains the Park Pavilion Building

<sup>5</sup> Includes the entire project site (Beverly Hilton site, 9900 Wilshire Boulevard site, and gas station site)

<sup>6</sup> The project includes 1,865 new parking spaces. In addition, 314 existing parking spaces would remain at the Waldorf-Astoria Beverly Hills Hotel

<sup>7</sup> Private open space would be reserved for hotel guests and residents

<sup>8</sup> Open space includes the gardens and other landscaped areas, water features and pools, publicly accessible roadways/walking paths, and similar areas. Public open space area is inclusive of the 10 acres associated with portions of the project site proposed to be modified and 3.4 acres of unmodified open space areas associated with the existing Beverly Hilton and the existing Waldorf-Astoria Beverly Hills.

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

	Currently Approved Entitlements and Existing C-3 Zoning <sup>1</sup>	Proposed Entitlements	Net Change (Proposed Entitlements – Currently Approved)
Residences (units [sf])	303 [1,068,676]	340 [1,024,553]	+37 [-44,123]
Hotels (rooms [sf])	656 [806,403]	600 [746,323]	-56 [-60,080]
Shared Hotel/Residential Amenities <sup>2</sup> (sf)	0	117,232	+117,232
Accessory Spaces (units [sf])	0 [0]	30 [10,092]	+30 [+10,092]
Retail Floor Area (sf)	46,686 <sup>3</sup>	35,236 <sup>4</sup>	-11,450
Total Floor Area Ratio	2.54 <sup>3</sup>	2.55	0.01
Maximum Building Height	9900 Wilshire Boulevard Site: 185'-0" <sup>5</sup> Gas Station Site: 45'-0" <sup>9</sup> Beverly Hilton Site: 200'-0" <sup>6</sup>	9900 Wilshire Boulevard Site: 410'-0" <sup>7</sup> Gas Station Site: 124'-0" <sup>7</sup> Beverly Hilton Site: 124'-0" <sup>7</sup>	9900 Wilshire Boulevard Site: +236'-0" <sup>8</sup> Gas Station Site: +79'-0" Beverly Hilton Site: -60'-0" <sup>8</sup>
Open Space	8.0	13.4	5.4
Parking Spaces	3,323	2,179	-1,144

<sup>1</sup> Sources: City of Beverly Hills 2008a and 2016a

<sup>2</sup> Shared amenity space includes the Promenade and a park pavilion building

<sup>3</sup> Average of the FAR for the gas station site (9988 Wilshire Boulevard) of 2.0 allowable under C-3 zoning and FAR of 2.55 for the remainder of the project site (9900 Wilshire Boulevard site and Beverly Hilton site). The retail floor area estimate is based on this 2.0 FAR allowable under C-3 zoning.

<sup>4</sup> 35,236 sf of proposal retail includes the Santa Monica Retail component of the Beverly Hilton Enhancement only. All hotel retail uses are captured under hotel land use.

<sup>5</sup> Measured from +290 datum

<sup>6</sup> Measured from +285 datum

<sup>7</sup> Measured from +301 datum

<sup>8</sup> Height difference measures physical difference (adjusted for datum difference)

<sup>9</sup> Gas station site maximum height is the maximum height allowed under C-3 zoning

**Table 2-3 Comparison of Existing Conditions and Proposed Entitlements on the Project Site**

	Existing Conditions	Proposed Entitlements	Net Change (Proposed Entitlements – Existing Conditions)
Residential Uses (units [sf])	0	340 [1,024,553]	+340 [+1,024,553]
Hotel Uses (rooms [sf])	739 [724,649]	600 [746,323]	-139 [+21,674]
Shared Hotel/Residential Amenities <sup>1</sup> (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"	9900 Wilshire Boulevard Site: 410'-0" <sup>2</sup>	9900 Wilshire Boulevard Site: +410'-0"
	Beverly Hilton Site: 124'-0" <sup>2</sup>	Beverly Hilton Site: 124'-0" <sup>2</sup>	Beverly Hilton Site: +0'-0"
	Gas Station Site: 21'-10" <sup>2</sup>	Gas Station Site: 124'-0" <sup>2</sup>	Gas Station Site: +102'-2"
Open Space	3.7 <sup>3</sup>	13.4	9.7
Parking Spaces	1,239	2,179	+940

<sup>1</sup> Shared amenity space includes the Promenade and Park Pavilion Building.

<sup>2</sup> Measured from +301 datum

<sup>3</sup> This open space number does not include the vacant undeveloped 9900 Wilshire site and does not include the 9988 Wilshire gas station 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 with indoor and outdoor dining space, retail, meeting space, and related support space.
- The existing 181-room Beverly Hilton Oasis Building would be demolished.
- The existing Beverly Hilton pool and adjacent Lanai Rooms (AKA “Cabana Rooms”) would be demolished and reconstructed.
- The existing Beverly Hilton parking structure adjacent to North 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 (collectively referred to as the “Beverly Hilton Enhancement”), and 36 poolside hotel rooms adjacent to the reconstructed Beverly



Hilton pool and related support space for the hotel rooms and functions. The Beverly Hilton Enhancement would include outdoor dining on the 4<sup>th</sup> floor.

The Beverly Hilton Wilshire Tower, which includes the centrally-located, eight-story “Y” shaped main hotel building first constructed during the 1953 to 1955 period, would not be altered as part of the proposed project. Likewise, the existing Waldorf-Astoria Beverly Hills, which provides 314 parking spaces, would not be altered as part of the proposed project. Portions of the botanical garden, walking paths, and below-grade parking structure would also be added to the Beverly Hilton Site. Figure 2-9 illustrates the proposed demolition plan for the entire project site. Figure 2-10 and Figure 2-11 provide project elevations (for the project site plan see Figure 2-7).

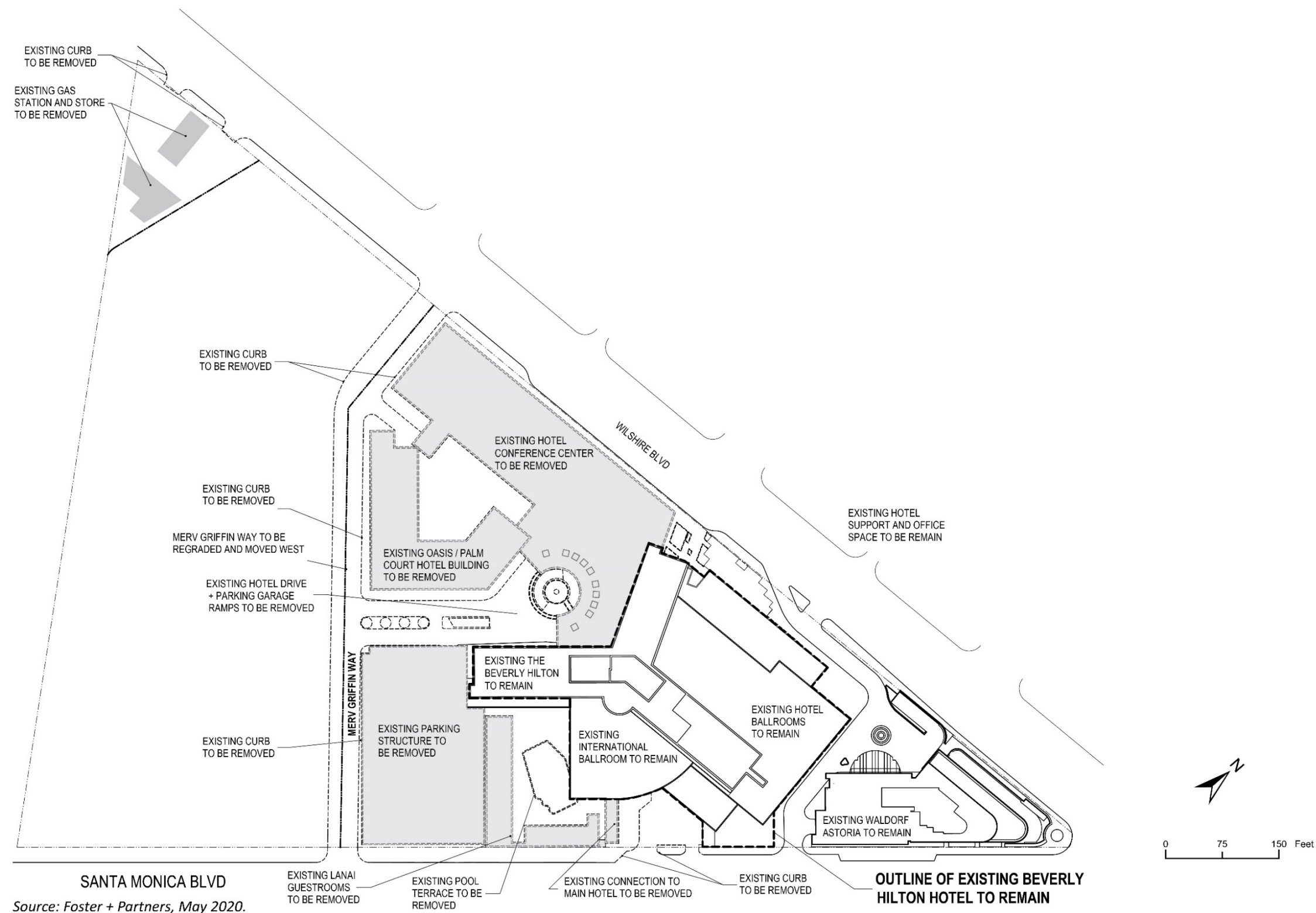
### **9900 Wilshire Boulevard Site and Gas Station Site (9988 Wilshire Boulevard)**

The 9900 Wilshire Boulevard site is a vacant, partially excavated property that is subject to the 9900 Wilshire Specific Plan (see Section 2.4.2, *Existing Specific Plans*, 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 is not subject to either of 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 2-2 for the locations of these sites on the project site and see Figure 2-9 for the proposed demolition plan associated with the proposed project.

On this portion of the project site, the proposed project would include 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. The Garden Residences and Santa Monica Residences would be approximately 369 feet and 410 feet in height, respectively, and would be located near the southwesterly project site boundary as shown in Figure 2-7. 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 third building, the Wilshire Building, would include a luxury 42-room hotel and 37 residential units and would be located along Wilshire Boulevard near the project site’s northwestern corner. The Wilshire Building would be approximately 124 feet in height.

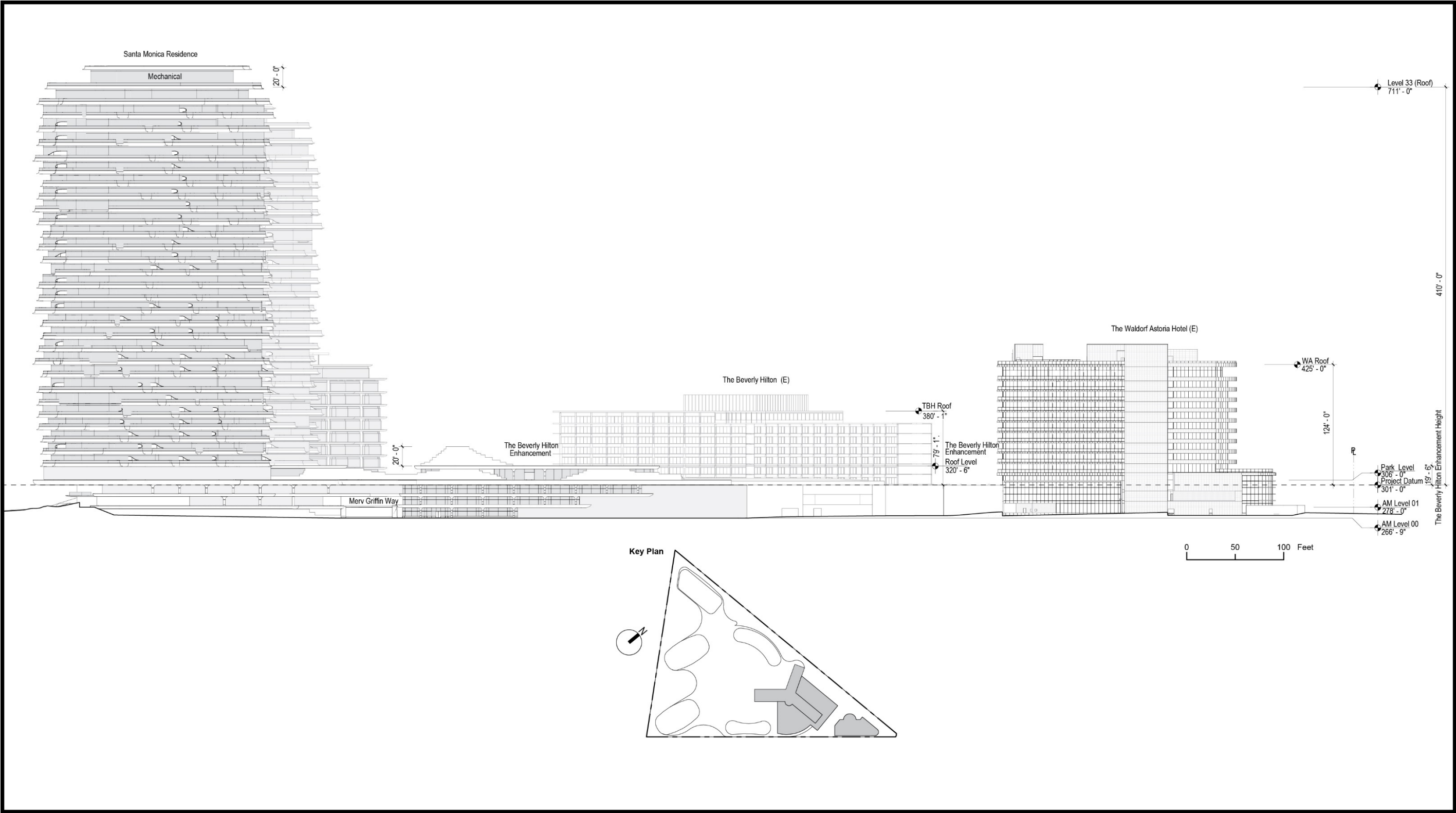
In addition to the proposed new buildings, a multi-level Promenade (including both above and below ground portions) would be constructed to provide connections between the Garden Residences, Santa Monica Residences, and Wilshire Building. The Promenade would also include various amenities for project 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 park pavilion, a spa, and support spaces. Outdoor dining would be provided in the proposed hotel lobby restaurant of the Wilshire Building and a private dining facility with outdoor dining would be provided in the Park Pavilion (south of the Garden Residences). A three-level, below-grade parking structure spanning the entire footprint of the new construction proposed on the project site would provide parking for future residents, hotel guests and visitors, employees, and restaurant, retail, and botanical garden visitors. The parking structure would accommodate approximately 1,865 parking spaces and would be accessible from North Santa Monica Boulevard, Merv Griffin Way, and a new private road along the southwestern property line to provide access to the residential buildings (Walker Consultants 2020). The parking structure would include designated areas for ride-sharing,

Figure 2-9 Proposed Demolition Plan



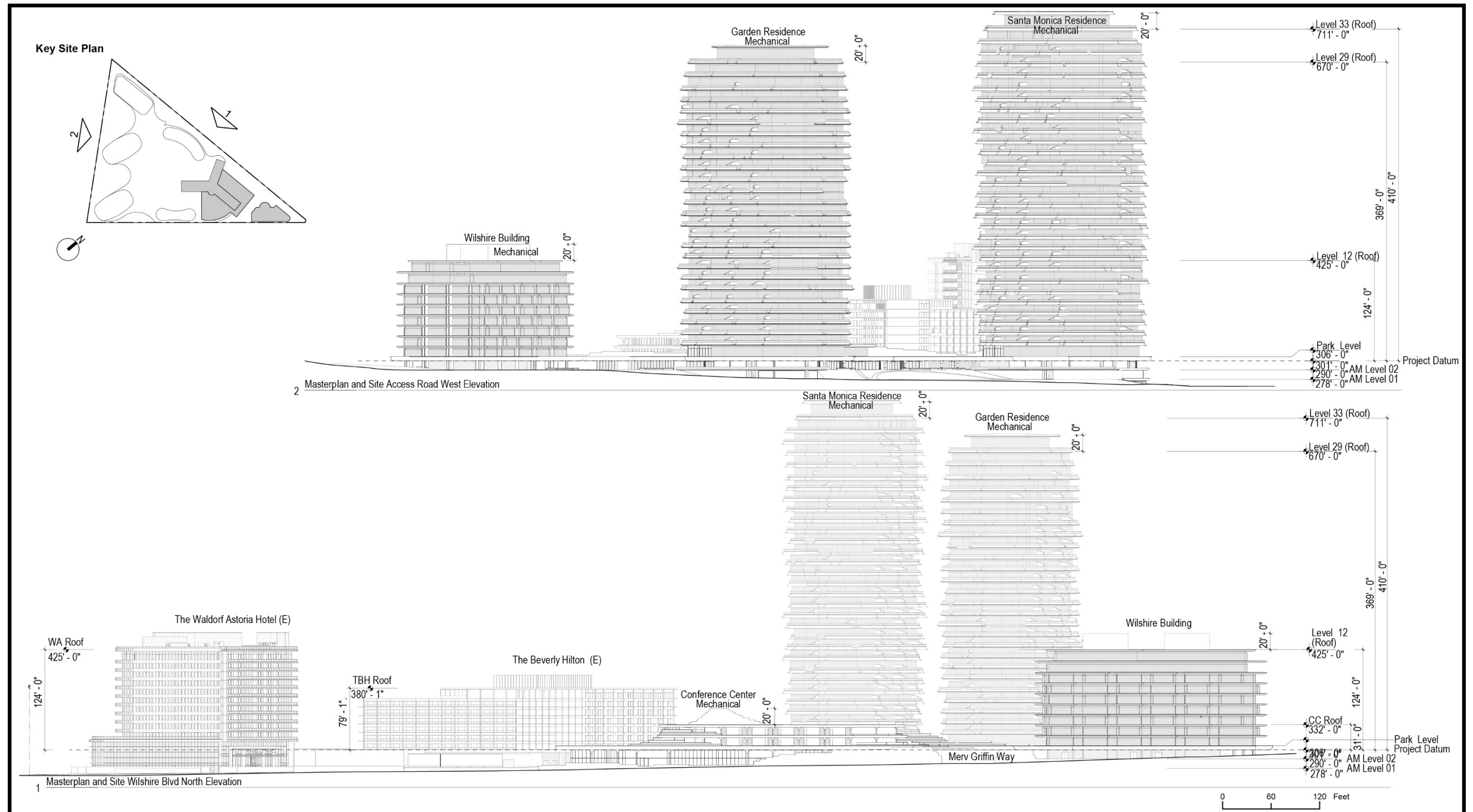
Note: The existing Beverly Hilton swimming pool would also be demolished and reconstructed as part of the project.

Figure 2-10 Project Elevation – South Elevation from North Santa Monica Boulevard



Source: Foster + Partners, 2020. In Key Plan, buildings shown with dark shading indicate “Existing Buildings” and buildings without shading indicate “Proposed Buildings.”

Figure 2-11 Project Elevation – West Elevation from Access Road and North Elevation from Wilshire Boulevard



Source: Foster + Partners, 2020. In Key Plan, buildings shown with dark shading indicate "Existing Buildings" and buildings without shading indicate "Proposed Buildings."

*This page intentionally left blank.*

electric vehicle charging, long-term bicycle parking, and support space including back of house facilities and a centralized loading dock serving all buildings on the project site. Portions of the botanical gardens and walking paths would also be developed on the 9900 and 9988 Wilshire Boulevard Site. Figure 2-9 illustrates the proposed demolition plan for the entire project site. Figure 2-10 and Figure 2-11 provide project elevations.

## 2.5.2 Site Access, Transportation Improvements, and Parking

Existing access points would be maintained, and additional driveways would be added as part of the proposed project to improve site access and circulation. Primary access to the project site would be provided by a reconstructed Merv Griffin Way, which would 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 North Santa Monica Boulevard. Similar to the Existing Specific Plans, the proposed project would install a new traffic signal at the intersection of North Santa Monica Boulevard and Merv Griffin Way to improve operations for vehicles traveling through the site and would relocate the curb along North Santa Monica Boulevard to provide a third southbound travel lane and right-turn lane onto Merv Griffin Way. A new private road along the western property line would provide private access to the residential buildings, the new luxury hotel and residences building, and the below-ground parking structure. This private residential access roadway would be controlled by a traffic signal at its intersection with Wilshire Boulevard and would be stop sign-controlled at its intersection with North Santa Monica Boulevard. In addition, a right-turn only driveway would be added north of the proposed Wilshire Building to allow vehicles leaving the Wilshire Building to make a right turn onto Wilshire Boulevard westerly of the traffic signal at Merv Griffin Way/Whittier Drive. Access to the project site would be provided as follows:

- **Residential Access:** Residential access would be provided by the new North-South roadway along the western border of the project site. Just south of the driveway serving the Wilshire Building, this roadway would have gated access and would only be used by residents and their guests. A new traffic signal at Wilshire Boulevard would allow full access (i.e., both inbound and outbound right and left-turning movements) to the new North-South Road. The south end of the North-South Road would connect to North Santa Monica Boulevard and be controlled by a stop sign. Access to the south would allow inbound access for vehicles traveling on North Santa Monica Boulevard (both inbound left- and right-turn movements) and right-turn only access for outbound vehicles. Along the North-South Road, separate driveways would be provided for the Garden Residence and Santa Monica Residence to provide access to the underground parking structure. For the Wilshire Building, residents will enter the site from Wilshire Boulevard using the North-South Road and exit the site using the outbound only driveway onto Wilshire Boulevard just west of Whittier Drive/Merv Griffin Way.

Under the Existing Specific Plans, residential access for the Beverly Hilton site was planned to occur along Merv Griffin Way and residential access for the 9900 Wilshire Boulevard site was planned to occur along a similarly configured North-South Road. The previously approved alignment of the North-South Road would have connected to Wilshire Boulevard just east of the gas station site and only permitted right-turns in/out of the site. The new signal proposed as part of the Overlay Specific Plan would be located on the western edge of the gas station site and permit full access.

- **Hotel Guest Access:** The existing driveways serving Waldorf-Astoria Beverly Hills Hotel on Wilshire Boulevard and North Santa Monica Boulevard would remain in place. The Beverly Hilton Motor Court would be expanded to provide additional storage for valet operations. Two entry ramps and



two exit ramps would be provided along the Motor Court to provide direct access to the subterranean parking garage. The primary entry point to the hotel Motor Court would be at an internal intersection on Merv Griffin Way, which is in approximately the same location as the current four-way stop controlled intersection that provides access to the existing Motor Court. A secondary exit point for the Motor Court would be provided on Merv Griffin Way just south of the Conference Center on Wilshire Boulevard.

Under the Existing Specific Plans, the 9900 Wilshire Boulevard site would have an additional Hotel Motor Court on North Santa Monica Boulevard. Access to this Hotel Motor Court would be provided just west of the Merv Griffin Way intersection on North Santa Monica Boulevard with a secondary right-in/out only access point on Merv Griffin Way.

- **Visitor and Employee Access:** Merv Griffin Way would provide access for visitors and employees of the various uses on the site. Just north of North Santa Monica Boulevard, a driveway ramp would provide access into the subterranean parking structure from Merv Griffin Way. Outbound access would be provided onto Merv Griffin Way at the internal intersection that provides access to the expanded hotel Motor Court. The driveway exit ramp would serve as the western leg of this internal intersection.

Under the Existing Specific Plans, visitor and employee access would also occur along Merv Griffin Way and visitors dining at the hotel restaurants on the 9900 Wilshire Boulevard site would also have access at the planned Motor Court on North Santa Monica Boulevard.

- **Delivery Access:** The loading dock located on North Santa Monica Boulevard just east of Merv Griffin Way would continue to serve the existing uses that would remain and would also serve as the loading area for new uses constructed with the One Beverly Hills Overlay Specific Plan. The existing loading dock would be reconfigured with a ramp connecting to a centralized below-grade loading dock and support spaces.

Under the Existing Specific Plans, the current loading dock would continue to serve the Beverly Hilton site and a new loading dock with access along Merv Griffin Way opposite the Beverly Hilton Hotel Motor Court would serve the 9900 Wilshire Boulevard site. With the proposed Overlay Specific Plan, the loading activities would be centralized in one location.

Figure 2-12 shows proposed vehicle site access and circulation. Figure 2-13 shows proposed pedestrian site access and circulation.

### 2.5.3 Sustainability Features

The proposed project would be designed to achieve a Leadership in Energy and Environmental Design<sup>5</sup> (LEED) Gold rating and WELL<sup>6</sup> Certification through environmentally-sensitive architecture and building systems. Specific sustainability features would include:

- Centralized mechanical, electrical, and plumbing (MEP) system, resulting in greater efficiency and minimal duplication
- Low embodied carbon materials

---

<sup>5</sup> LEED is a widely used building sustainability rating system in which Gold is the second highest rating a building can received for the green building features incorporated into the design (United States Green Business Council 2020).

<sup>6</sup> WELL is a building certification focused on enhancing the health and wellbeing of building occupants through building design features and operational policies (WELL 2020).

- Rainwater management including collection, storage, filtration, distribution, and reuse to irrigate botanical gardens and landscaping
- Greywater collection from hotel, conference center, and residential buildings, storage, treatment, and reuse to irrigate botanical gardens and landscaping
- Climate control irrigation
- Drought tolerant and low water impact native and cultivated California landscape
- Minimize evaporation loss from water features and soil via landscape and structure shading
- 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

#### 2.5.4 Utilities

The City of Beverly Hills Public Works Department provides the following utility services: solid waste, water, wastewater, and stormwater. Southern California Edison supplies electricity and the Southern California Gas Company provides gas to Beverly Hills.



*This page intentionally left blank.*

Figure 2-12 Vehicle Access and Circulation

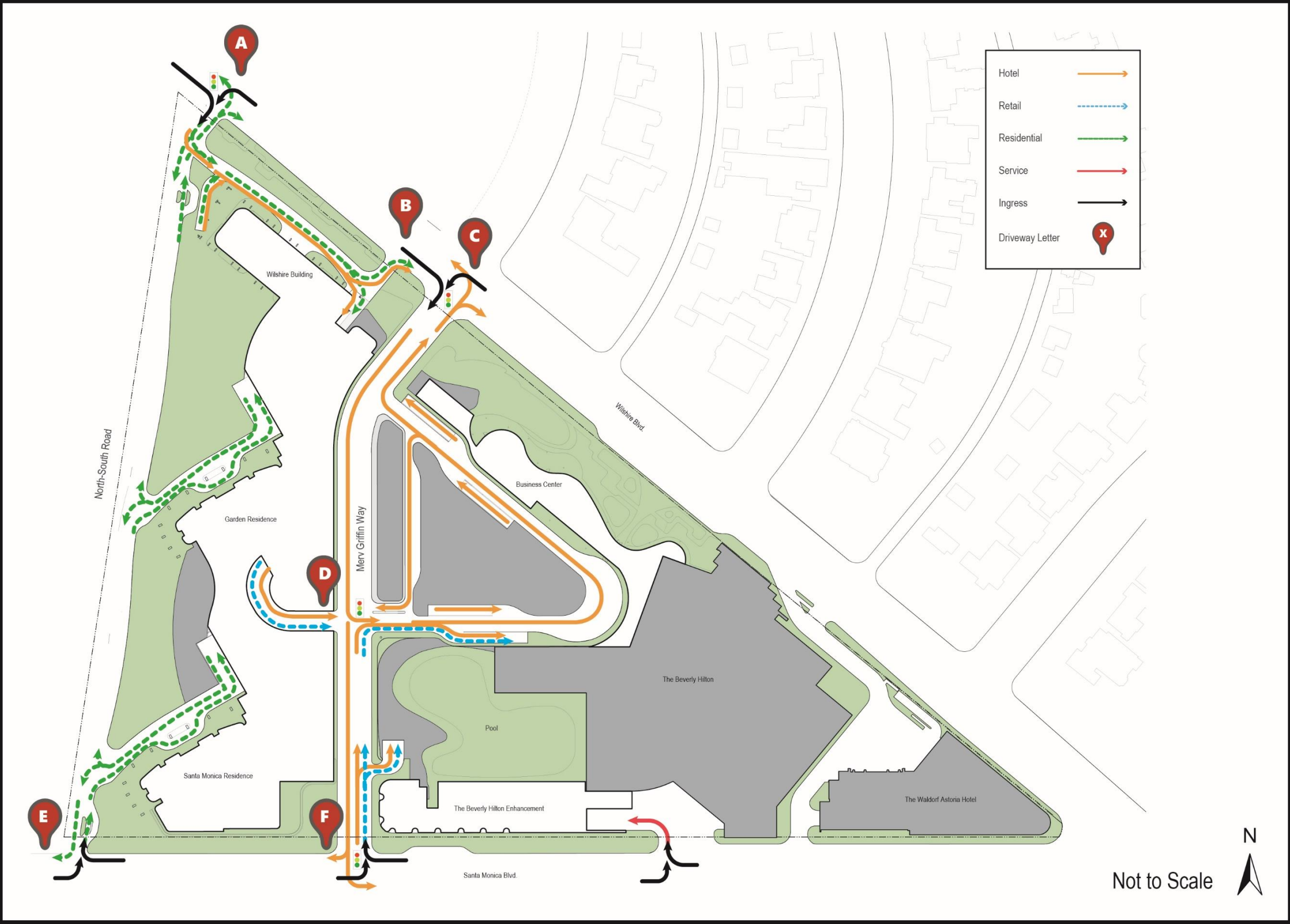




Figure 2-13 Pedestrian Access and Circulation





## 2.5.5 Demolition, Grading, and Construction

Construction of the proposed project is anticipated to occur in a single development phase, commencing in late 2021 and taking approximately 50 months to complete. Project construction activities would include demolition, site preparation, grading, building construction, paving, and architectural coating activities, as shown in Table 2-4. The approximately 50-month, single phase, total construction duration will include excavation and foundation (12 months), structure and enclosure (22 months), finishes, and hardscape/landscape (16 months).

**Table 2-4 Construction Details**

Construction Activity	Dates	Maximum Number of Workers per Day
Demolition	November 2021—December 2022	250
Site Preparation	November 2021—January 2022	250
Grading	February 2022—November 2022	250
Building Construction	June 2022—November 2025	1,100
Paving	January 2025—December 2025	1,500
Architectural Coating	June 2023—January 2026	1,500

No work is proposed outside of the hours of 8:00 a.m. to 6:00 p.m. (Monday through Friday). If it is determined that off hours work is in the Public's Benefit, requests under BHMC Section 5-1-205 will be submitted to the City Building Official for approval. Hauling of excavated materials and debris from the demolition site may take place at night and/or on weekends as approved by the City Building Official and pursuant to an after-hours work permit under Section 5-1-205. Construction staging would occur within the footprint of the project site. The maximum depth of excavation would be approximately 48 feet below ground surface (bgs), with an average excavation depth of 31 feet bgs. During project construction, approximately 550,000 cubic yards of soil would be exported, and approximately 454,652 sf of buildings would be demolished. This will require an estimated 364 trucks per day (14 cubic yards per truck) for approximately ten months along a haul route. Demolition debris and soil material would be hauled approximately 35 miles east to a designated landfill in Irwindale, California. The haul route would consist of traveling from the project site west along North Santa Monica Boulevard to I-405, south on I-405 to I-10, and then east on I-10 to Irwindale. If contaminated soil is encountered then contaminated soil would be sent approximately 38 miles to Castaic, California via a haul route heading west from the project site on North Santa Monica Boulevard, north on I-405, north on I-5, and west on State Route 126 to Castaic. Final haul routes would be determined in conjunction with the City. The material and equipment delivery process could require vehicles to temporarily stop and unload on the adjacent streets. This loading/unloading process could involve temporary lane closures on the adjacent streets. To control dust impacts, vehicle speeds on unpaved roads on-site would be limited to 15 miles per hour pursuant to South Coast Air Quality Management District (SCAQMD) Rule 403. The proposed project would utilize dewatering discharge to provide dust control on the project site and has a permit for dewatering up to 144,000 gallons per day (or 161 AFY). The project would include a Construction Traffic Management Plan and Construction Workers Parking Plan in order to minimize potential impacts of construction on area roadways. All construction equipment is anticipated to be staged on site. It is anticipated that the last six months of construction activities may overlap with project operation. Full occupancy/operation of the proposed project is expected to occur between 2026 and 2030.

## 2.6 Project Objectives

The project includes the following objectives:

- Preserve the Existing Specific Plans while allowing for a comprehensive and coordinated master plan for the project site, through the Overlay Specific Plan, that increases the amount of open space as compared to the Existing Specific Plans and takes advantage of the physical, social, and economic potential of the project site
- Define a comprehensive and coordinated master plan for the project site, through the Overlay Specific Plan, generally consistent with the uses and floor area provided for by the Existing Specific Plans and zoning that enhances the City's western gateway and views of the project site from Wilshire and North Santa Monica boulevards
- Establish a new architectural gateway to the City of Beverly Hills at its westernmost entrance
- Allow the hotels on the project site to remain competitive in the hotel industry and local and regional marketplaces through the replacement of rooms in detached buildings, increasing the supply of luxury hotel rooms, and adding appealing new retail and amenities to the site. These features would encourage Beverly Hills visitors to continue to shop, stay, and dine in Beverly Hills
- Maintain the integrity of the existing Welton Becket-designed Beverly Hilton Wilshire Tower and the existing Waldorf-Astoria Beverly Hills and ancillary uses
- Minimize building footprints to create approximately 13.4 acres of open space, including publicly accessible botanical gardens, for the use and enjoyment of the Beverly Hills community and project residents and guests by constructing an unifying landscaped elevated platform over Merv Griffin Way from the Beverly Hilton to the new residential components of the Overlay Specific Plan
- Open the project site from Wilshire Boulevard and North Santa Monica Boulevard to pedestrians and provide bicycle parking and connections to the City's existing bike paths to promote active transportation and pedestrian activity in and around the project site
- Increase open space along Wilshire Boulevard through the development of a sculpture garden for the use and enjoyment of the public and which complements the existing Beverly Gardens Park on the north side of Wilshire Boulevard
- Create a Beverly Hilton conference center that meets the needs of today's business travelers, hotel guests, and meeting attendees
- Improve traffic circulation in and around the project site by providing additional vehicular access points on Wilshire Boulevard and North Santa Monica Boulevard for project residents and guests to reduce travel on Merv Griffin Way
- Establish environmental and sustainability goals that will meet or exceed LEED Gold and WELL requirements, implement capture and reuse of rainwater and greywater, and add green roofs to new buildings
- Provide new housing opportunities within the City, in close proximity to nearby office and retail areas, and at a location well-served by existing and under construction public transit options
- Provide full service residential units with hotel-like amenities that are competitive with existing and proposed residential projects in the Wilshire Corridor and Century City, and have comparable views
- Provide annual net revenue to the City that substantially exceeds the revenue the City would receive under the Existing Specific Plans or other commercial uses on the project site

## 2.7 Required Approvals

The project would require the discretionary approval of the City of Beverly Hills. Unless otherwise indicated, the City's Planning Commission will provide a recommendation to the City Council. The City Council has the project approval authority. Specifically, the following approvals would be required:

- Certification of the Final SEIR
- Approval of a General Plan Amendment to add the One Beverly Hills Overlay Specific Plan land use designation to the project site
- Approval of the One Beverly Hills Overlay Specific Plan
- Approval of a Zone Text Amendment to add the One Beverly Hills Overlay Specific Plan to the Municipal Code and a Zoning Map Amendment to add the One Beverly Hills Overlay Specific Plan zoning designation to the project site
- Approval of a Development Agreement
- Other approvals as required by the City, applications for which have not yet been submitted:
  - Approval of a Tentative Tract Map
  - Approval of Architectural Review (by the Architectural Commission)
  - Approval of an After Hours Construction Permit (by the Building Official)
  - City of Beverly Hills Traffic Management Plan, Building Permit, Grading Permit, Dewatering Permit
- Other approvals required by other agencies (such as the City of Los Angeles, California Department of Transportation, and Metropolitan Water District of Southern California), including but not limited to the following:
  - State of California, Division of Transportation permits for haul routes and use of oversized transport vehicles on state facilities
  - City of Los Angeles permits for disposal of materials and haul routes
  - Metropolitan Water District of Southern California approval of a relocation agreement to move Metropolitan pipelines within the project site and approval of design plans for portions of project that could impact Metropolitan facilities

*This page intentionally left blank.*

## 3 Environmental Setting

---

This section provides a general overview of the environmental setting for the proposed project. More detailed descriptions of the environmental setting for each environmental issue area can be found in Section 4.0, *Environmental Impact Analysis*.

### 3.1 Regional Setting

The project site is located in the City of Beverly Hills, approximately nine miles west of the civic center of the City of Los Angeles. The project site is located on the western corner of the intersection of Wilshire Boulevard and Santa Monica Boulevard. The approximately 17.4-acre site is currently occupied by the Beverly Hilton, the Waldorf-Astoria Beverly Hills, ancillary facilities, and a currently closed gas station. Figure 2-1 in Section 2, *Project Description*, shows the location of the project site in the region. Figure 2-2 shows the location of the project site in relation to the surrounding neighborhood.

A grid system of generally east-west and north-south roadways, including arterials, collectors, and local streets, provides vehicular access throughout the city. Major roadways in the City of Beverly Hills include Santa Monica Boulevard, Wilshire Boulevard, Sunset Boulevard, Whittier Drive, Beverly Drive, West Olympic Boulevard, and La Cienega Boulevard. The freeways closest to the project site are Interstate 405 (I-405) and Interstate 10 (I-10). I-405 is located approximately 2.3 miles southwest of the project site and I-10 is located approximately 2.3 miles south of the project site.

The Mediterranean climate of the region and the coastal influence produce moderate temperatures year-round, with rainfall concentrated in the winter months. Although air quality in the area has steadily improved in recent years, the Los Angeles region remains a nonattainment area for ozone (urban smog). The City of Beverly Hills is located approximately six miles inland from the coastline of the Pacific Ocean.

### 3.2 Project Site Setting

As shown in Figure 2-2 in Section 2, *Project Description*, the project site is bordered by Beverly Gardens Park, El Rodeo School, and single-family residences to the north across Wilshire Boulevard, a six-lane boulevard. Directly west of the project site is the Los Angeles Country Club (a country club and golf course), and farther to the west is the community of Century City in the City of Los Angeles. Surface parking and commercial retail, restaurants, and office uses are located across Santa Monica Boulevard to the south. The intersection of Santa Monica Boulevard and Wilshire Boulevard borders the project site to the east, with retail, restaurants, offices, and medical facilities associated with the City's "Business Triangle" located farther east.

The project site is currently occupied by an existing gas station, hotel facilities, including the Beverly Hilton Wilshire Tower and its ballrooms, meeting rooms, lounge areas, retail, a parking structure, a pool, and the recently constructed Waldorf-Astoria Beverly Hills. The project site has a General Plan land use designation of Beverly Hilton Specific Plan on the Beverly Hilton site, 9900 Wilshire Specific Plan on the 9900 Wilshire Boulevard site, and General Commercial, Low Density on the gas station site. The site is zoned Beverly Hilton Specific Plan on the Beverly Hilton site, 9900 Wilshire Specific Plan on the 9900 Wilshire Boulevard site, and C-3 (Commercial) on the gas station site. Uses



permitted in the C-3 zone include a wide range of commercial uses such as restaurants, hotels, parking garages, offices and retail. Project consistency with the General Plan and existing project site zoning is discussed in Section 4.7, *Land Use and Planning*.

### 3.3 Baseline and Cumulative Project Setting

#### 3.3.1 EIR Baseline

Section 15125(a) of the *CEQA Guidelines* states that an EIR “must include a description of the physical environmental conditions in the vicinity of the project.” Section 15125(a)(1) states that generally the lead agency should describe these conditions, as they exist at the time the notice of preparation [NOP] is published. Section 15125(a) states that this approach “normally constitute[s] the baseline physical conditions by which a Lead Agency determines whether an impact is significant.”

This Supplemental EIR (SEIR) evaluates impacts against existing conditions, which are generally conditions existing at the time of the release of the NOP (September 2020), as well as against buildout of Approved Entitlements, pursuant to *CEQA Guidelines* Section 15125(e). It was determined that a comparison to current, existing baseline conditions and buildout of approved entitlements would provide the most relevant and comprehensive information for the public, responsible agencies and City decision-makers, satisfying the informational purposes of CEQA. For some issue areas, this SEIR also includes consideration of impacts against a forecast future baseline condition in addition to the current baseline conditions, controlling for impacts caused by population growth and other factors that would occur whether or not the proposed project is approved. For certain issue areas (including air quality, greenhouse gas emissions/climate change, noise and transportation/circulation), impacts would occur as a result of background population growth, urbanization and volume of average daily traffic increases in the region that would occur by 2026 (project opening year), with or without the proposed project. Thus, for these issue areas, a comparison to a future 2026 baseline is provided for informational purposes.

On March 4, 2020 the Governor proclaimed a State of Emergency in California as a result of the threat of the novel coronavirus disease 2019 (COVID-19). On March 19, 2020 the County of Los Angeles Department of Public Health issued a Safer at Home Order for the County of Los Angeles. The County of Los Angeles Department of Public Health Order, subsequently titled “Reopening Safer at Work and in the Community for the Control of COVID-19” has been revised as recently as December 6, 2020 with the new Revised Temporary Targeted Safer at Home Health Officer Order for Control of COVID-19: Tier 1 Substantial Surge Updated Response which placed new restrictions on gatherings and businesses. On March 15, 2020, the City Manager of the City of Beverly Hills declared a local emergency in response to the ongoing public health concerns surrounding COVID-19 and the Beverly Hills City Council ratified the declaration on March 17, 2020. State and local public health orders regarding COVID-19 have undergone numerous revisions since the onset of the pandemic and future revisions are likely to occur as circumstances continue to evolve. This analysis considers the impact of COVID-19 and the State of Emergency at the time of NOP publication. Future changes to local and State orders related to COVID-19 are not anticipated to impact the results of the analysis contained in this Draft SEIR.

The threat of COVID-19, as well as the subsequent State, County, and local proclamations and orders, including revisions to the previously mentioned State and County orders, have resulted in temporary changes to the existing economic and physical conditions in California and Los Angeles

County regionally and in Beverly Hills locally. Temporary changes to existing environmental conditions have included reduced vehicle traffic and associated noise and pollutant emissions, and reduced electricity consumption. In addition, the timing and likelihood of cumulative development and regional buildout assumptions may be affected during or after the threat of COVID-19. The analysis in this SEIR includes adjustments to baseline, where possible, to account for the temporary change in activity caused by COVID-19 and reflect pre-State of Emergency conditions, which is detailed in the Methodology subsections of each environmental impact analysis, where warranted; These include Section 4.1, *Air Quality*, Section 4.5, *Greenhouse Gas Emissions*, Section 4.8, *Noise*, and Section 4.9, *Transportation and Traffic*.

The magnitude and duration of the State of Emergency and associated State, County, and local orders, or future orders related to the threat of COVID-19 cannot be ascertained. Accordingly, the effect of COVID-19 on baseline and future environmental conditions is currently speculative. *CEQA Guidelines* Section 15064(d)(3) states that: “An indirect physical change is to be considered only if that change is a reasonably foreseeable impact which may be caused by the project. A change which is speculative or unlikely to occur is not reasonably foreseeable.” Furthermore, *CEQA Guidelines* Section 15145 states that: “If, after thorough investigation, a [L]ead [A]gency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact.” It would be speculative for the SEIR to assume what changes to baseline or cumulative baseline conditions might result from COVID-19 or the subsequent State and County proclamations and orders. Therefore, this topic is not discussed further in the SEIR.

### 3.3.2 Cumulative Development

In addition to the specific impacts of individual projects, CEQA requires EIRs to consider potential cumulative impacts of a proposed project. CEQA defines “cumulative impacts” as two or more individual impacts that, when considered together, are substantial or will compound other environmental impacts. Cumulative impacts are the combined changes in the environment that result from the incremental impact of development of a proposed project and other nearby projects. For example, traffic impacts of two nearby projects may be less than significant when analyzed separately but could have a significant impact when analyzed together. Cumulative impact analysis allows EIRs to provide a reasonable forecast of future environmental conditions and can more accurately gauge the effects of a series of projects.

CEQA requires cumulative impact analysis in EIRs to consider either a list of planned and pending projects that may contribute to cumulative effects or a forecast of future development potential. This analysis relies on a list of planned and pending projects. Currently planned and pending projects in the City, as well as nearby planned and pending projects in the City of Los Angeles and City of West Hollywood, are listed in Table 3-1. In particular, projects at 9900-9908 South Santa Monica Boulevard, 9220 North Santa Monica Boulevard, 10250 West Santa Monica Boulevard, 10306 West Santa Monica Boulevard, 10400 W Santa Monica Boulevard, and on the 9000-blocks of Wilshire Boulevard, are located in close proximity to the project site and/or along the same major arterials as the project site and may have construction schedules that overlap with that of the proposed project. In addition, construction of the Metro Westside Purple Line Rodeo Station North Portal project, an extension of the Purple Line subway and construction of a new belowground station that will be located approximately 3,600 feet east of the project site, is planned to commence in early 2022. The projects listed in Table 3-1 are considered in the cumulative analyses in Section 4, *Environmental Impact Analysis*.

**Table 3-1 Cumulative Projects List**

Project No.	Project Location <sup>1</sup>	Existing Use	Proposed Use
<b>City of Beverly Hills</b>			
1	100 N. Crescent Drive	2,550 SF Screening Room, 103,535 sf Commercial Office	Commercial Office: 4,330 sf of restaurant, 2,489 sf of screening room, 154,336 sf of office; 465 parking spaces
2	250 N. Crescent Drive	Vacant Lot	Multi-Family Residential: 7 condo units, 1 affordable rental unit, 12,400 sf residential uses; 14 parking spaces
3	55 N. La Cienega Boulevard	13,500 sf Restaurant (The Stinking Rose)	216 hotel rooms; ancillary restaurant (3,346 sf), market/eatery (9,566 sf) and retail uses (656 sf) and assembly use
4	154-168 N. La Peer Drive	Multi-Family Residential (3 buildings) – 6 units	Multi-Family Residential: 16 condo units, 39,084 sf residential uses; 59 parking spaces
5	140 S. Lasky Drive	3-story hotel - 14,625 sf, 44 rooms (Occ.)	4-story hotel - 36,760-sf with 66 rooms, 1,845 sf restaurant (898 sf indoor, and 947 sf outdoor), and rooftop uses (roof deck and pool deck), and 3 levels of subterranean parking with 94 spaces.
6	457 N. Oakhurst Drive	2-story, 2-unit building (vacant)	6-unit, 5-story condominium building
7	9212 Olympic Boulevard	Surface Parking Lot associated with adjacent Auto Dealer (not a part)	Commercial Office with Retail/Restaurant: 6,900 sf of retail/restaurant (with a max. of 1,000 sf of bar and dining area), 13,344 sf of commercial office; 58 parking spaces
8	9120 Olympic Boulevard	54,262 sf (educational facility) (occ.)	Total new floor area: 80,719 sf (net increase of 26,457 SF)
9	9230 Olympic Boulevard	Approx. 7,573 sf Commercial (Office)	18,163 SF Commercial: 1,359 sf restaurant and 16,804 sf of office
10	425 N. Palm Drive	Multi-Family Residential (3 buildings) – 18 Units	Multi-Family Residential: 20 multi-family residential units - Approx. 64,000 sf Total; 62 parking spaces
11	340 S. Rexford Drive	Vacant Lot	3-Unit condominium building
12	370 N. Rodeo Drive	9,587 sf Commercial (Retail)	Commercial (Retail): 15,250 SF of Retail Use (net increase of 5,663 sf)
13	400-408 N. Rodeo Drive	28,128 sf Commercial (Retail) (12,864 sf at 400 Rodeo and 15,264 sf at 408 Rodeo)	29,767 sf Commercial (retail)
14	468 N Rodeo Drive	33,783 sf Retail, 16,401 sf Museum	24,976 sf Retail, 187,058 sf Hotel
15	9220 N. Santa Monica Boulevard	Vacant (Parcel 12)	11 Office buildings totaling 114,202 sf, and an underground parking garage with 230,559 SF and 476 parking spaces
16	9900-9908 S. Santa Monica Boulevard	Vacant Lot (Friar's Club)	Mixed-Use Multi-Family and commercial: 13,036 SF of commercial, 25 condo units

Project No.	Project Location <sup>1</sup>	Existing Use	Proposed Use
17	8600 Wilshire Boulevard	Vacant Lot and Commercial Building	Mixed-Use Multi-family and Commercial: 6,355 sf Retail; 25 Residential Units; 3,412 sf Public Use; 82 parking spaces
18	8633 Wilshire Boulevard	Commercial building (restaurant)	25,565 sf Commercial Office; 76 parking spaces
19	9000 Wilshire Boulevard	4,820 sf Commercial (Retail) and Surface Parking Lot	Commercial Office: 31,702 sf Commercial Office; 91 parking spaces
20	9111 Wilshire Boulevard	112,400 sf	No change to floor area. Change in use from Office Building to Hotel
21	9145 Wilshire Boulevard	8,269 sf Commercial (Bank/Office - now vacant); 15 parking spaces	8,269 sf religious institution; 16 parking spaces
22	9200 Wilshire Boulevard	Vacant Lot	Mixed-Use multi-family and Commercial: 54 multi-family residential Units, 14,000 sf commercial; 321 parking spaces
23	Metro Westside Purple Line Rodeo Station North Portal	Public Right of Way (ROW)	Station portal entrance/exit within the existing ROW on the west side of North Beverly Drive and extension of adjacent sidewalks
<b>City of Los Angeles</b>			
24	2025 S Avenue of the Stars	Century Plaza (Hyatt Regency Hotel)	Mixed Use, including 193 condos, 117,647 sf office, and 93,814 sf retail
25	10250 W Santa Monica Boulevard	Century City (Westfield Shopping Center)	Add 71,700 sf and renovate shopping center (total 831,891 sf)
26	1950 S Avenue of the Stars	Century City Center	Mixed-Use: Residential, Office, Retail and Mobility Hub, including 725,830 sf office
27	888 S Devon Avenue	N/A	32-unit apartment
28	10306 W Santa Monica Boulevard	N/A	116-unit apartment
29	10400 W Santa Monica Boulevard	N/A	121-unit apartment
<b>City of West Hollywood</b>			
30	8713 Beverly Boulevard	N/A	30-unit apartments, 6,000 sf of retail, 3,000 sf office, and 1,000 sf gallery
31	8816 Beverly Boulevard	N/A	21,000 sf restaurant, 25,000 sf furniture showroom, 77,000 sf medical office, 1,000 sf restaurant, and 9,000 sf research and development
32	8899 Beverly Boulevard	N/A	81 multi-family housing, 20,000 sf of retail, 4,000 sf restaurant, and 11,000 sf general office building
33	1120 Larrabee Boulevard	N/A	22-unit multi-family housing
34	417 Robertson Boulevard	N/A	8,000 sf shopping center
35	460 Robertson Boulevard	N/A	1,000 sf restaurant

City of Beverly Hills  
**One Beverly Hills Overlay Specific Plan**

Project No.	Project Location <sup>1</sup>	Existing Use	Proposed Use
36	645 Robertson Boulevard	N/A	18,000 retail, 33,000 restaurant, 241 room hotel, 10,000 sf showroom, and 4,000 sf bar
37	9001 Santa Monica Boulevard	N/A	10,000 sf retail and 10,000 sf restaurant
38	9040 Santa Monica Boulevard	N/A	76-unit multi-family housing, 45,000 sf retail, 137,000 sf office, 16,000 sf furniture store, 12,000 sf furniture store, and 8,000 sf restaurant
39	8920 Sunset Boulevard	N/A	10,000 sf retail, 2,000 sf restaurant, 46,000 office, 2,000 sf museum, and the Arts Club (a private club)
40	9034 Sunset Boulevard	N/A	10-unit multi-family housing, 11,000 sf restaurant, and 237-room hotel
41	8850 Sunset Boulevard	N/A	41-unit multi-family housing, 29,000 sf restaurant, 115-room hotel, 5,000 sf night club
42	910 Wetherly Drive	N/A	93-unit multi-family housing

N/A – Not available

<sup>1</sup> Cumulative project details were sourced from the City of Beverly Hills and the Transportation Impact Report prepared by Fehr & Peers (see Appendix G).

## 4 Environmental Impact Analysis

---

This section discusses the possible environmental effects of the proposed project for the specific issue areas that were identified through the scoping process as having the potential to experience significant effects. “Significant effect” is defined by Section 15382 of the *CEQA Guidelines* as:

...a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant.

The assessment of each issue area begins with a discussion of the environmental setting related to the issue, which is followed by the impact analysis. In the impact analysis, the first subsection identifies the methodologies used and the “significance thresholds,” which are those criteria adopted by the City and other agencies, universally recognized, or developed specifically for this analysis to determine whether potential effects are significant. The subsections in this section 4 of the SEIR describe the impacts of the proposed project, mitigation measures for significant impacts (as applicable), and the level of significance after mitigation. Each section discusses construction and operational impacts of the proposed project, as well as cumulative construction and operational impacts as compared to the existing conditions (“Existing Conditions”) and the Existing Specific Plan entitlements (“Approved Entitlements”). Each impact under consideration for an issue area is separately listed in bold text with the discussion of the impact and its significance. Each bolded impact statement also contains a statement of the significance determination for the environmental impact as follows:

- **Significant and Unavoidable.** An impact that cannot be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires a Statement of Overriding Considerations to be issued if the project is approved per Section 15093 of the *CEQA Guidelines*.
- **Less than Significant with Mitigation Incorporated.** An impact that can be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires Findings pursuant to Section 15091 of the *CEQA Guidelines*.
- **Less than Significant.** An impact that may be adverse, but does not exceed the threshold levels and does not require mitigation measures. However, mitigation measures that could further lessen the environmental effect may be suggested if readily available and easily achievable.
- **No Impact.** The proposed project would have no effect on environmental conditions or would reduce existing environmental problems or hazards.

Following each environmental impact discussion is a list of mitigation measures (if required) and a discussion of the residual effects or level of significance remaining after implementation of the mitigation measure(s). In cases where the mitigation measure for an impact could have a significant environmental impact, this impact is discussed and evaluated as a secondary impact. The impact analysis concludes with a discussion of cumulative effects, which evaluates the impacts associated with the proposed project in conjunction with other planned and pending developments in the area (i.e., cumulative projects), as listed in Table 3-1 of Section 3, *Environmental Setting*. The Executive

Summary of this SEIR summarizes all impacts and mitigation measures that apply to the proposed project.

## 4.1 Air Quality

---

This section discusses the regulatory setting, and existing environmental setting, and analyzes the potential regional and local air quality impacts of the proposed project during both construction and operational phases, respectively. Mitigation measures are proposed in an effort to reduce significant impacts, as needed. The trip generation and vehicle miles traveled (VMT) estimates used to calculate emissions are based on information included in Section 4.9, *Transportation and Traffic*, of this SEIR.

### 4.1.1 Setting

#### **Climate and Topography**

The project site is located in the South Coast Air Basin (SCAB), which is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SCAB is bounded by the Pacific Ocean to the west and the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east. The SCAB includes all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino Counties, in addition to the San Geronio Pass area in Riverside County.<sup>1</sup> The regional climate in the SCAB is semi-arid and is characterized by warm summers, mild winters, infrequent seasonal rainfall, moderate daytime onshore breezes, and moderate humidity. The air quality in the SCAB is primarily influenced by meteorology and a wide range of emission sources, such as dense population centers, substantial vehicular traffic, and industry.

The majority of annual rainfall in the SCAB occurs between November and April. Summer rainfall is minimal and is generally limited to scattered thundershowers in coastal regions and slightly heavier showers in the eastern portion of the SCAB and along the coastal side of the mountains. Beverly Hills has a Mediterranean climate with moderate, dry summers that reach an average maximum temperature of about 78 degrees Fahrenheit and wet winters that can cool to an average low of about 50 degrees Fahrenheit (City of Beverly Hills 2016b). Average monthly rainfall measured in the local area during an 82-year average period varied from to 0.01 inch in July to 4.2 inches in February (City of Beverly Hills 2016b). Average annual total rainfall in the local area over the past 30 years is approximately 12.8 inches with an average of 36 days of precipitation per year (National Oceanic and Atmospheric Administration 2020a).

The SCAB experiences a persistent temperature inversion (increasing temperature with increasing altitude) as a result of the Pacific High-pressure system. This inversion limits the vertical dispersion of air contaminants, holding them relatively near the ground. As the sun warms the ground and the lower air layer, the temperature of the lower air layer approaches the temperature of the base of the inversion layer (i.e., the upper layer) until the inversion layer finally breaks, allowing vertical mixing with the lower layer. This phenomenon is observed in mid- to late afternoons on hot summer days. Winter inversions frequently break by mid-morning.

The combination of stagnant wind conditions and low inversions produces the greatest pollutant concentrations. On days of no inversion or high wind speeds, ambient air pollutant concentrations are lowest. During periods of low inversions and low wind speeds, air pollutants generated in urbanized areas are transported predominantly onshore into Riverside and San Bernardino counties. In the winter, the greatest pollution problem is the accumulation of carbon monoxide and nitrogen

---

<sup>1</sup> A map of SCAQMD jurisdiction is available at: <http://www.aqmd.gov/docs/default-source/default-document-library/map-of-jurisdiction.pdf>



oxides (NO<sub>x</sub>) due to low inversions and air stagnation during the night and early morning hours. In the summer, the longer daylight hours and brighter sunshine combine to cause a reaction between hydrocarbons and NO<sub>x</sub> to form photochemical smog.

Air pollutant emissions in the SCAB are generated primarily by stationary and mobile sources. Stationary sources can be divided into two major subcategories: point and area sources. Point sources occur at a specific location and are often identified by an exhaust vent or stack. Examples include boilers or combustion equipment that produce electricity or generate heat. Area sources are widely distributed and include such sources as residential and commercial water heaters, painting operations, lawn mowers, agricultural fields, landfills, and some consumer products. Mobile sources refer to emissions from motor vehicles, including tailpipe and evaporative emissions, and are classified as either on-road or off-road. On-road sources may be legally operated on roadways and highways. Off-road sources include aircraft, ships, trains, and self-propelled construction equipment. Air pollutants can also be generated by the natural environment, such as when high winds suspend fine dust particles.

### **Air Pollutants of Primary Concern**

The federal and State Clean Air Acts (CAA) mandate the control and reduction of certain air pollutants. Under these laws, the U.S. Environmental Protection Agency (USEPA) and the California Air Resources Board (CARB) have established the National Ambient Air Quality Standards (NAAQS) and the California Ambient Air Quality Standards (CAAQS) for “criteria pollutants” and other pollutants, which are discussed in more detail and presented in Table 4.1-2 under *Regulatory Setting*. Primary criteria pollutants are emitted directly from a source (e.g., vehicle tailpipe, an exhaust stack of a factory, etc.) into the atmosphere and include carbon monoxide, volatile organic compounds (VOC)/reactive organic gases (ROG),<sup>2</sup> nitrogen oxides (NO<sub>x</sub>), particulate matter, sulfur dioxide, and lead. Secondary criteria pollutants are created by atmospheric chemical and photochemical reactions primarily between VOC and NO<sub>x</sub>. Secondary pollutants include oxidants, ozone, and sulfate and nitrate particulates (smog). The characteristics, sources and effects of criteria pollutants are discussed in the following subsections.

#### *Ozone*

Ozone is produced by a photochemical reaction (triggered by sunlight) between NO<sub>x</sub> and VOC. VOC are composed of non-methane hydrocarbons (with some specific exclusions), and NO<sub>x</sub> is composed of different chemical combinations of nitrogen and oxygen, mainly nitric oxide and nitrogen dioxide. NO<sub>x</sub> are formed during the combustion of fuels, while VOC are formed during combustion and evaporation of organic solvents. As a highly reactive molecule, ozone readily combines with many different components of the atmosphere. Consequently, high levels of ozone tend to exist only while high VOC and NO<sub>x</sub> levels are present to sustain the ozone formation process. Once the precursors have been depleted, ozone levels rapidly decline. Because these reactions occur on a regional rather than local scale, ozone is considered a regional pollutant. In addition, because ozone requires sunlight to form, it mostly occurs in concentrations considered serious between the months of April and October. Ozone is a pungent, colorless, toxic gas with direct health effects on humans, including changes in breathing patterns, reduction of breathing capacity, increased susceptibility to infections, inflammation of lung tissue, and some immunological changes (SCAQMD 2005; USEPA 2018).

---

<sup>2</sup> CARB defines VOC and ROG similarly as, “any compound of carbon excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate,” with the exception that VOC are compounds that participate in atmospheric photochemical reactions. For the purposes of this analysis, ROG and VOC are considered comparable in terms of mass emissions, and the term VOC is used in this SEIR.

Groups most sensitive to ozone include children, the elderly, persons with respiratory disorders, and people who exercise strenuously outdoors.

### *Carbon Monoxide*

Carbon monoxide is a localized pollutant that is found in high concentrations only near its source. The major source of carbon monoxide, a colorless, odorless, poisonous gas, is the incomplete combustion of petroleum fuels by automobile traffic. Therefore, elevated concentrations are usually only found near areas of high traffic volumes. Other sources of carbon monoxide include the incomplete combustion of petroleum fuels at power plants and fuel combustion from wood stoves and fireplaces during the winter. The health effects of carbon monoxide are related to its affinity for hemoglobin in the blood. Carbon monoxide causes a number of health problems, including aggravation of some heart diseases (e.g., angina), reduced tolerance for exercise, impaired mental function, and impaired fetal development. At high levels of exposure, carbon monoxide reduces the amount of oxygen in the blood, leading to mortality (SCAQMD 2005; USEPA 2018). Carbon monoxide tends to dissipate rapidly into the atmosphere; consequently, violations of AAQS for carbon monoxide are generally associated with localized carbon monoxide “hotspots” that can occur at major roadway intersections during heavy peak-hour traffic conditions.

### *Nitrogen Dioxide*

Nitrogen dioxide is a by-product of fuel combustion; the primary sources are motor vehicles and industrial boilers and furnaces. The principal form of  $\text{NO}_x$  (nitrogen oxides) produced by combustion is nitric oxide, but nitric oxide reacts rapidly to form nitrogen dioxide, creating the mixture of nitric oxide and nitrogen dioxide commonly called  $\text{NO}_x$ . Nitrogen dioxide is an acute irritant that can aggravate respiratory illnesses and symptoms, particularly in sensitive groups (SCAQMD 1993 and 2005; USEPA 2018). A relationship between nitrogen dioxide and chronic pulmonary fibrosis may exist, and an increase in bronchitis in young children at concentrations below 0.3 parts per million (ppm) may occur. Nitrogen dioxide absorbs blue light, gives a reddish-brown cast to the atmosphere, and reduces visibility (SCAQMD 1993 and 2005; USEPA 2018). It can also contribute to the formation of  $\text{PM}_{10}$  and acid rain.

### *Particulate Matter*

Small particulate matter measuring no more than 10 microns in diameter is  $\text{PM}_{10}$ , while fine particulate matter measuring no more than 2.5 microns in diameter is  $\text{PM}_{2.5}$ . Both  $\text{PM}_{10}$  and  $\text{PM}_{2.5}$  are directly emitted into the atmosphere as by-products of fuel combustion and wind erosion of soil and unpaved roads. Particulate matter is also created in the atmosphere through chemical reactions. The characteristics, sources, and potential health effects associated with  $\text{PM}_{10}$  and  $\text{PM}_{2.5}$  can be very different.  $\text{PM}_{10}$  is generally associated with dust mobilized by wind and vehicles while  $\text{PM}_{2.5}$  is generally associated with combustion processes as well as formation in the atmosphere as a secondary pollutant through chemical reactions.  $\text{PM}_{2.5}$  is more likely to penetrate deeply into the lungs and poses a health threat to all groups, but particularly to the elderly, children, and those with respiratory problems (CARB 2020a). More than half of the small and fine particulate matter that is inhaled into the lungs remains there. These materials can damage health by interfering with the body’s mechanisms for clearing the respiratory tract or by acting as carriers of an absorbed toxic substance. Suspended particulates can also reduce lung function, aggravate respiratory and cardiovascular diseases, increase mortality rates, and reduce lung function growth in children (SCAQMD 2005; USEPA 2018).

### *Sulfur Dioxide*

Sulfur dioxide is included in a group of highly reactive gases known as “oxides of sulfur.” The largest sources of sulfur dioxide emissions are from fossil fuel combustion at power plants (73 percent) and other industrial facilities (20 percent). Smaller sources of sulfur dioxide emissions include industrial processes such as extracting metal from ore and the burning of fuels with a high sulfur content by locomotives, large ships, and off-road equipment. Sulfur dioxide is linked to a number of adverse effects on the respiratory system, including aggravation of respiratory diseases, such as asthma and emphysema, and reduced lung function (SCAQMD 2005; USEPA 2018).

### *Lead*

Lead is a metal found naturally in the environment, as well as in manufacturing products. The major sources of lead emissions historically have been mobile and industrial sources. However, as a result of the USEPA’s regulatory efforts to remove lead from gasoline, atmospheric lead concentrations have declined substantially over the past several decades. The most dramatic reductions in lead emissions occurred prior to 1990 due to the removal of lead from gasoline sold for most highway vehicles. Lead emissions were further reduced substantially between 1990 and 2008, with reductions occurring in the metals industries at least in part as a result of national emissions standards for hazardous air pollutants (USEPA 2013). As a result of phasing out leaded gasoline, metal processing currently is the primary source of lead emissions. The highest level of lead in the air is generally found near lead smelters. Other stationary sources include waste incinerators, utilities, and lead-acid battery manufacturers. The health impacts of lead include behavioral and hearing disabilities in children and nervous system impairment (SCAQMD 2005; USEPA 2018).

### *Toxic Air Contaminants*

Toxic air contaminants (TACs) are a diverse group of air pollutants that may cause or contribute to an increase in deaths or serious illness, or that may pose a present or potential hazard to human health. TACs include both organic and inorganic chemical substances that may be emitted from a variety of common sources, including gasoline stations, motor vehicles, dry cleaners, industrial operations, painting operations, and research and teaching facilities. One of the main sources of TACs in California is diesel engine exhaust that contains solid material known as diesel particulate matter (DPM). More than 90 percent of DPM is less than one micron in diameter (about 1/70<sup>th</sup> the diameter of a human hair) and thus is a subset of PM<sub>2.5</sub>. Because of their extremely small size, these particles can be inhaled and eventually trapped in the bronchial and alveolar regions of the lungs (CARB 2020b). Particulate matter emitted from diesel engines contributes more than 70 percent of the air emission cancer risk associated with the on-road heavy-duty sector within the SCAB (SCAQMD 2017).

TACs are different than criteria pollutants because ambient air quality standards have not been established for TACs. TACs occurring at extremely low levels may still cause health effects and it is typically difficult to identify levels of exposure that do not produce adverse health effects. TAC impacts are described by carcinogenic risk and by chronic (i.e., long duration) and acute (i.e., severe but of short duration) adverse effects on human health.

## **Current Air Quality**

Table 4.1-1 summarizes the representative annual air quality data for all criteria pollutants for the local airshed from the nearest monitoring stations with available data for 2017 through 2019. As

shown therein, the one-hour ozone CAAQS was exceeded in 2017, and the 8-hour ozone CAAQS and NAAQS, the PM<sub>10</sub> CAAQS, and the PM<sub>2.5</sub> NAAQS were exceeded every year from 2017 to 2019.

**Table 4.1-1 Representative Annual Ambient Air Quality Data**

Pollutant	2017	2018	2019
Ozone (ppm), Highest 1-Hour <sup>1</sup>	0.10	0.09	0.09
Number of days above CAAQS (>0.09 ppm)	1	0	0
Ozone (ppm), Highest 8-Hour Average <sup>1</sup>	0.077	0.073	0.075
Number of days above CAAQS (>0.070 ppm)	3	2	1
Number of days above NAAQS (>0.070 ppm)	3	2	1
Carbon Monoxide (ppm), Highest 8-Hour Average <sup>2</sup>	1.2	1.3	1.2
Number of days above CAAQS or NAAQS (>9.0 ppm)	0	0	0
Nitrogen Dioxide (ppm), Highest 1 Hour <sup>1</sup>	0.056	0.065	0.049
Number of days above CAAQS (>0.180 ppm)	0	0	0
Number of days above NAAQS (>0.100 ppm)	0	0	0
Sulfur Dioxide (ppm), Highest 1-Hour <sup>3</sup>	0.01	0.02	0.01
Number of days above CAAQS (>0.25 ppm)	0	0	0
Number of days above NAAQS (>0.075 ppm)	0	0	0
PM <sub>10</sub> - Particulate Matter <10 microns (µg/m <sup>3</sup> ), Highest 24-Hour Average <sup>4</sup>	65	68	62
Number of days above CAAQS (>50 µg/m <sup>3</sup> )	40	31	3 <sup>5</sup>
Number of days above NAAQS (>150 µg/m <sup>3</sup> )	0	0	0
PM <sub>2.5</sub> - Particulate Matter <2.5 microns (µg/m <sup>3</sup> ), Highest 24 Hour Average <sup>4</sup>	55	61	44
Number of days above NAAQS (>35 µg/m <sup>3</sup> )	6	6	1
Lead (µg/m <sup>3</sup> ), Highest 3-Month Average <sup>3</sup>	0.01	0.01	0.01
Number of days above NAAQS (>0.15 µg/m <sup>3</sup> )	0	0	0

Note: The ambient air quality data presented in this table is intended to be representative of existing conditions and is not a comprehensive summary of all monitoring efforts for all the CAAQS and NAAQS. Additional ambient air quality data can be accessed at <https://www.epa.gov/outdoor-air-quality-data/monitor-values-report>.

<sup>1</sup> Data from CARB and the USEPA at the nearest monitoring station with available data at the West Los Angeles-VA Hospital approximately 2.5 miles west of the project site.

<sup>2</sup> Data from the USEPA at the nearest monitoring station with available data at the West Los Angeles-VA Hospital approximately 2.5 miles west of the project site.

<sup>3</sup> Data from the USEPA at the nearest monitoring station with available data at 1630 North Main Street in Los Angeles approximately 10.7 miles east of the project site.

<sup>4</sup> Data from CARB and the USEPA at the nearest monitoring station with available data at 1630 North Main Street in Los Angeles approximately 10.7 miles east of the project site.

<sup>5</sup> Based on available weekly monitoring data, which only recorded values for 53 days of 2019.

ppm = parts per million; µg/m<sup>3</sup> = micrograms per cubic meter; CAAQS = California Ambient Air Quality Standard; NAAQS = National Ambient Air Quality Standard

Source: CARB 2020c and USEPA 2020a

## **Sensitive Receptors**

The NAAQS and CAAQS were established to represent the levels of air quality considered sufficient, with an adequate margin of safety, to protect public health and welfare. They are designed to protect that segment of the public most susceptible to respiratory distress as a result of poor air quality, such as children under 14, persons over 65, persons engaged in strenuous work or exercise, and people with pre-existing cardiovascular and chronic respiratory diseases. According to the SCAQMD, sensitive receptors include residences, long-term health care facilities, rehabilitation centers, convalescent centers, hospitals, retirement homes, and schools, playgrounds, and childcare centers (SCAQMD 2005). The closest sensitive receptors to the project site are El Rodeo Elementary School located approximately 95 feet to the north,<sup>3</sup> residences located approximately 160 feet to the north, and Beverly Hills High School located approximately 650 feet to the south. Furthermore, the proposed project would include construction of residential units, which would add more sensitive receptors to the project site.

## **Regulatory Setting**

### *Federal and State Regulations*

#### **FEDERAL AND CALIFORNIA CLEAN AIR ACTS**

The federal CAA governs air quality in the United States and is administered by USEPA at the federal level. Air quality in California is also governed by regulations under the California CAA, which is administered by CARB at the state level. At the regional and local levels, local air districts such as the SCAQMD typically administer the federal and California CAA. As part of implementing the federal and California CAA, USEPA and CARB have established AAQS for major pollutants at thresholds intended to protect public health. Table 4.1-2 summarizes the CAAQS and the NAAQS. The CAAQS are more restrictive than the NAAQS for several pollutants, including the one-hour standard for carbon monoxide, the 24-hour standard for sulfur dioxide, and the 24-hour standard for PM<sub>10</sub>. Depending on whether the standards are met or exceeded, the local air basin is classified as in “attainment” or “non-attainment.” Some areas are unclassified, which means insufficient monitoring data are available; unclassified areas are considered to be in attainment. Table 4.1-2 presents the attainment status of the SCAB for each of the CAAQS and NAAQS. As shown therein, the Los Angeles County portion of the SCAB is designated nonattainment for the NAAQS for ozone, PM<sub>2.5</sub>, and lead, as well as the CAAQS for ozone, PM<sub>10</sub>, and PM<sub>2.5</sub>.

---

<sup>3</sup> El Rodeo School is currently undergoing renovations and is not expected to resume operation until August 2023 at the earliest.

**Table 4.1-2 Ambient Air Quality Standards and Basin Attainment Status**

Pollutant	Averaging Time	California Ambient Air Quality Standards		National Ambient Air Quality Standards	
		Concentration	Attainment Status	Concentration	Attainment Status
Ozone	8-Hour	0.070 ppm	N	0.070 ppm	N
	1-Hour	0.09 ppm	N	–	–
Carbon Monoxide	8-Hour	9 ppm	A	9 ppm	A
	1-Hour	20 ppm	A	35 ppm	A
Nitrogen Dioxide	1-Hour	0.18 ppm	A	0.100 ppm	U/A
	Annual Arithmetic Mean	0.030 ppm	A	0.053 ppm	A
Sulfur Dioxide	24-Hour	0.04 ppm	A	0.14 ppm	U/A <sup>1</sup>
	1-Hour	0.25 ppm	A	0.075 ppm	U/A
	Annual Arithmetic Mean	–	–	0.030 ppm	U/A
Particulate Matter – Small (PM <sub>10</sub> )	Annual Arithmetic Mean	20 µg/m <sup>3</sup>	N	–	–
	24-Hour	50 µg/m <sup>3</sup>	N	150 µg/m <sup>3</sup>	A
Particulate Matter - Fine (PM <sub>2.5</sub> )	Annual Arithmetic Mean	12 µg/m <sup>3</sup>	N	12 µg/m <sup>3</sup>	N
	24-Hour	–	–	35 µg/m <sup>3</sup>	N
Sulfates	24-Hour	25 µg/m <sup>3</sup>	A	–	–
Lead	Rolling 3-Month Average	–	–	0.15 µg/m <sup>3</sup>	N <sup>2</sup>
	30-Day Average	1.5 µg/m <sup>3</sup>	A	–	–
Hydrogen Sulfide <sup>3</sup>	1-Hour	0.03 ppm (42 µg/m <sup>3</sup> )	A	–	–
Vinyl Chloride (Chloroethene) <sup>3</sup>	24-Hour	0.010 ppm (26 µg/m <sup>3</sup> )	A	–	–
Visibility Reducing Particles <sup>3</sup>	8-Hour (10:00 to 18:00 PST)	–	No information available	–	–

<sup>1</sup> Designation pending.

<sup>2</sup> Partial Nonattainment designation – Los Angeles County portion of the SCAB only for near-source monitors. Expect re-designation to attainment based on current monitoring data.

<sup>3</sup> The project does not include substantial sources of hydrogen sulfide, vinyl chloride, or visibility reducing particles. Ambient air quality standards for these pollutants is provided for informational purposes only; however, these pollutants are not evaluated for the purposes of CEQA.

A = attainment; N = nonattainment; U = unclassified; ppm=parts per million; µg/m<sup>3</sup>=micrograms per cubic meter; PST = Pacific Standard Time

Source: SCAQMD 2016 and CARB 2020d

### **SAFER AFFORDABLE FUEL-EFFICIENT VEHICLES RULE**

On September 27, 2019, the USEPA and the National Highway Safety Administration published the Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule Part One: One National Program. The Part One Rule revokes California's authority to set its own GHG emissions standards and zero-emission vehicle mandates in California. On April 30, 2020, the USEPA and the National Highway Safety Administration published Part Two of the SAFE Vehicles Rule, which revised corporate average fuel economy and carbon dioxide emissions standards for passenger cars and trucks of model years 2021-2026 such that the standards increase by approximately 1.5 percent each year through model year 2026 as compared to the approximately five percent annual increase required under the 2012 standards (National Highway Traffic Safety Administration 2020). To account for the effects of the SAFE Vehicles Rule, CARB released off-model adjustment factors to adjust criteria air pollutant emissions outputs from the EMFAC model.

### **CONSTRUCTION EQUIPMENT FUEL EFFICIENCY STANDARD**

The USEPA sets emission standards for construction equipment. The first federal standards (Tier 1) were adopted in 1994 for all off-road engines over 50 horsepower (hp) and were phased in by 2000. A new standard was adopted in 1998 that introduced Tier 1 for all equipment below 50 hp and established the Tier 2 and Tier 3 standards. The Tier 2 and Tier 3 standards were phased in by 2008 for all equipment. The current iteration of emissions standards for construction equipment are the Tier 4 efficiency requirements are contained in 40 Code of Federal Regulations Parts 1039, 1065, and 1068 (originally adopted in 69 Federal Register 38958 [June 29, 2004], and most recently updated in 2014 [79 Federal Register 46356]). Emissions requirements for new off-road Tier 4 vehicles were completely phased in by the end of 2015.

### **CALIFORNIA BUILDING STANDARDS CODE**

The California Code of Regulations (CCR) Title 24 is referred to as the California Building Standards Code. It consists of a compilation of several distinct standards and codes related to building construction including plumbing, electrical, interior acoustics, energy efficiency, and handicap accessibility for persons with physical and sensory disabilities. The California Building Standards Code's energy-efficiency and green building standards are outlined below. The 2019 California Buildings Standards Code (the most recent iteration of the code) was adopted by reference with applicable local amendments in Beverly Hills Municipal Code Title 9 and Ordinance 19-O-2793. These standards are updated every three years.

#### ***Part 6 – Building Energy Efficiency Standards/Energy Code***

CCR Title 24, Part 6 is the Building Energy Efficiency Standards or California Energy Code. This code, originally enacted in 1978, establishes energy-efficiency standards for residential and non-residential buildings in order to reduce California's energy demand. New construction and major renovations must demonstrate their compliance with the current Energy Code through submittal and approval of a Title 24 Compliance Report to the local building permit review authority and the California Energy Commission (CEC). The 2019 Title 24 standards are the applicable building energy efficiency standards for the project because they became effective on January 1, 2020.

#### ***Part 11 – California Green Building Standards***

The California Green Building Standards Code, referred to as CALGreen, was added to Title 24 as Part 11, first in 2009 as a voluntary code, which then became mandatory effective January 1, 2011

(as part of the 2010 California Building Standards Code). The 2019 CALGreen includes mandatory minimum environmental performance standards for all ground-up new construction of residential and non-residential structures. It also includes voluntary tiers (Tiers I and II) with stricter environmental performance standards for these same categories of residential and non-residential buildings. Local jurisdictions must enforce the minimum mandatory CALGreen standards and may adopt additional amendments for stricter requirements.<sup>4</sup>

The mandatory standards require:

- 20 percent reduction in indoor water use relative to specified baseline levels;<sup>5</sup>
- 65 percent construction/demolition waste diverted from landfills;
- Inspections of energy systems to ensure optimal working efficiency;
- Low pollutant emitting exterior and interior finish materials such as paints, carpets, vinyl flooring, and particleboards;
- Dedicated circuitry to facilitate installation of electric vehicle (EV) charging stations in newly constructed attached garages for single-family and duplex dwellings; and
- Designation of at least ten percent of parking spaces for multi-family residential developments and six percent of parking spaces for hotel development with more than 201 parking spaces as electric vehicle charging spaces capable of supporting future electric vehicle supply equipment.

The voluntary standards require:

- **Tier I:** stricter energy efficiency requirements, stricter water conservation requirements for specific fixtures, 65 percent reduction in construction waste with third-party verification, 10 percent recycled content for building materials, 20 percent permeable paving, 20 percent cement reduction, and cool/solar reflective roof; and
- **Tier II:** stricter energy efficiency requirements, stricter water conservation requirements for specific fixtures, 75 percent reduction in construction waste with third-party verification, 15 percent recycled content for building materials, 30 percent permeable paving, 25 percent cement reduction, and cool/solar reflective roof.

### *Regional and Local Regulations*

#### **SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT 2016 AIR QUALITY MANAGEMENT PLAN**

Under state law, the SCAQMD is required to prepare a plan for air quality improvement for pollutants for which its jurisdiction is in non-attainment. Each iteration of the SCAQMD's Air Quality Management Plan (AQMP) is an update of the previous plan and has a 20-year horizon. The latest AQMP, the 2016 AQMP, was adopted on March 3, 2017. It incorporates new scientific data and notable regulatory actions that have occurred since adoption of the 2012 AQMP, including the approval of the new federal eight-hour ozone standard of 0.070 ppm that was finalized in 2015. The Final 2016 AQMP addresses several state and federal planning requirements and incorporates new scientific information, primarily in the form of updated emissions inventories, ambient measurements, and meteorological air quality models. The Southern California Association of

---

<sup>4</sup> The city of Beverly Hills has adopted the 2019 California Green Building Standards Code, and has not adopted amendments requiring new construction to comply with additional Tier 1 and Tier 2 voluntary standards.

<sup>5</sup> Similar to the compliance reporting procedure for demonstrating Energy Code compliance in new buildings and major renovations, compliance with the CALGreen water reduction requirements must be demonstrated through completion of water use reporting forms. Buildings must demonstrate a 20 percent reduction in indoor water use by either showing a 20 percent reduction in the overall baseline water use as identified in CALGreen or a reduced per-plumbing-fixture water use rate.



Governments' (SCAG) projections for socio-economic data (e.g., population, housing, and employment by industry) and transportation activities from the 2016 Regional Transportation Plan/Sustainable Communities Strategy (2016 RTP/SCS) are integrated into the 2016 AQMP. The 2016 AQMP builds upon the approaches taken in the 2012 AQMP for the attainment of federal PM and ozone standards and highlights the significant amount of reductions to be achieved. It emphasizes the need for interagency planning to identify additional strategies to achieve reductions within the timeframes allowed under the federal CAA, especially in the area of mobile sources. The 2016 AQMP also includes a discussion of emerging issues and opportunities, such as fugitive toxic particulate emissions, zero-emission mobile source control strategies, and the interacting dynamics among climate, energy, and air pollution. The 2016 AQMP also demonstrates strategies for attainment of the new federal eight-hour ozone standard and vehicle miles travelled emissions offsets, pursuant to recent USEPA requirements (SCAQMD 2017). The SCAQMD is currently preparing the next AQMP iteration, which will be the 2022 AQMP.

### **SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT RULES AND REGULATIONS**

The SCAQMD implements rules and regulations for emissions that may be generated by various uses and activities. The rules and regulations detail pollution-reduction measures that must be implemented during construction and operation of projects. Rules and regulations relevant to the project include the following:

**Rule 401 (Visible Emissions):** This rule prohibits the discharge of visible air pollutant emissions from various sources as determined by shade and opacity criteria based on the Ringelmann Chart.

**Rule 402 (Nuisance):** This rule prohibits the discharge of quantities of air contaminants or other material that causes injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public or which endanger the comfort, repose, health or safety of any such persons or the public or which cause or have a natural tendency to cause injury or damage to business or property.

**Rule 403 (Fugitive Dust Control):** This rule includes various requirements to prevent, reduce, and mitigate the amount of particulate matter entrained in the ambient air from man-made fugitive dust sources.

**Rule 1113 (Architectural Coatings):** This rule establishes VOC content limits for a variety of architectural coatings, including 50 grams per liter for flat and non-flat coatings.

### **CITY OF BEVERLY HILLS GENERAL PLAN**

The City of Beverly Hills General Plan Land Use, Open Space, Circulation, Conservation, and Housing elements contain the following policies specific to air quality (City of Beverly Hills 2010g and 2014):

**Policy LU 14.1 City Form.** Accommodate a balanced mix of land uses and encourage development to be located and designed to enable residents access by walking, bicycling, or taking public transit to jobs, shopping, entertainment, services, and recreation, thereby reducing automobile use, energy consumption, air pollution, and greenhouse gases.

**Policy OS 7.5 Coordination with SCAQMD.** Coordinate with SCAQMD to ensure that projects incorporate feasible mitigation measures if those measures are not already provided for through project design.

**Policy OS 7.6 Employer Education Programs.** Encourage employers to participate in SCAQMD public education programs.

**Policy OS 7.7 Maintain Standards.** Work with the SCAQMD to meet state and federal ambient air quality standards.

**Policy OS 7.8 Emissions Reduction.** Require new development projects that exceed the SCAQMD's ROG and NO<sub>x</sub> operational thresholds to incorporate design or operational features that reduce emissions equal to 15 percent from the level that would be produced by an unmitigated project.

**Policy OS 7.11 Air Quality Education.** Educate the public about air quality standards, health effects, and efforts that residents can make to improve air quality and reduce greenhouse gas emissions in the Los Angeles Basin.

**Policy CIR 1.4 Level of Service.** Develop standards to address regional traffic growth through the City to promote transit ridership, biking, and walking, thereby reducing auto travel, air pollution, and energy consumption.

**Policy CON 8.3 National Pollutant Discharge Elimination System (NPDES) and SCAQMD Regulations.** Continue to implement, as appropriate, the requirements of the NPDES and SCAQMD regulations, including requiring the use of Best Management Practices by businesses in the City.

**Policy H 2.9 Jobs/Housing Balance.** Promote programs seeking to provide housing opportunities for people who work in the City as a means of reducing long commutes, easing local traffic, improving air quality and helping to achieve a balanced regional jobs/housing distribution for the western portion of Los Angeles County.

#### **CITY OF BEVERLY HILLS SUSTAINABLE CITY PLAN**

The Beverly Hills Sustainable City Plan (City of Beverly Hills 2009) establishes guiding principles and goals that the City uses to develop and implement programs that focus on sustainability. The following goal, objective, and policies related to air quality are applicable to the proposed project:

**Climate Change and Air Quality Goal:** Combat climate change and improve air quality.

**Objective:** Reduce and encourage the reduction of air emissions in City operations and Citywide.

**Policy 2:** Minimize mobile source emissions from on- and off-road (construction) vehicles.

**Policy 3:** Minimize stationary source air emissions.

**Policy 4:** Minimize particulate matter, both airborne photochemical precipitates and windborne dust.

#### **4.1.2 Previous Environmental Review**

The Beverly Hilton Specific Plan 2008 EIR and 9900 Wilshire Specific Plan 2016 SEIR (hereafter referred to collectively as "previous environmental documentation") conclude the Existing Specific Plans would be consistent with the AQMP in effect at the time and that operational criteria air pollutant emissions, localized CO emissions, and TAC emissions generated by the Existing Specific Plans would not exceed the SCAQMD thresholds (City of Beverly Hills 2008a and 2016a). Previous environmental documentation also determined that construction-related emissions associated with the Existing Specific Plans would exceed the SCAQMD threshold for total maximum daily NO<sub>x</sub> emissions and that construction-related emissions associated with the Beverly Hilton Specific Plan would exceed the SCAQMD threshold for total maximum daily on-site emissions of PM<sub>2.5</sub> and PM<sub>10</sub>.

Previous environmental documentation included Mitigation Measures MM AQ-1 through MM AQ-15 from the Beverly Hilton Specific Plan 2008 EIR and MM AQ-1 through MM AQ-13 from the 9900 Wilshire Specific Plan 2016 SEIR to reduce air quality impacts associated with construction of the Existing Specific Plans (City of Beverly Hills 2008a and 2016a).<sup>6, 7</sup> These mitigation measures are required for the Existing Specific Plans to reduce construction-related criteria air pollutant emissions. However, the previous environmental documents conclude potential impacts associated with the short-term pollutant emissions during construction of the Existing Specific Plans would remain significant and unavoidable after implementation of the identified mitigation measures. As a result, cumulative air quality impacts associated with construction-related impacts emissions were also determined to be cumulatively considerable and significant and unavoidable. The mitigation measures required for the Existing Specific Plans are conservatively not taken into account for the analysis and comparison of air quality impacts for the Existing Specific Plans and the proposed project. Furthermore, the mitigation measures identified in Section 4.1.3, *Impact Analysis*, which include measures revised and adapted to current industry standards from the previous environmental documentation, would supersede Mitigation Measures MM AQ-1 through MM AQ-15 from the Beverly Hilton Specific Plan 2008 EIR and Mitigation Measures MM AQ-1 through MM AQ-13 from the 9900 Wilshire Specific Plan 2016 SEIR. The original mitigation measures from previous environmental documents have been replaced to consolidate, update, and clarify the mitigation needed for the proposed project.

### 4.1.3 Impact Analysis

#### **Methodology and Significance Thresholds**

##### *Methodology*

Construction and operational air pollutant emissions were estimated using the California Emissions Estimator Model (CalEEMod), version 2016.3.2. CalEEMod uses project-specific information, including the project's land uses, square footages for different uses (e.g., high-rise condominiums, hotel, enclosed parking garage), and location, to estimate a project's construction and operational emissions. CalEEMod version 2016.3.2 was used to estimate emissions associated with development of the Approved Entitlements and the proposed project to provide an adequate side-by-side comparison of emissions between the Approved Entitlements and the proposed project. Emissions associated with the Approved Entitlements were originally calculated using the URBEMIS2002 v. 8.7 emissions estimation model for the Beverly Hilton Specific Plan 2008 EIR and CalEEMod version 2013.2.2 for the 9900 Wilshire Specific Plan 2016 SEIR, which were the industry standards at the time of publication of each EIR (City of Beverly Hills 2008a and 2016a). However, CalEEMod version 2016.3.2 is the current industry standard and was developed for use throughout the state in estimating construction and operational emissions from land use development. Among other improvements, CalEEMod version 2016.3.2 uses updated emissions factors and includes the 2016 Title 24 requirements and current regulatory emission reductions (California Air Pollution Control Officers Association 2017). Emissions were estimated in CalEEMod version 2016.3.2 for the following four scenarios:

---

<sup>6</sup> These mitigation measures are outlined in the previous environmental documentation and are incorporated herein by reference.

<sup>7</sup> Mitigation Measures MM-AQ-1 through MM-AQ-13 required by both previous environmental documents are substantially similar in content.

- Existing uses that would be demolished under the Approved Entitlements (217 hotel rooms, 17,315 square feet (sf) of meeting room space, 1,239 parking spaces, a swimming pool, 2,556 sf of mercantile retail, 2,610 sf of hotel restaurant, and one acre of landscaping)
- Existing uses that would be demolished under the proposed project (217 hotel rooms, 17,315 sf of meeting room space, 1,239 parking spaces, a swimming pool, 2,556 sf of mercantile retail, 2,610 sf of hotel restaurant, a 14-pump gas station and convenience store, and one acre of landscaping)
- Remaining buildout under the Approved Entitlements
- Buildout under the proposed project

Section 2, *Project Description*, provides a detailed comparison of the Approved Entitlements and the proposed project. This analysis excludes any construction that has already been completed under the Approved Entitlements. Construction and net new operational emissions generated by development under the Approved Entitlements and the proposed project (i.e., the net change in emissions compared to existing uses that would be demolished) were compared to the SCAQMD significance thresholds and evaluated in light of the significance findings in the previous environmental documentation.

## CONSTRUCTION EMISSIONS

Construction emissions modeled include emissions generated by construction equipment used on-site and emissions generated by vehicle trips associated with construction, such as worker and vendor trips. As discussed in Section 2, *Project Description*, construction of the proposed project would occur in a single development phase over a period of approximately 50 months, with buildout expected by year 2026. For the purposes of this analysis, it was assumed that construction under the Approved Entitlements would also take approximately 50 months. Construction activities for both the proposed project and the Approved Entitlements would include demolition, grading, building construction, architectural coatings, and paving. The anticipated construction schedule and construction equipment list was provided by the project applicant. The construction equipment list is presented in Table 4.1-3.

**Table 4.1-3 Anticipated Construction Equipment List**

Construction Phase	Construction Equipment
Demolition	▪ Dozer, Dumpers/Tenders (20), Excavators (3), Grader, Front End Loader
Site Preparation	▪ Dozer, Excavators (3), Grader, Front End Loader
Grading	▪ Backhoes (2), Bore/Drill Rigs (2), Dozer, Dumpers/Tenders (80), Excavators (3), Grader, Front End Loader, Scraper
Building Construction	▪ Backhoes (2), Cranes (7), Pumps (7)
Paving	▪ Backhoes (2), Cranes (3), Dozer, Dumpers/Tenders (10), Excavator, Grader, Front End Loader, Paver, Paving Equipment, Pumps (2)
Architectural Coating	▪ Cranes (7)

Based on applicant-provided information, all construction equipment would be Tier 4 and all tower cranes would be electric-powered. In addition, as discussed in Section 2, *Project Description*, based on applicant-provided information, the proposed project would include demolition of approximately 454,652 sf of existing structures and export of approximately 550,000 cubic yards of soil material via haul trucks with a 14-cubic-yard capacity. By comparison, under the Approved Entitlements,

approximately 204,349 sf of existing structures would be demolished under the Beverly Hilton Specific Plan and approximately 634,487 cubic yards of material would be hauled off-site (375,000 cubic yards for the Beverly Hilton Specific Plan and 259,487 cubic yards for the 9900 Wilshire Specific Plan) (City of Beverly Hills 2008a and 2016a). Demolition debris and soil material would be hauled approximately 35 miles to Irwindale. Based on applicant-provided information, vehicle speeds on unpaved roads on-site would be limited to 15 miles per hour to control fugitive dust emissions.

Both development under the Approved Entitlements and the proposed project would be required to comply with all applicable regulatory standards. Specifically, project construction would comply with the California Green Building Standards as well as SCAQMD Rule 403 (Fugitive Dust), Rule 1113 (Architectural Coatings), and all other applicable SCAQMD rules. The following conditions, which are required to reduce fugitive dust in compliance with SCAQMD Rule 403, were included in CalEEMod for modeling the grading phases for the remaining buildout under the Approved Entitlements and buildout of the proposed project:

1. **Minimization of Disturbance.** Construction contractors shall minimize the area disturbed by clearing, grading, earth moving, and excavation operations to prevent excessive amounts of dust.
2. **Soil Treatment.** Construction contractors shall treat all graded and excavated material, exposed soil areas, and active portions of the construction site, including unpaved on-site roadways, to minimize fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally safe soil stabilization materials, and/or roll compaction, as appropriate. Watering shall be done as often as necessary, and at least twice daily, preferably in the late morning and after work is done for the day.
3. **Soil Stabilization.** Construction contractors shall monitor all graded and excavated inactive areas of the construction site at least weekly for soil stabilization. Soil stabilization methods, such as water and roll compaction, and environmentally safe dust control materials, shall be applied to portions of the construction site that are inactive for more than four days. If no further grading or excavation operations are planned for the area, the area shall be seeded and watered until landscape growth is evident, or periodically treated with environmentally safe dust suppressants, to prevent excessive fugitive dust.
4. **No Grading During High Winds.** Construction contractors shall stop all clearing, grading, earth moving, and excavation activities during periods of high winds (instantaneous wind speeds of 25 miles per hour or greater).
5. **Street Sweeping.** Construction contractors shall sweep all on-site driveways and adjacent roadways at least once per day, preferably at the end of the day, if visible soil material is carried over to adjacent roadways.

The architectural coating phase would result in the greatest release of VOC. The emissions modeling for remaining buildout under the Approved Entitlements and buildout of the proposed project includes the use of low-VOC paint (50 grams per liter [g/L]), as required by SCAQMD Rule 1113.

#### **OPERATIONAL EMISSIONS**

Operational emissions modeled include mobile source emissions (i.e., vehicle emissions), energy emissions, and area source emissions. Mobile source emissions consist of emissions generated by resident, hotel guest, employee, and patron trips to and from the project site. The trip generation estimates from the Transportation Impact Report prepared by Fehr & Peers (2020; Appendix G)

were used to estimate mobile source emissions for development under the Approved Entitlements, proposed project, and existing uses that would be demolished by either development under the Approved Entitlements or the proposed project. The “Increase Density,” “Increase Diversity,” “Improve Destination Accessibility,” and “Increase Transit Accessibility” options in CalEEMod were used to account for project design features that would reduce VMT associated with the Approved Entitlements and the proposed project including increased residential and employment density, increased diversity of land uses on the project site, the project site’s adjacency to a Central Business District, and the project site’s proximity to an existing major bus stop and a future stop for the Metro Purple Line Subway Extension (CARB 2020). The “Improve Destination Accessibility” and “Increase Transit Accessibility” options were also used to model emissions from existing uses that would be demolished.

Emissions attributed to energy use include emissions from natural gas consumption for space and water heating and cooking. Area source emissions are generated by landscape maintenance equipment, consumer products, fireplaces, and architectural coatings. The proposed project would include natural gas fireplaces; however, in accordance with SCAQMD Rule 445, no wood-burning devices would be installed. As discussed in Section 2, *Project Description*, the proposed project would be designed to achieve a LEED rating of Gold and WELL Certification (or equivalent). It is also assumed that the Approved Entitlements would achieve a LEED rating of Silver (or equivalent). The following LEED design features were included in CalEEMod for the Approved Entitlements and the proposed project: use of low-VOC cleaning products and use of energy-efficient appliances. Additional LEED and WELL Certification design features, including a graywater system for irrigation of the proposed botanical gardens and landscaping, energy-efficient lighting, green roofs, low toxicity materials, and exceedance of Title 24 energy conservation requirements, would be incorporated into the Existing Specific Plans and the proposed project; however, these additional LEED design features were not included in the model because the specific design parameters for some features is not known at this stage of design and because CalEEMod does not provide direct ways to incorporate some features. Therefore, estimated air quality emissions for the Approved Entitlements and proposed project are considered to be conservative. Furthermore, operational emissions associated with existing on-site development anticipated to be demolished under either the Approved Entitlements or the proposed project were modeled in CalEEMod and subtracted from the operational emissions of the Approved Entitlements and proposed project to calculate net new emissions. Existing on-site development anticipated to be demolished under the Approved Entitlements includes 217 hotel rooms, 17,315 sf of meeting room space, 1,239 parking spaces, a swimming pool, 2,556 sf of mercantile retail, 2,610 sf of hotel restaurant, and one acre of landscaping. Existing on-site development anticipated to be demolished under the proposed project includes the same development to be demolished under the Approved Entitlements as well as a 14-pump gas station and convenience store.

It is anticipated that the last six months of construction activities may overlap with project operation. Therefore, to provide a conservative estimate of project impacts per SCAQMD guidance, construction-related emissions from the last six months of construction activities are combined with operational emissions and compared to the thresholds of significance.

### Significance Thresholds

The following thresholds are used to determine the significance of project impacts related to air quality. The proposed project would result in a significant air quality impact if the project would:

1. Conflict with or obstruct implementation of the applicable air quality plan
2. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard
3. Expose sensitive receptors to substantial pollutant concentrations
4. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people

As discussed in the Initial Study (Appendix A), the proposed project would not generate other emissions (such as those leading to odors) that would affect a substantial number of people because neither construction nor operation of the proposed project would generate such odors. Therefore, no impact would occur under the proposed project, and impacts under Threshold 4 are not discussed further in this SEIR.

### REGIONAL SIGNIFICANCE THRESHOLDS

The SCAQMD recommends the use of quantitative regional significance thresholds to evaluate emissions generated by temporary construction activities and long-term project operation in the SCAB, which are shown in Table 4.1-4.

**Table 4.1-4 SCAQMD Regional Significance Thresholds**

Construction Thresholds	Operational Thresholds
75 pounds per day of VOC	55 pounds per day of VOC
100 pounds per day of NO <sub>x</sub>	55 pounds per day of NO <sub>x</sub>
550 pounds per day of CO	550 pounds per day of CO
150 pounds per day of SO <sub>x</sub>	150 pounds per day of SO <sub>x</sub>
150 pounds per day of PM <sub>10</sub>	150 pounds per day of PM <sub>10</sub>
55 pounds per day of PM <sub>2.5</sub>	55 pounds per day of PM <sub>2.5</sub>

VOC = volatile organic compounds; NO<sub>x</sub> = nitrogen oxides; CO = carbon monoxide; SO<sub>x</sub> = sulfur oxides; PM<sub>10</sub> = particulate matter measuring 10 microns or less in diameter; PM<sub>2.5</sub> = particulate matter measuring 2.5 microns or less in diameter

Source: SCAQMD 2019

### LOCALIZED SIGNIFICANCE THRESHOLDS

In addition to the regional thresholds discussed above, the SCAQMD has developed Localized Significance Thresholds (LSTs) in response to the Governing Board's Environmental Justice Enhancement Initiative (1-4), which was prepared to update the *CEQA Air Quality Handbook* (1993). LSTs were devised in response to concern regarding exposure of individuals to criteria pollutants in local communities and have been developed for NO<sub>x</sub>, carbon monoxide, PM<sub>10</sub>, and PM<sub>2.5</sub>. LSTs represent the maximum emissions from a project that will not cause or contribute to an air quality exceedance of the most stringent applicable federal or state ambient air quality standard at the nearest sensitive receptor, taking into consideration ambient concentrations in each source receptor area (SRA), distance to the sensitive receptor, and project size. LSTs only apply to emissions in a fixed stationary location and are not applicable to mobile sources, such as cars on a roadway (SCAQMD 2008a). As such, LSTs are typically applied only to construction emissions because the

majority of operational emissions are associated with project-generated vehicle trips. The LSTs for construction activities are based on the results of air dispersion modeling that calculated NO<sub>x</sub> and CO exhaust emissions from construction equipment and fugitive dust emissions from ground disturbance for construction sites that measure up to one, two, or five acres in size (SCAQMD 2008a).

The project site is located in SRA 2 (Northwest Coastal Los Angeles County) and is approximately 17.4 acres in size. However, as a condition of approval, the active area of ground disturbance and/or heavy equipment usage during construction would not exceed five acres of the project site at once (see Section 2, *Project Description*). As a result, the five-acre LSTs were utilized for this analysis (SCAQMD 2008a). This provides a conservative evaluation of project impacts because the five-acre LSTs provide more stringent thresholds for construction emissions as compared to the analysis of emissions over a larger area. LSTs are provided for receptors at a distance of 82 to 1,640 feet (25 to 500 meters) from the project site boundary. As described in *Sensitive Receptors*, the nearest existing sensitive receptor is El Rodeo School approximately 95 feet to the north. Therefore, for this analysis, it is conservatively assumed that the nearest receptor is located at a distance of 82 feet. LSTs for a five-acre active construction site in SRA 2 for a receptor at 82 feet are shown in Table 4.1-5.

**Table 4.1-5 SCAQMD LSTs for Construction**

Pollutant	LSTs for an Active Five-acre Construction Site in SRA 2 for a Receptor at 82 Feet (pounds/day)
Gradual conversion of NO <sub>x</sub> to NO <sub>2</sub>	221
CO	1,531
PM <sub>10</sub>	13
PM <sub>2.5</sub>	6

LST = Localized Significance Threshold; SRA = Source Receptor Area; NO<sub>x</sub> = nitrogen oxides; NO<sub>2</sub> = nitrogen dioxide; CO = carbon monoxide; PM<sub>10</sub> = particulate matter measuring 10 microns in diameter or less; PM<sub>2.5</sub> = particulate matter measuring 2.5 microns in diameter or less  
Source: SCAQMD 2009

## TOXIC AIR CONTAMINANTS

The USEPA considers those pollutants that could cause cancer risks between one in 10,000 ( $1.0 \times 10^{-4}$ ) and one in one million ( $1.0 \times 10^{-6}$ ) for risk management. Proposition 65 (California Health and Safety Code Section 25249.6), enacted in 1986, prohibits a person in the course of doing business from knowingly and intentionally exposing any individual to a chemical that has been listed as known to the state to cause cancer or reproductive toxicity without first giving clear and reasonable warning. For a chemical that is listed as a carcinogen, the “no significant risk” level under Proposition 65 is defined as the level that is calculated to result in not more than one excess case of cancer in 100,000 individuals ( $1.0 \times 10^{-5}$ ). The SCAQMD recommends the use of this risk level (also reportable as 10 in one million) as the significance threshold for toxic air contaminants (SCAQMD 2019). The SCAQMD also recommends that the non-carcinogenic hazards of TACs should not exceed a hazard index (the summation of the hazard quotients for all chemicals to which an individual would be exposed) of 1.0 for either chronic or acute effects (SCAQMD 2019).



## Project Impacts

**Threshold 1:** Would the project conflict with or obstruct implementation of the applicable air quality plan?

**Impact AQ-1** THE PROPOSED PROJECT WOULD GENERATE POPULATION GROWTH AND JOB GROWTH. HOWEVER, SUCH GROWTH WOULD NOT EXCEED THE GROWTH FORECASTS ON WHICH THE 2016 AQMP IS BASED OR DELAY THE TIMELY ATTAINMENT OF AIR QUALITY STANDARDS. REGARDLESS OF WHETHER COMPARED TO EXISTING CONDITIONS OR APPROVED ENTITLEMENTS, IMPACTS RELATED TO AQMP CONSISTENCY WOULD REMAIN LESS THAN SIGNIFICANT.

A project may be inconsistent with the AQMP if it would generate population, housing, or employment growth exceeding the forecasts used in the development of the AQMP. In its projections for managing air quality in the SCAB, the 2016 AQMP relies on local general plans and the demographic forecasts contained in the SCAG 2016 RTP/SCS.<sup>8</sup> As such, projects that involve development that is consistent with the growth anticipated by SCAG's growth projections and/or the General Plan would not conflict with the SCAQMD AQMP. In the event that a project would involve development that is less dense than anticipated by the growth projections, the project would likewise be consistent with the AQMP.

As shown in Table 4.1-6, the 2016 RTP/SCS population growth forecast for 2040 for the City is 37,200 residents, which would be an increase of approximately 3,425 residents from the City's estimated 2020 population of 33,775 residents (SCAG 2016; California Department of Finance [CDOF] 2020a). SCAG also forecasts that the City would accommodate 16,200 households and provide 68,900 jobs in 2040 (SCAG 2016).

**Table 4.1-6 Population, Household, and Employment Data and Forecasts for Beverly Hills**

Year	Population	Households	Employment
2012	34,400	14,900	57,700
2040	37,200	16,200	68,900

Note: On September 3, 2020, the SCAG's Regional Council formally adopted the 2020-2045 RTP/SCS (titled Connect SoCal). However, the 2016 AQMP was adopted prior to this date and relies on the demographic and growth forecasts of the 2016-2040 RTP/SCS. Therefore, these forecasts are utilized in the analysis of the project's consistency with the 2016 AQMP. Section 14, *Population and Housing*, of the Initial Study included in Appendix A discusses the project's consistency with the demographic forecasts of the 2020-2045 RTP/SCS and determines that the project would be consistent with its demographic forecasts for Beverly Hills.

Source: SCAG 2016

<sup>8</sup> On September 3, 2020, the SCAG's Regional Council formally adopted the 2020-2045 RTP/SCS (titled Connect SoCal). However, the 2016 AQMP was adopted prior to this date and relies on the demographic and growth forecasts of the 2016-2040 RTP/SCS. Therefore, these forecasts are utilized in the analysis of the project's consistency with the 2016 AQMP. Section 14, *Population and Housing*, of the Initial Study included in Appendix A discusses the project's consistency with the demographic forecasts of the 2020-2045 RTP/SCS and determines that the project would be consistent with its demographic forecasts for Beverly Hills.

## Existing Conditions

### *Construction*

Due to the size of the proposed project and the nature of the construction employment opportunities, it is anticipated construction workers would be from the existing local or regional workforce. Therefore, project construction would not provide new permanent employment opportunities in the region and would not indirectly induce population growth. As such, project construction would not conflict with the population and employment growth forecasts for the City, as presented in SCAG's 2016 RTP/SCS, which were used to prepare the 2016 AQMP. Therefore, in comparison to existing conditions, project construction would not conflict with the 2016 AQMP.

### *Operation*

The proposed project would provide 340 new residential units plus 30 accessory spaces that could be utilized as staff living quarters. The City currently has approximately 2.30 people per household (CDOF 2020a). Based on this average, the proposed project would accommodate an estimated 782 residents within the 340 residential units (340 households x 2.30 people per household) plus potentially, an additional 69 residents within the 30 accessory spaces (30 households x 2.30 people per household) for a total residential population of 851 residents.

SCAG's 2040 population forecasts are based on land use, general plans, and zoning as of 2014 (SCAG 2016). The Beverly Hilton Specific Plan and the original 2008 9900 Wilshire Specific Plan were developments anticipated in the City's 2010 General Plan and 2014 Housing Element update and are thus accounted for in population growth projections for the City; however, the 9900 Wilshire Specific Plan as amended in 2016 was not. As shown in Table 4.1-7, the proposed project would result in approximately 18 additional dwelling units and 41 additional residents when compared to the Existing Specific Plans as of the 2010 General Plan. In addition, cumulative projects detailed in Section 3, *Environmental Setting*, would add 126 net new dwelling units in the City with an estimated associated population increase of 290 residents (126 households x 2.30 people per household). The additional 41 residents associated with the proposed project plus the additional 290 residents associated with cumulative development would result in a population increase of approximately 331 residents for a total population of 34,106 persons (33,775 + 331), which is within SCAG's forecasted 2040 population of 37,200 residents for Beverly Hills.

As shown in Table 4.1-6, SCAG's housing forecast for the City in 2040 is 16,200 dwelling units (SCAG 2016); however, the City currently has 16,443 dwelling units (CDOF 2020a). Therefore, the City's existing housing stock already exceeds the 2040 SCAG forecast. Nonetheless, despite the increase in residential units associated with the proposed project, the City's population would remain within SCAG's forecast, as discussed above.

As shown in Table 4.1-6, SCAG's employment forecast for the City in 2040 is 68,900 jobs, which would be an increase of approximately 15,050 jobs as compared to the City's existing 53,850 jobs opportunities (United States Census 2017). According to the project applicant, the existing Beverly Hilton hotel currently has 257 full-time and full-time equivalent employees and the proposed project would require approximately 79 new employees. Assuming the existing gas station (although not currently operational) employs six persons (two persons per shift with three 8-hour shifts), the project would result in a net increase of 73 employees on-site as compared to existing on-site conditions. As shown in Table 4.1-7, the net increase in employment opportunities associated with the proposed project would be approximately 31 to 53 persons greater than employment opportunities anticipated under the remaining buildout of the Existing Specific Plans.

Nevertheless, the net increase in employment opportunities under the proposed project would represent approximately 0.5 percent of job growth projected for Beverly Hills by 2040 (73 of 15,050 jobs) and would not exceed SCAG employment forecasts.

**Table 4.1-7 Projected Population Growth from Existing Specific Plans as of 2010 and Proposed Project**

	Existing Specific Plans as of 2010 <sup>1</sup>	Proposed Project	Net Change
Projected Dwelling Units	352 <sup>2</sup>	370 <sup>3</sup>	+18
Projected Population Growth <sup>4</sup>	810	851	+41
Projected Employment Growth	26 - 48 <sup>5</sup>	73 <sup>6</sup>	+31 - 53

<sup>1</sup> The change in housing units and projected population growth associated with the proposed project is compared to buildout of the project site under the Existing Specific Plans as approved at the time of publication of the City's General Plan in 2010 because this buildout scenario (which does not include the 2016 amendments to the 9900 Wilshire Specific Plan) was incorporated into SCAG 2016 RTP/SCS growth forecasts.

<sup>2</sup> 242 dwelling units under the original 9900 Wilshire Specific Plan from 2008 + 110 dwelling units under the Beverly Hilton Specific Plan (City of Beverly Hills 2008a and 2016a)

<sup>3</sup> 340 residential units + 30 accessory staff spaces

<sup>4</sup> 2.30 residents per household (CDOF 2020a)

<sup>5</sup> 26-48 employees under the original 9900 Wilshire Specific Plan from 2008 + no net new employees under the Beverly Hilton Specific Plan (City of Beverly Hills 2008a and 2016a)

<sup>6</sup> 79 employees for the proposed project (based on information from the project applicant) – six employees for the existing gas station (assumes the existing gas station, although currently not in operation, employs approximately six persons [two persons per shift with three 8-hour shifts])

Although the proposed project would generate approximately 41 more residents and approximately 31 to 53 more employees than development under the Existing Specific Plans, it would be consistent with the population and employment growth forecasts for the City, as presented in SCAG's 2016 RTP/SCS, which were used to prepare the 2016 AQMP. Therefore, the proposed project would be consistent with AQMP forecasts and would not conflict with the 2016 AQMP. Furthermore, as discussed in Section 4.5, *Greenhouse Gas Emissions*, by creating urban infill development in an area that is well-served by public transit, the proposed project would fulfill goals of SCAG's 2020 RTP/SCS related to maximizing the productivity of the transportation system and encouraging land use and growth patterns that facilitate transit and non-motorized transportation. As such, it would not delay the attainment of air quality standards. Therefore, as compared to existing conditions, the proposed project would not conflict with or obstruct implementation of an air quality management plan and this impact would be less than significant.

## Approved Entitlements

Previous environmental documentation concludes that the Existing Specific Plans would be consistent with the SCAQMD's 2003 AQMP and 2012 AQMP, respectively, and would therefore have a less than significant impact. As shown in Table 4.1-8, the proposed project would result in approximately 67 additional dwelling units, 154 additional residents, and 113 fewer jobs when compared to the current Approved Entitlements. Nevertheless, as discussed above, the proposed project would not result in additional new growth in population, housing, or employment that would exceed SCAG demographic forecasts such that it would delay attainment of air quality standards as set forth in the 2016 AQMP. Therefore, like the Approved Entitlements, the proposed

project would not conflict with or obstruct implementation of an air quality management plan and this impact would be less than significant.

**Table 4.1-8 Projected Population Growth from Existing Specific Plans as of 2020 and Proposed Project**

	Existing Specific Plans as of 2020	Proposed Project	Net Change
Projected Dwelling Units	303 <sup>1</sup>	370 <sup>2</sup>	+67
Projected Population Growth <sup>4</sup>	697	851	+154
Projected Employment Growth	186 <sup>4</sup>	73 <sup>5</sup>	-113

<sup>1</sup> 193 dwelling units under the 9900 Wilshire Specific Plan from 2016 + 110 dwelling units under the Beverly Hilton Specific Plan (City of Beverly Hills 2008a and 2016a)

<sup>2</sup> 340 residential units + 30 accessory staff spaces

<sup>3</sup> 2.30 residents per household (CDOF 2020a)

<sup>4</sup> 186 employees under the 9900 Wilshire Specific Plan from 2016 + no net new employees under the Beverly Hilton Specific Plan (City of Beverly Hills 2008a and 2016a)

<sup>5</sup> 79 employees for the proposed project (based on information from the project applicant) – six employees for the existing gas station (assumes the existing gas station, although currently not in operation, employs approximately six persons [two persons per shift with three 8-hour shifts])

## Mitigation Measures

Mitigation would not be required since the proposed project's impact would be less than significant.

## Significance After Mitigation

Regardless of whether compared to existing conditions or Approved Entitlements, the proposed project's impact would be less than significant without mitigation.

<b>Threshold 2:</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?
<b>Threshold 3:</b>	Would the project expose sensitive receptors to substantial pollutant concentrations?

**Impact AQ-2** THE PROPOSED PROJECT WOULD GENERATE TEMPORARY EMISSIONS OF CRITERIA AIR POLLUTANTS DURING CONSTRUCTION. CONSTRUCTION-RELATED EMISSIONS ASSOCIATED WITH THE PROPOSED PROJECT WOULD EXCEED THE SCAQMD REGIONAL THRESHOLD FOR NO<sub>x</sub> EMISSIONS. ALTHOUGH PREVIOUS ENVIRONMENTAL DOCUMENTATION DETERMINED THAT THE EXISTING SPECIFIC PLANS WOULD HAVE A SIGNIFICANT AND UNAVOIDABLE CONSTRUCTION AIR QUALITY IMPACT, IMPLEMENTATION OF MITIGATION MEASURES MM-AQ-1 THROUGH MM-AQ-9 WOULD REDUCE THE IMPACTS OF THE PROPOSED PROJECT TO A LESS THAN SIGNIFICANT LEVEL. THEREFORE, IN COMPARISON TO EXISTING CONDITIONS AND APPROVED ENTITLEMENTS, IMPACTS OF THE PROPOSED PROJECT WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION. IN ADDITION, IN COMPARISON TO APPROVED ENTITLEMENTS, PROJECT IMPACTS WOULD BE LESS THAN WHAT WERE IDENTIFIED IN PREVIOUS ENVIRONMENTAL DOCUMENTATION.

---

### **Existing Conditions**

Construction under the proposed project would emit ozone precursors (VOCs and NO<sub>x</sub>), as well as carbon monoxide, sulfur oxides, PM<sub>10</sub>, and PM<sub>2.5</sub>. Emissions would result from the use of heavy-duty construction equipment, fugitive dust mobilized by export of demolition debris and soil export, and the evaporation of VOCs from architectural coatings (e.g., paint), among other sources. Table 4.1-9 shows the estimated unmitigated maximum daily emissions for each year of construction for the proposed project. As shown therein, construction activities associated with the proposed project during year 2022 would generate emissions exceeding the SCAQMD regional threshold for maximum daily NO<sub>x</sub> emissions from construction activities by approximately 69 pounds per day. Therefore, in comparison to existing conditions, maximum daily criteria air pollutant emissions associated with project construction would result in a cumulatively considerable net increase of NO<sub>x</sub> and would expose sensitive receptors to substantial pollutant concentrations. Impacts would be significant, and implementation of Mitigation Measures MM-AQ-1 through MM-AQ-9 would be required to reduce impacts to a less than significant level.

**Table 4.1-9 Estimated Unmitigated Maximum Daily Construction Emissions (pounds per day) – Proposed Project Compared to Existing Conditions**

Year	VOC	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
2021	1	8	45	< 1	6	2
2022	12	169	176	1	27	9
2023	18	26	75	< 1	12	3
2024	17	26	73	< 1	12	3
2025	18	28	104	< 1	12	4
2026	12	< 1	5	< 1	2	1
<b>Maximum Daily Emissions</b>	<b>18</b>	<b>169</b>	<b>176</b>	<b>1</b>	<b>27</b>	<b>9</b>
SCAQMD Regional Thresholds	75	100	550	150	150	55
<b>Threshold Exceeded?</b>	<b>No</b>	<b>Yes</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

VOC = volatile organic compounds; NO<sub>x</sub> = nitrogen oxides; CO = carbon monoxide; SO<sub>2</sub> = sulfur dioxide; PM<sub>10</sub> = particulate matter measuring 10 microns or less in diameter; PM<sub>2.5</sub> = particulate matter measuring 2.5 microns or less in diameter; SCAQMD = South Coast Air Quality Management District; CalEEMod = California Emissions Estimator Model

Notes: All numbers have been rounded to the nearest integer. Emissions presented are the highest of the winter and summer modeled emissions.

Source: See Appendix B for CalEEMod results.

## Approved Entitlements

Previous environmental documentation concludes that the Existing Specific Plans would result in significant and unavoidable construction-related air quality impacts pertaining to total maximum daily construction emissions because maximum daily NO<sub>x</sub> emissions would exceed the SCAQMD regional threshold. Previous environmental documentation also concludes that the Existing Specific Plans' construction emissions would be considered cumulatively considerable and significant and unavoidable. Therefore, the previous environmental documentation requires mitigation measures to reduce maximum daily construction emissions. However, these mitigation measures were not taken into account for the analysis and comparison of air quality impacts.

Maximum daily construction emissions generated by remaining buildout of the Approved Entitlements were modeled independently and compared to SCAQMD significance thresholds. Table 4.1-10 shows the estimated unmitigated maximum daily emissions for each year of construction for the Approved Entitlements as well as the net change in emissions as compared to the proposed project. As shown therein, updated modeling of the Approved Entitlements demonstrates that maximum daily NO<sub>x</sub> emissions associated with construction of the Approved Entitlements would exceed the SCAQMD regional threshold for maximum daily NO<sub>x</sub> emissions from construction activities by approximately 87 pounds per day. The proposed project would generate fewer maximum daily construction-related criteria air pollutant emissions than the Approved Entitlements, primarily because the proposed project would include less soil export and less total square footage due to the reduction of parking spaces. Nevertheless, as shown in Table 4.1-9 above, construction activities associated with the proposed project during year 2022 would generate

emissions exceeding the SCAQMD regional threshold for maximum daily NO<sub>x</sub> emissions from construction activities by approximately 69 pounds per day. Therefore, similar to the Approved Entitlements, maximum daily criteria air pollutant emissions associated with project construction would result in a cumulatively considerable net increase of NO<sub>x</sub> and would expose sensitive receptors to substantial pollutant concentrations. Impacts would be significant, and implementation of Mitigation Measures MM-AQ-1 through MM-AQ-9 would be required to reduce impacts to a less than significant level.

**Table 4.1-10 Estimated Unmitigated Maximum Daily Construction Emissions (pounds per day) – Proposed Project Compared to Approved Entitlements**

Year	VOC	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
<b>Approved Entitlements<sup>1</sup></b>						
2021	1	6	45	1	5	2
2022	13	187	180	1	28	9
2023	18	27	75	< 1	12	3
2024	17	26	72	< 1	12	3
2025	18	29	104	< 1	12	4
2026	13	< 1	5	< 1	2	1
<b>Maximum Daily Emissions</b>	<b>18</b>	<b>187</b>	<b>180</b>	<b>1</b>	<b>28</b>	<b>9</b>
SCAQMD Regional Thresholds	75	100	550	150	150	55
<b>Threshold Exceeded?</b>	<b>No</b>	<b>Yes</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
<b>Net Change in Emissions (Proposed Project – Approved Entitlements)<sup>2</sup></b>						
Difference in Maximum Daily Emissions	- < 1	-18	-4	- < 1	-1	- < 1

<sup>1</sup> Includes remaining buildout under the Approved Entitlements.

<sup>2</sup> See Table 4.1-9 for a summary of the proposed project's emissions.

VOC = volatile organic compounds; NO<sub>x</sub> = nitrogen oxides; CO = carbon monoxide; SO<sub>2</sub> = sulfur dioxide; PM<sub>10</sub> = particulate matter measuring 10 microns or less in diameter; PM<sub>2.5</sub> = particulate matter measuring 2.5 microns or less in diameter; SCAQMD = South Coast Air Quality Management District; CalEEMod = California Emissions Estimator Model

Notes: All numbers have been rounded to the nearest integer. Emissions presented are the highest of the winter and summer modeled emissions.

Source: See Appendix B for CalEEMod results.

## Mitigation Measures

As discussed in Section 4.1.3, *Previous Environmental Review*, Mitigation Measures MM AQ-1 through MM AQ-15 from the Beverly Hilton Specific Plan 2008 EIR and Mitigation Measures MM AQ-1 through MM AQ-13 from the 9900 Wilshire Specific Plan 2016 SEIR are required for the Existing Specific Plans to reduce construction-related criteria air pollutant emissions (City of Beverly Hills 2008a and 2016a). The following mitigation measures would be required for the proposed project. These measures include Mitigation Measures MM-AQ-1 through MM-AQ-7, as revised and

adapted to current industry standards from the previous environmental documentation, as well as two new mitigation measures (MM-AQ-8 and MM-AQ-9). These measures would supersede Mitigation Measures MM AQ-1 through MM AQ-15 from the Beverly Hilton Specific Plan 2008 EIR and Mitigation Measures MM AQ-1 through MM AQ-13 from the 9900 Wilshire Specific Plan 2016 SEIR, which have been replaced to consolidate, update, and clarify the mitigation needed for the proposed project. The remaining mitigation measures from the previous environmental documents (MM AQ-9 through MM AQ-15 from the Beverly Hilton Specific Plan 2008 EIR and MM AQ-9 through MM AQ-13 from the 9900 Wilshire Specific Plan 2016 SEIR) are not necessary to mitigate project impacts because the analysis in this EIR did not identify significant construction-related impacts associated with PM<sub>10</sub> and PM<sub>2.5</sub> emissions. Nevertheless, this mitigation measures are required for the Existing Specific Plans and therefore are carried forward in this SEIR as required mitigation for the proposed project.

- MM-AQ-1** Prior to issuance of a grading, demolition, or building permit, whichever comes first, the Developer shall prepare a Construction Traffic Emission Management Plan to minimize emissions from vehicles including, but not limited to, scheduling truck deliveries and haul routes to avoid peak-hour traffic conditions, consolidating truck deliveries, and prohibiting truck idling in excess of 5 minutes. The Construction Traffic Emission Management Plan shall be submitted to the City of Beverly Hills Community Development Department and reviewed and approved by the appropriate City Departments/Divisions (e.g., Building and Safety, Planning, Transportation).<sup>9</sup>
- MM-AQ-2** The Contractor shall ensure that the use of all fossil-fueled construction equipment is suspended during first-stage smog alerts.<sup>10</sup>
- MM-AQ-3** The Contractor shall promote the use of electricity or alternate fuels for on-site mobile equipment instead of diesel equipment to the extent feasible.<sup>11</sup>
- MM-AQ-4** The Contractor shall maintain construction equipment by conducting regular tune-ups according to the manufacturers' recommendations.<sup>12</sup>
- MM-AQ-5** The Contractor shall promote the use of electric welders to avoid emissions from gas or diesel welders, to the extent feasible.<sup>13</sup>
- MM-AQ-6** The Contractor shall promote the use of on-site electricity or alternative fuels rather than diesel-powered or gasoline-powered generators to the extent feasible.<sup>14</sup>
- MM-AQ-7** Prior to use in construction, the Developer and Contractor shall evaluate the feasibility of retrofitting the large off-road construction equipment that will be operating for significant periods. Retrofit technologies such as particulate traps, selective catalytic reduction, oxidation catalysts, air enhancement technologies, etc., shall be evaluated. These technologies shall be required if they are verified by CARB and/or the USEPA and are commercially available and can feasibly be retrofitted onto construction equipment. Prior to the start of each construction phase, the Contractor shall submit an equipment inventory report to the City of Beverly Hills Community Development Department for review and approval. The equipment inventory report shall indicate which equipment will not be operating

<sup>9</sup> Equivalent to Mitigation Measure MM AQ-1 from both previous environmental documents.

<sup>10</sup> Equivalent to Mitigation Measure MM AQ-2 from both previous environmental documents.

<sup>11</sup> Equivalent to Mitigation Measure MM AQ-3 from both previous environmental documents.

<sup>12</sup> Equivalent to Mitigation Measure MM AQ-4 from both previous environmental documents.

<sup>13</sup> Equivalent to Mitigation Measure MM AQ-5 from both previous environmental documents.

<sup>14</sup> Equivalent to Mitigation Measure MM AQ-6 from both previous environmental documents.



for significant periods (and will thus be excluded from consideration for retrofits) and which equipment will be retrofitted. For all equipment that will operate for significant periods but will not be retrofitted, the equipment inventory report shall provide substantial evidence as to why retrofits are not available or feasible.<sup>15</sup>

- MM-AQ-8** The Contractor shall use tandem trucks (also known as double belly dump trucks) with a minimum capacity of 28 cubic yards (CY) for hauling soil material from the project site.
- MM-AQ-9** Demolition and grading phases shall not be conducted concurrently. Each demolition or grading phase must be fully completed before commencement of the subsequent demolition or grading phase.
- MM AQ-10\*** The Contractor shall ensure that traffic speeds on all unpaved roads are reduced to 15 miles per hour or less.<sup>16</sup>
- MM AQ-11\*** The Contractor shall ensure that the project site is watered at least three times daily during dry weather.<sup>17</sup>
- MM AQ-12\*** The Contractor shall install wind monitoring equipment on site, to the extent feasible, and suspend grading activities when wind speeds exceed 25 miles per hour per SCAQMD guidelines.<sup>18</sup>
- MM AQ-13\*** The Contractor shall water storage piles or apply cover when wind events are declared (wind speeds in excess of 25 miles per hour).<sup>19</sup>
- MM AQ-14\*** The Contractor shall apply nontoxic chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days).<sup>20</sup>
- MM AQ-15\*** The Contractor shall replace ground cover in disturbed areas as quickly as possible.<sup>21</sup>
- MM AQ-16\*** The project proponent shall establish a third-party air quality consultant to conduct monitoring of the PM<sub>10</sub> (dust) concentrations during the project demolition, excavation, and grading phases of project construction (approximately 588 work days<sup>22</sup>) to determine compliance with applicable air quality standards. Monitoring shall be accomplished using DustTrak™ aerosol monitors or other similar monitoring network and shall meet the following requirements:
- The third-party consultant shall be approved by the City of Beverly Hills Planning Department.
  - Costs for the monitoring network and tests by the third-party consultant shall be borne by the project applicant.

---

<sup>15</sup> Equivalent to Mitigation Measure MM AQ-7 from both previous environmental documents.

<sup>16</sup> Equivalent to Mitigation Measure MM AQ-8 from both previous environmental documents.

<sup>17</sup> Equivalent to Mitigation Measure MM AQ-9 from both previous environmental documents.

<sup>18</sup> Equivalent to Mitigation Measure MM AQ-10 from both previous environmental documents.

<sup>19</sup> Equivalent to Mitigation Measure MM AQ-11 from both previous environmental documents.

<sup>20</sup> Equivalent to Mitigation Measure MM AQ-12 from both previous environmental documents.

<sup>21</sup> Equivalent to Mitigation Measure MM AQ-13 from both previous environmental documents.

<sup>22</sup> The Beverly Hills Specific Plan 2008 FEIR stated that an air quality consultant would be required to conduct monitoring for approximately 92 work days. However, the updated construction schedule provided by the applicant for the proposed project indicates that demolition, grading, and excavation phases will require approximately 588 work days. Therefore, this measure has been revised accordingly.

- Monitors shall be located in such a manner that appropriate upwind (background) and two downwind locations from the project are selected. The locations shall be selected in order to monitor the project's contribution to ambient PM<sub>10</sub> concentrations and to minimize the influence of dust contributions from outside sources. One downwind monitoring station shall be located near El Rodeo School's southern perimeter. The other downwind monitor shall be located in an area beyond the project boundary where the general public could be present for a period of more than one hour. The upwind and downwind directions shall be based on the prevailing daytime wind direction in the vicinity of the project site. All locations shall be approved by the third-party air quality consultant and the Community Development Director.
- The monitoring network shall include at least one anemometer to measure wind speeds and directions.
- Each monitoring station shall be secured in such a manner to prevent access and tampering by unauthorized persons and to prevent damage to the equipment.
- Each monitoring station shall be sited in a location with access to necessary infrastructure (e.g., electricity needs, foundation requirements, internet connectivity).
- Monitors shall be calibrated using collocated filter-based samplers (Mini-Vol or other similar equipment). The third-party consultant shall calibrate the DustTrak™ monitors as needed to ensure that data is within acceptable margins of error as determined by manufacturer's specifications.
- The 5-hour rolling average dust concentration threshold is equal to the threshold specified in SCAQMD Rule 403 (50 micrograms per cubic meter) as determined by the difference between the upwind and downwind stations. The 1-hour average dust concentration threshold shall be set at a level of 150 micrograms per cubic meter to provide sufficient warning for on-site construction managers or supervisors to implement corrective measures. An exceedance of the 1-hour threshold shall not be deemed as a violation of any air quality standard or regulation.
- Monitoring shall be continuous and provide data at 5-minute intervals. The data shall report rolling 5-hour and rolling 1-hour average PM<sub>10</sub> concentrations. Monitoring shall be active on any day that construction activity occurs during the demolition, excavation, and grading phases of project construction. Data shall be made available to the third-party consultant, the City of Beverly Hills, the project applicant, and the on-site contractor on a secured internet website. The general public shall have access to 5-hour average PM<sub>10</sub> concentrations on a publicly accessible website.
- Monitors shall be equipped with a visual alarm (strobe light or similar) that shall notify appropriate on-site construction managers or supervisors if established thresholds are exceeded. Additionally, an email shall be sent to appropriate on-site construction managers or supervisors if specified PM<sub>10</sub> thresholds are exceeded.
- All corrective measures, as necessary to reduce emissions to acceptable levels, shall be implemented immediately. If immediate implementation of a specific

corrective measure will result in the creation of a hazardous situation, as determined by the Environmental Monitor, construction activity shall be allowed to continue for a reasonable period of time as determined by the Environmental Monitor, until such time that it is safe to implement that corrective measure. Corrective measures shall be documented by the construction contractor in a logbook accessible to the third-party air quality consultant and the City of Beverly Hills. Records shall be maintained of the specific action taken, the time and date the corrective action was taken, and written verification by the appropriate on-site construction manager or supervisor that the corrective action was taken.

- The project applicant and contractor shall develop a corrective action plan. The plan shall be prepared and finalized prior to the commencement of project demolition, the Plan shall indicate steps to safely and adequately reduce on-site dust emissions. The plan shall contain a list of possible corrective measures. The measures shall include, but are not limited to, application of water or other soil stabilizers, temporary reduction in on-site vehicle speed, temporary reduction in construction activity, suspension of construction activity, and other appropriate measures. The plan shall also require notification of the Principal of El Rodeo School and the Beverly Hills Unified School District Superintendent in the event of an exceedance of any of the established thresholds. The project applicant and contractor shall obtain approval of the plan from the City of Beverly Hills Community Development Director prior to commencing demolition.<sup>23</sup>

**MM AQ-17** The project applicant and/or contractor shall comply with SCAQMD Rule 403 by ensuring visible dust emissions from the project site do not go beyond the property line.

- The project applicant and/or contractor shall designate a person located on-site who is trained and certified by CARB to conduct visible emissions evaluations (VEE). The designated person shall ensure compliance with SCAQMD Rule 403 by observing for visible dust emissions beyond the property line during daytime working hours. Observations shall be conducted in accordance with USEPA Method 9 (Title 40, Code of Federal Regulations, Part 60, Appendix A).
- The project applicant and/or contractor shall obtain a schedule of outdoor activities and athletic events at El Rodeo School and Beverly Hills High School during the construction period from the City or the Beverly Hills Unified School District as soon as the information becomes available, The City shall immediately provide this information to the project applicant and contractor. Provided that the Beverly Hills Unified School District has provided the scheduling information in a timely manner, the project applicant and contractor shall require coordination of all construction activities so as to minimize the occurrence of high-emitting fugitive dust construction activities during the scheduled outdoor events to the extent feasible.
- In the event visible dust emissions are observed beyond the property line, the designated person shall immediately inform a lead supervisor or other appropriate managing personnel. The supervisor shall immediately implement

---

<sup>23</sup> Equivalent to Mitigation Measure MM AQ-14 from the Beverly Hilton Specific Plan 2008 EIR.

corrective measures. If visible dust emissions are anticipated to impact El Rodeo School, the supervisor shall notify the Principal of El Rodeo School and the Beverly Hills Unified School District Superintendent. If immediate implementation of a corrective measure shall result in the creation of a hazardous situation, construction activity shall be allowed to continue for a reasonable period of time until such time that it is safe to implement corrective measures. Corrective measures shall be documented by the construction contractor in a logbook accessible to a third-party air quality consultant and the City of Beverly Hills. Records shall be maintained of the specific action taken, the time and date the corrective action was taken, and written verification by the appropriate on-site construction manager or supervisor that the corrective action was taken.<sup>24</sup>

\* These mitigation measures are required for the Existing Specific Plans and therefore are carried forward and required for the proposed project.

### **Significance After Mitigation**

The previous environmental documentation concludes that development under the Approved Entitlements would result in significant and unavoidable construction-related air quality impacts pertaining to total maximum daily construction emissions despite incorporation of mitigation measures. Mitigation Measures MM-AQ-1 through MM-AQ-9 would be required for the proposed project. Mitigation Measures MM-AQ-8 and MM-AQ-9 would be sufficient to achieve the requisite emission reductions to reduce emissions below the level of significance. In comparison to existing conditions, impacts would be less than significant. In addition, in comparison to Approved Entitlements, the impacts of the proposed project would be less than the significant and less than the unavoidable impacts identified for the Existing Specific Plans in previous environmental documentation.

Mitigation Measure MM-AQ-8, which requires the use of tandem trucks with a minimum capacity of 28 cubic yards, would reduce the total number of trips required for soil export to 39,288 one-way haul truck trips (or 19,644 round trips [550,000 cubic yards of soil / 28 cubic yard capacity]). As shown in Table 4.1-11, implementation of Mitigation Measure MM-AQ-8 by itself cannot achieve the requisite NO<sub>x</sub> reduction of approximately 69 pounds per day. Therefore, implementation of Mitigation Measure MM-AQ-9 would also be required to achieve the requisite NO<sub>x</sub> reduction. As shown in Table 4.1-11, implementation of MM-AQ-9 in tandem with MM-AQ-8 would reduce NO<sub>x</sub> emissions below the SCAQMD regional threshold of 100 pounds per day. Therefore, regardless of whether compared to existing conditions or Approved Entitlements, implementation of Mitigation Measures MM-AQ-1 through MM-AQ-9 would reduce impacts to a less than significant level.

---

<sup>24</sup> Equivalent to Mitigation Measure MM AQ-15 from the Beverly Hilton Specific Plan 2008 EIR.

**Table 4.1-11 Estimated Mitigated Maximum Daily Construction Emissions (pounds per day) – Proposed Project Compared to Existing Conditions**

Mitigation Measure	VOC	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
<b>Proposed Project</b>						
Emissions with MM-AQ-8 Implemented	18	106	160	< 1	22	7
Emissions with MM-AQ-8 plus MM-AQ-9 Implemented	21	69	138	1	22	7
SCAQMD Regional Thresholds	75	100	550	150	150	55
<b>Threshold Exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

VOC = volatile organic compounds; NO<sub>x</sub> = nitrogen oxides; CO = carbon monoxide; SO<sub>2</sub> = sulfur dioxide; PM<sub>10</sub> = particulate matter measuring 10 microns or less in diameter; PM<sub>2.5</sub> = particulate matter measuring 2.5 microns or less in diameter; SCAQMD = South Coast Air Quality Management District; CalEEMod = California Emissions Estimator Model

Notes: All numbers have been rounded to the nearest integer. Emissions presented are the highest of the winter and summer modeled emissions.

Source: See Appendix B for CalEEMod calculations and assumptions.

Mitigation Measures MM-AQ-8 and MM-AQ-9 are more stringent than the mitigation measures included in the previous environmental documentation. Therefore, Mitigation Measures MM-AQ-8 and MM-AQ-9 are able to adequately mitigate the proposed project's construction-related air quality impact below the level of significance whereas the mitigation measures included in the previous environmental documentation were unable to do so and this impact was previously identified as significant and unavoidable. As such, the proposed project would not result in a new or more severe impact that was not identified in previous environmental documentation.

<b>Threshold 2:</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?
<b>Threshold 3:</b>	Would the project expose sensitive receptors to substantial pollutant concentrations?

**Impact AQ-3** THE PROPOSED PROJECT WOULD GENERATE TEMPORARY LOCALIZED EMISSIONS OF CRITERIA AIR POLLUTANTS DURING CONSTRUCTION. ALTHOUGH THE BEVERLY HILTON SPECIFIC PLAN 2008 EIR CONCLUDES THAT THE BEVERLY HILTON SPECIFIC PLAN WOULD HAVE A SIGNIFICANT AND UNAVOIDABLE IMPACT ASSOCIATED WITH CONSTRUCTION-RELATED EMISSIONS OF  $PM_{10}$  AND  $PM_{2.5}$  IN EXCESS OF SCAQMD LSTs, UPDATED AIR POLLUTANT MODELING OF THE REMAINING BUILDOUT UNDER THE EXISTING SPECIFIC PLANS SHOWS THAT CONSTRUCTION ACTIVITIES WOULD NO LONGER EXCEED SCAQMD LSTs FOR MAXIMUM DAILY CONSTRUCTION EMISSIONS. SIMILARLY, CONSTRUCTION-RELATED EMISSIONS FROM THE PROPOSED PROJECT WOULD NOT EXCEED THE SCAQMD LSTs. THEREFORE, REGARDLESS OF WHETHER COMPARED TO EXISTING CONDITIONS OR APPROVED ENTITLEMENTS, LOCALIZED CONSTRUCTION AIR QUALITY IMPACTS UNDER THE PROPOSED PROJECT WOULD BE LESS THAN SIGNIFICANT AND IMPACTS WOULD BE LESS THAN WHAT WAS IDENTIFIED IN THE PREVIOUS ENVIRONMENTAL DOCUMENTATION.

LSTs only apply to those emissions generated by on-site construction activities, such as emissions from on-site grading, and do not apply to off-site mobile emissions. The LSTs for sensitive receptors at 82 feet from the project site were conservatively used to evaluate impacts to the closest receptors, which are El Rodeo School located approximately 95 feet to the north.

### Existing Conditions

Table 4.1-12 shows the estimated unmitigated maximum daily on-site emissions for each year of construction for the Approved Entitlements and the proposed project, as well as the net change in emissions. As shown therein, maximum on-site daily emissions associated with the proposed project would not exceed SCAQMD LSTs. Therefore, as compared to existing conditions, maximum daily on-site criteria air pollutant emissions associated with project construction would not 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 and would not expose sensitive receptors to substantial pollutant concentrations. Impacts would be less than significant.

**Table 4.1-12 Estimated Maximum Unmitigated On-site Daily Construction Emissions (LSTs) (pounds per day) – Proposed Project Compared to Existing Conditions**

Year	VOC	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
2021	1	5	41	< 1	4	2
2022	2	9	94	< 1	5	2
2023	12	2	33	< 1	< 1	< 1
2024	12	2	33	< 1	< 1	< 1
2025	13	5	65	< 1	< 1	< 1
2026	12	< 1	< 1	< 1	< 1	< 1
<b>Maximum On-site Emissions</b>	<b>13</b>	<b>9</b>	<b>94</b>	<b>&lt; 1</b>	<b>5</b>	<b>2</b>
SCAQMD Localized Significance Thresholds (LSTs) <sup>1</sup>	n/a	221	1,531	n/a	13	6
<b>Threshold Exceeded?</b>	<b>n/a</b>	<b>No</b>	<b>No</b>	<b>n/a</b>	<b>No</b>	<b>No</b>

<sup>1</sup> LSTs are for an active five-acre construction site in SRA 2 within a distance of 82 feet from the project site boundary.

Notes: All numbers have been rounded to the nearest integer. Emissions presented are the highest of the winter and summer modeled emissions.

VOC = volatile organic compounds; NO<sub>x</sub> = nitrogen oxides; CO = carbon monoxide; SO<sub>2</sub> = sulfur dioxide; PM<sub>10</sub> = particulate matter measuring 10 microns or less in diameter; PM<sub>2.5</sub> = particulate matter measuring 2.5 microns or less in diameter; SCAQMD = South Coast Air Quality Management District; CalEEMod = California Emissions Estimator Model

Source: See Appendix B for CalEEMod calculations and assumptions

## Approved Entitlements

The Beverly Hilton Specific Plan 2008 EIR concludes that the Beverly Hilton Specific Plan would result in significant and unavoidable construction-related air quality impacts pertaining to maximum daily on-site emissions because maximum daily PM<sub>2.5</sub> and PM<sub>10</sub> emissions would exceed the SCAQMD LSTs. Therefore, the Beverly Hilton Specific Plan 2008 EIR required mitigation measures to reduce maximum daily on-site construction emissions. However, these mitigation measures were not taken into account for the analysis and comparison of air quality impacts. The 9900 Wilshire Specific Plan 2016 SEIR concludes that the 9900 Wilshire Specific Plan would have a less than significant construction-related air quality impact pertaining to maximum daily on-site emissions, and no mitigation was required.

Maximum daily on-site construction emissions generated by remaining buildout of the Approved Entitlements were modeled independently and compared to the SCAQMD LSTs. Table 4.1-13 shows the estimated unmitigated maximum daily on-site emissions for each year of construction for the Approved Entitlements as well as the net change in emissions as compared to the proposed project. As shown therein, updated modeling of the Approved Entitlements demonstrates that maximum daily on-site emissions associated with construction of the Approved Entitlements would not exceed the SCAQMD LSTs. The proposed project would generate greater maximum daily on-site emissions of PM<sub>10</sub> and PM<sub>2.5</sub> and fewer maximum daily on-site emissions of VOC than the Approved Entitlements because the proposed project would require more demolition activities but would include overall less building square footage, primarily due to the reduction in parking spaces, which would result in a reduction in the associated off-gassing of architectural coatings as compared to the Approved Entitlements. Nevertheless, as shown in Table 4.1-12 above, maximum on-site daily emissions associated with the proposed project would not exceed SCAQMD LSTs. Therefore, maximum daily on-site criteria air pollutant emissions associated with project construction would

not 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 and would not expose sensitive receptors to substantial pollutant concentrations. Similar to the buildout scenario under the Approved Entitlements, impacts would be less than significant. As such, the proposed project would not result in a new or more severe impact that was not identified in previous environmental documentation.

**Table 4.1-13 Estimated Maximum Unmitigated On-site Daily Construction Emissions (LSTs) (pounds per day) – Proposed Project Compared to Approved Entitlements**

Year	VOC	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
<b>Approved Entitlements<sup>1</sup></b>						
2021	1	5	41	< 1	3	2
2022	2	9	94	< 1	4	2
2023	12	2	33	< 1	< 1	< 1
2024	12	2	33	< 1	< 1	< 1
2025	13	5	65	< 1	< 1	< 1
2026	12	< 1	< 1	< 1	< 1	< 1
<b>Maximum On-site Emissions (pounds per day)</b>	<b>13</b>	<b>9</b>	<b>94</b>	<b>&lt; 1</b>	<b>4</b>	<b>2</b>
SCAQMD Localized Significance Thresholds (LSTs) <sup>2</sup>	n/a	221	1,531	n/a	13	6
<b>Threshold Exceeded?</b>	<b>n/a</b>	<b>No</b>	<b>No</b>	<b>n/a</b>	<b>No</b>	<b>No</b>
<b>Net Change in Emissions (Proposed Project – Approved Entitlements)<sup>4</sup></b>						
Difference in Maximum On-site Emissions	- < 1	- < 1	< 1	< 1	1 <sup>3</sup>	< 1 <sup>3</sup>

<sup>1</sup> Includes remaining buildout under the Approved Entitlements.

<sup>2</sup> LSTs are for an active five-acre construction site in SRA 2 within a distance of 82 feet from the project site boundary.

Notes: All numbers have been rounded to the nearest integer. Emissions presented are the highest of the winter and summer modeled emissions.

<sup>3</sup> Although total maximum daily PM<sub>10</sub> and PM<sub>2.5</sub> emissions (shown in Table 4.1-10) associated with the proposed project are less than those associated with the Approved Entitlements due to less soil export, maximum daily on-site PM<sub>10</sub> and PM<sub>2.5</sub> emissions are higher for the proposed project because it includes more demolition and associated on-site fugitive dust emissions than the Approved Entitlements.

<sup>4</sup> See Table 4.1-12 for a summary of the proposed project's emissions.

VOC = volatile organic compounds; NO<sub>x</sub> = nitrogen oxides; CO = carbon monoxide; SO<sub>2</sub> = sulfur dioxide; PM<sub>10</sub> = particulate matter measuring 10 microns or less in diameter; PM<sub>2.5</sub> = particulate matter measuring 2.5 microns or less in diameter; SCAQMD = South Coast Air Quality Management District; CalEEMod = California Emissions Estimator Model

Source: See Appendix B for CalEEMod calculations and assumptions



## Mitigation Measures

Mitigation would not be required because the proposed project's impact would be less than significant.

## Significance After Mitigation

Regardless of whether compared to existing conditions or Approved Entitlements, the proposed project's construction emissions impact relative to LSTs would be less than significant without mitigation.

<b>Threshold 2:</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?
<b>Threshold 3:</b>	Would the project expose sensitive receptors to substantial pollutant concentrations?

**Impact AQ-4** THE PROPOSED PROJECT WOULD GENERATE LONG-TERM EMISSIONS OF CRITERIA AIR POLLUTANTS DURING OPERATION. ALTHOUGH THE PROPOSED PROJECT WOULD RESULT IN A NET INCREASE OF AIR POLLUTANT EMISSIONS AS COMPARED TO THE APPROVED ENTITLEMENTS AND EXISTING USES TO BE DEMOLISHED, EMISSIONS WOULD NOT EXCEED SCAQMD RECOMMENDED THRESHOLDS. THEREFORE, REGARDLESS OF WHETHER COMPARED TO EXISTING CONDITIONS OR APPROVED ENTITLEMENTS, OPERATIONAL AIR QUALITY IMPACTS RELATED TO CRITERIA AIR POLLUTANT EMISSIONS UNDER THE PROPOSED PROJECT WOULD REMAIN LESS THAN SIGNIFICANT.

---

Long-term operational criteria air pollutant emissions include mobile source emissions (i.e., vehicle emissions), energy emissions, and area source emissions. Mobile source emissions consist of emissions generated by resident, hotel guest, employee, and patron trips to and from the project site. Emissions attributed to energy use include emissions from natural gas consumption for space and water heating and cooking. Area source emissions are generated by landscape maintenance equipment, consumer products, and architectural coatings.

## Existing Conditions

Table 4.1-14 summarizes net new operational emissions generated by the proposed project by emission source as compared to emissions generated by existing uses to be demolished under the proposed project. Net new operational emissions also conservatively include emissions generated by construction activities during the last six months of construction, which may overlap with the first six months of project operation. As shown therein, the proposed project would generate greater emissions of VOC, NOX, CO, SO2, PM10, and PM2.5 than existing uses to be demolished. Although total emissions generated by the proposed project would exceed the SCAQMD threshold for NOX emissions during overlapping construction and operational activities, combined net new construction and operational emissions associated with the proposed project would be below the SCAQMD thresholds. Furthermore, after construction activities cease, the project's total operational emissions as well as its net new operational emissions would be below the SCAQMD thresholds. Therefore, impacts would be less than significant.

**Table 4.1-14 Estimated Maximum Daily Operational Emissions (pounds per day) – Proposed Project Compared to Existing Conditions**

Source	VOC	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
<b>Existing Uses to Be Demolished<sup>1</sup></b>						
Area Emissions	8	< 1	< 1	< 1	< 1	< 1
Energy Emissions	< 1	2	2	< 1	< 1	< 1
Mobile Emissions	5	22	45	< 1	17	5
<b>Total Emissions</b>	<b>13</b>	<b>25</b>	<b>47</b>	<b>&lt; 1</b>	<b>17</b>	<b>5</b>
<b>Proposed Project</b>						
Construction Emissions (2025) <sup>2</sup>	18	28	104	< 1	12	4
Area Emissions	31	6	33	< 1	1	1
Energy Emissions	< 1	4	3	< 1	< 1	< 1
Mobile Emissions	6	27	57	< 1	22	6
<b>Total Emissions During Overlap of Construction and Operation</b>	<b>55</b>	<b>65</b>	<b>197</b>	<b>&lt; 1</b>	<b>35</b>	<b>11</b>
<b>Total Emissions During Operation Only</b>	<b>37</b>	<b>37</b>	<b>93</b>	<b>&lt; 1</b>	<b>23</b>	<b>7</b>
<b>Change in Net Emissions</b>						
Net Change in Emissions During Overlap of Construction and Operation (Proposed Project – Existing)	42	40	150	< 1	18	6
Net Change in Emissions During Operation Only (Proposed Project – Existing)	24	12	46	< 1	6	2
SCAQMD Threshold	55	55	550	150	150	55
<b>Threshold Exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

<sup>1</sup> Includes 217 hotel rooms, 17,315 sf of meeting room space, 1,239 parking spaces, a swimming pool, 2,556 sf of mercantile retail, 2,610 sf of hotel restaurant, a 14-pump gas station and convenience store, and one acre of landscaping.

<sup>2</sup> As shown in Table 4.1-10, maximum daily construction emissions during the last six months of construction activities (August 2025 to January 2026) would be the highest in 2025; therefore, emissions from this year are conservatively used herein to estimate reasonable, worst-case emissions during overlapping construction and operational phases.

VOC = volatile organic compounds; NO<sub>x</sub> = nitrogen oxides; CO = carbon monoxide; PM<sub>10</sub> = particulate matter measuring 10 microns or less in diameter; PM<sub>2.5</sub> = particulate matter measuring 2.5 microns or less in diameter; SCAQMD = South Coast Air Quality Management District; CalEEMod = California Emissions Estimator Model

Notes: All numbers have been rounded to the nearest integer. Emissions presented are the highest of the winter and summer modeled emissions.

Source: See Appendix B for CalEEMod calculations and assumptions.

## **Approved Entitlements**

The previous environmental documentation concludes that development under the Existing Specific Plans would result in less than significant operational air quality impacts related to criteria air pollutants because emissions would not exceed the SCAQMD recommended thresholds for operational emissions. Table 4.1-15 summarizes net new operational emissions generated by remaining buildout of the Approved Entitlements by emission source, taking into account emissions generated by existing uses that would be demolished, and presents the net change in emissions as compared to the proposed project. Net new operational emissions also conservatively include emissions generated by construction activities during the last six months of construction, which may overlap with the first six months of project operation. Updated modeling of the Approved Entitlements confirms that net new operational emissions associated with the Approved Entitlements would not exceed the SCAQMD daily emissions thresholds. Operation of the proposed project would generate greater net new VOC, NO<sub>x</sub>, carbon monoxide, and sulfur dioxide emissions and fewer PM<sub>10</sub> and PM<sub>2.5</sub> emissions as compared to remaining development under the Approved Entitlements. The reduction in PM<sub>10</sub> and PM<sub>2.5</sub> emissions is because the proposed project would generate fewer vehicle trips than the Approved Entitlements (see Transportation Impact Report in Appendix G). Regardless of these differences, as stated earlier and shown in Table 4.1-14 above, although total emissions generated by the proposed project would exceed the SCAQMD threshold for NO<sub>x</sub> emissions during overlapping construction and operational activities, combined net new construction and operational emissions associated with the proposed project would be below the SCAQMD thresholds. Furthermore, as shown in Table 4.1-14 above, after construction activities cease, the project's total operational emissions as well as its net new operational emissions would be below the SCAQMD thresholds. Therefore, operational criteria air pollutant emissions associated with the proposed project would not 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 and would not expose sensitive receptors to substantial pollutant concentrations. Similar to the Approved Entitlements, impacts would be less than significant. As such, the proposed project would not result in a new or more severe impact that was not identified in previous environmental documentation.

**Table 4.1-15 Estimated Maximum Daily Operational Emissions (pounds per day) – Proposed Project Compared to Approved Entitlements**

Source	VOC	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
<b>Approved Entitlements<sup>1</sup></b>						
Construction Emissions (2025) <sup>2</sup>	18	29	104	< 1	12	4
Area Emissions	30	5	27	< 1	1	1
Energy Emissions	< 1	3	3	< 1	< 1	< 1
Mobile Emissions	3	15	34	< 1	14	4
<b>Total Emissions During Overlap of Construction and Operation</b>	<b>51</b>	<b>52</b>	<b>168</b>	<b>&lt; 1</b>	<b>27</b>	<b>9</b>
<b>Total Emissions During Operation Only</b>	<b>33</b>	<b>23</b>	<b>64</b>	<b>&lt; 1</b>	<b>15</b>	<b>5</b>
Existing Emissions from Uses to Be Demolished <sup>3</sup>	10	12	22	< 1	7	2
Net Change in Emissions During Overlap of Construction and Operation (Approved Entitlements – Existing)	41	40	146	< 1	20	7
Net Change in Emissions During Operation Only (Approved Entitlements – Existing)	24	11	42	< 1	8	3
SCAQMD Threshold	55	55	550	150	150	55
<b>Threshold Exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
<b>Change in Net Emissions (Proposed Project – Approved Entitlements)<sup>4</sup></b>						
Difference in Maximum Daily Emissions During Overlap of Construction and Operation	1	< 1	4	< 1	-2	-1
Difference in Maximum Daily Emissions During Operation Only	< 1	1	4	< 1	-2	-1

<sup>1</sup> Includes remaining buildout under the Approved Entitlements.

<sup>2</sup> As shown in Table 4.1-10, maximum daily construction emissions during the last six months of construction activities (August 2025 to January 2026) would be the highest in 2025; therefore, emissions from this year are conservatively used herein to estimate reasonable, worst-case emissions during overlapping construction and operational phases.

<sup>3</sup> Includes 217 hotel rooms, 17,315 sf of meeting room space, 1,239 parking spaces, a swimming pool, 2,556 sf of mercantile retail, 2,610 sf of hotel restaurant, and one acre of landscaping.

<sup>4</sup> See Table 4.1-14 for a summary of the proposed project's emissions.

VOC = volatile organic compounds; NO<sub>x</sub> = nitrogen oxides; CO = carbon monoxide; PM<sub>10</sub> = particulate matter measuring 10 microns or less in diameter; PM<sub>2.5</sub> = particulate matter measuring 2.5 microns or less in diameter; SCAQMD = South Coast Air Quality Management District; CalEEMod = California Emissions Estimator Model

Notes: All numbers have been rounded to the nearest integer. Emissions presented are the highest of the winter and summer modeled emissions.

Source: See Appendix B for CalEEMod calculations and assumptions.

## **Mitigation Measures**

Mitigation would not be required because the proposed project's impact would be less than significant.

## **Significance After Mitigation**

Regardless of whether compared to existing conditions or Approved Entitlements, the proposed project's impact would be less than significant without mitigation.

**Impact AQ-5 THE PROPOSED PROJECT WOULD GENERATE LOCALIZED EMISSIONS OF CARBON MONOXIDE AND TACs. HOWEVER, THE PROPOSED PROJECT WOULD NOT EXPOSE SENSITIVE RECEPTORS TO SUBSTANTIAL CONCENTRATIONS OF THESE POLLUTANTS. REGARDLESS OF WHETHER COMPARED TO EXISTING CONDITIONS OR APPROVED ENTITLEMENTS, IMPACTS RELATED TO CARBON MONOXIDE HOTSPOTS AND TACs WOULD BE LESS THAN SIGNIFICANT.**

---

## **Carbon Monoxide Hotspots**

A carbon monoxide hotspot is a localized concentration of carbon monoxide that is above a carbon monoxide ambient air quality standard. Localized carbon monoxide hotspots can occur at intersections with heavy peak hour traffic. Specifically, hotspots can be created at intersections where traffic levels are sufficiently high such that the local carbon monoxide concentration exceeds the federal one-hour standard of 35.0 ppm or the federal and state eight-hour standard of 9.0 ppm (SCAQMD 2016).

### *Existing Conditions*

The entire SCAB is in conformance with state and federal carbon monoxide standards, and most air quality monitoring stations no longer report carbon monoxide levels. In 2019, the West Los Angeles - VA station (the closest monitoring station to the project site) detected an eight-hour maximum carbon monoxide concentration of 1.2 ppm, which is substantially below the state and federal standard of 9.0 ppm (USEPA 2020a). As shown in Table 4.1-9 and Table 4.1-12, maximum daily carbon monoxide emissions generated by project construction would be approximately 176 pounds, and maximum on-site emissions generated by project construction would be approximately 94 pounds, which would not exceed the SCAQMD's regional threshold (550 pounds per day) or LST (562 pounds per day), respectively, for carbon monoxide. Likewise, as shown in Table 4.1-14, operational emissions from area, energy, and mobile emissions sources combined would result a net increase in maximum daily carbon monoxide emissions of approximately 46 pounds as compared to existing conditions, which would not exceed SCAQMD's regional threshold (550 pounds per day). Both the SCAQMD's regional thresholds and LSTs are designed to be protective of public health. Based on the low background level of carbon monoxide in the project area, the project's compliance with City standards for construction scheduling and vehicle routing to avoid congested intersections during heavy peak hour traffic, ever-improving vehicle emissions standards for new cars in accordance with state and federal regulations, and the project's low level of construction-related and operational carbon monoxide emissions, the project would not create new carbon monoxide hotspots or contribute substantially to existing carbon monoxide hotspots during construction or operation. Therefore, the proposed project would not expose sensitive receptors to substantial carbon monoxide concentrations, and, as compared to existing conditions, localized air quality impacts related to carbon monoxide hotspots would be less than significant.

### *Approved Entitlements*

The previous environmental documentation concludes that the Existing Specific Plans would not expose sensitive receptors to substantial localized carbon monoxide concentrations and would therefore have less than significant impacts (City of Beverly Hills 2008a and 2016a). The proposed project would generate fewer vehicle trips and fewer associated CO emissions than development under the Approved Entitlements because it would include fewer hotel rooms and less restaurant space and would include demolition of the existing gas station and convenience store, all of which are high trip-generating land uses (see Transportation Impact Report in Appendix G). Therefore, similar to the Approved Entitlements, localized air quality impacts related to carbon monoxide hotspots would be less than significant.

## **Toxic Air Contaminants**

### *Existing Conditions*

#### **CONSTRUCTION**

The greatest potential for TAC emissions during construction would be from DPM emissions associated with heavy equipment operations. Generation of DPM from construction projects typically occurs in a single area for a short period. Construction of the proposed project would occur over approximately 50 months. The dose to which the receptors are exposed is the primary factor used to determine health risk. Dose is a function of the concentration of a substance or substances in the environment and the extent of exposure that person has with the substance. Dose is positively correlated with time, meaning that a longer exposure period would result in a higher exposure level for the Maximally Exposed Individual (i.e., the sensitive receptor exposed to the highest health risk from TAC emissions). The risks estimated for a Maximally Exposed Individual are higher if a fixed exposure occurs over a longer period of time. According to the California Office of Environmental Health Hazard Assessment and SCAQMD, health risk assessments, which determine the exposure of sensitive receptors to toxic emissions, should be based on a 70-year exposure period; however, such assessments should be limited to the period/duration of activities associated with the project. Thus, the duration of proposed construction activities (i.e., 50 months) is approximately six percent of the total exposure period used for health risk calculation. Current models and methodologies for conducting health risk assessments are associated with longer-term exposure periods of 9, 30, and 70 years, which do not correlate well with the temporary and highly variable nature of construction activities, resulting in difficulties in producing accurate estimates of health risk (Bay Area Air Quality Management District 2017). Additionally, SCAQMD CEQA guidance does not require preparation of a health risk assessment for short-term construction emissions. Therefore, this analysis qualitatively discusses potential health risks associated with construction-related emissions of TACs, focusing on construction activities most likely to generate substantial TAC emissions and the duration of such activities relative to established, longer-term health risk exposure periods.

Maximum PM<sub>10</sub> and PM<sub>2.5</sub> emissions would occur during demolition, site preparation, and grading activities. These activities would last for approximately 13 months. PM emissions would decrease for the remaining construction period because construction activities such as building construction, paving, and architectural coating would require less intensive construction equipment. While the maximum DPM emissions associated with demolition, site preparation, and grading activities would only occur for a portion of the overall construction period, these activities represent the maximum exposure condition for the total construction period. The duration of demolition, site preparation,

and grading activities would represent approximately two percent of the total exposure period for a 70-year health risk calculation. Furthermore, as shown in Table 4.1-12, the project's maximum daily on-site emissions of PM<sub>2.5</sub> (of which DPM is a subset) would not exceed the SCAQMD LST and would only be 0.3 pounds per day more than PM<sub>2.5</sub> emissions estimated for construction of remaining development under the Approved Entitlements. The LSTs are designed to be protective of public health and are the only thresholds recommended by SCAQMD for evaluating localized short-term, construction-related emissions. As such, DPM generated by project construction would not create conditions where the probability is greater than 10 in one million of contracting cancer for the Maximally Exposed Individual or generate ground-level concentrations of non-carcinogenic TACs that exceed a Hazard Index greater than 1.0 for the Maximally Exposed Individual. Therefore, project construction activities would not expose sensitive receptors to substantial TAC concentrations, and impacts would be less than significant.

## **OPERATION**

CARB's *Air Quality and Land Use Handbook: A Community Health Perspective* (2005) provides recommendations regarding the siting of new sensitive land uses near potential sources of TAC emissions (e.g., freeways, distribution centers, rail yards, ports, refineries, chrome plating facilities, dry cleaners, and gasoline dispensing facilities). SCAQMD adopted similar recommendations in its *Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning* (2005). Together, CARB and SCAQMD guidelines recommend siting distances both for the development of sensitive land uses in proximity to TAC sources and for the addition of new TAC sources in proximity to existing sensitive land uses. The primary sources of potential air toxics associated with project operations include DPM from delivery trucks for the proposed hotel, restaurant, and retail uses (e.g., truck traffic on local streets and idling on adjacent streets). However, these activities, and the land uses associated with the project, are not land uses that generate substantial TAC emissions based on review of the air toxic sources listed in SCAQMD's and CARB's guidelines. Furthermore, it is expected that quantities of hazardous TACs generated on-site (e.g., cleaning solvents, paints, landscape pesticides, etc.) for the types of proposed land uses would be below thresholds warranting further study under the California Accidental Release Program. Because the proposed project would not include substantial TAC sources and is consistent with CARB and SCAQMD guidelines, it would not result in the exposure of off-site sensitive receptors to significant amounts of carcinogenic or toxic air contaminants. Therefore, project operation would not expose sensitive receptors to substantial TAC concentrations, and impacts would be less than significant.

### *Approved Entitlements*

Previous environmental documentation concludes that the Existing Specific Plans would not expose sensitive receptors to substantial TAC concentrations and would therefore have less than significant impacts (City of Beverly Hills 2008a and 2016a). As discussed above, project construction and operation would not generate substantial quantities of TAC emissions. Therefore, similar to the Approved Entitlements, the proposed project would not expose sensitive receptors to substantial TAC concentrations, and impacts would be less than significant. As such, the proposed project would not result in a new or more severe impact that was not identified in previous environmental documentation.

## Mitigation Measures

Mitigation would not be required since the proposed project's impact would be less than significant.

## Significance After Mitigation

Regardless of whether compared to existing conditions or Approved Entitlements, the proposed project's impact would be less than significant without mitigation.

### 4.1.4 Cumulative Impacts

As stated under *Federal and State Regulations*, the Los Angeles County portion of the SCAB is designated nonattainment for the NAAQS for ozone, PM<sub>2.5</sub>, and lead and the CAAQS for ozone, PM<sub>10</sub>, and PM<sub>2.5</sub> (SCAQMD 2016 and CARB 2020d). Any growth within the Los Angeles metropolitan area would contribute to existing exceedances of ambient air quality standards. The SCAQMD's approach to determining cumulative air quality impacts for criteria air pollutants is to first determine whether the proposed project would result in a significant project-level impact to regional air quality based on the SCAQMD significance thresholds. If the project would not generate emissions exceeding the SCAQMD thresholds, the lead agency needs to consider the additive effects of related projects only if the proposed project is part of an ongoing regulatory program or is contemplated in a Program EIR, and the related projects are located within approximately one mile of the project site. If there are related projects in the vicinity (one-mile radius) of the project site that are part of an ongoing regulatory program or are contemplated in a Program EIR, the additive effect of the related projects should be considered.

Each related project listed in Section 3, *Environmental Setting*, would generate emissions during construction and operation. However, neither the proposed project nor any of the related projects are part of an ongoing regulatory program or are contemplated in a Program EIR. Therefore, as discussed in Appendix D of the SCAQMD's *White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution* (SCAQMD 2003), the SCAQMD recommends that project-specific air quality impacts be used to determine if a project's contribution to cumulative air quality impacts would be significant. As discussed above, the proposed project would be consistent with the SCAQMD 2016 AQMP and would not result in significant impacts to air quality during construction and operation with incorporation of Mitigation Measures MM-AQ-1 through MM-AQ-9. Although multiple construction projects, including the 9900-9908 South Santa Monica Boulevard project and the 140 South Lasky Drive project, could be occurring simultaneously in the project site vicinity, the proposed project would not combine with other projects to result in a significant cumulative air quality impact because maximum daily emissions generated by construction of the proposed project would not exceed SCAQMD thresholds after the incorporation of mitigation. Therefore, with mitigated incorporated, cumulative air quality impacts would be less than significant.

Previous environmental documentation concludes that the Existing Specific Plans' contribution to cumulative regional air quality impacts would be cumulatively considerable and significant and unavoidable due to significant and unavoidable maximum daily construction emissions of NO<sub>x</sub>. However, as discussed above, the proposed project would be consistent with the SCAQMD 2016 AQMP and would not result in significant impacts to air quality during construction and operation with incorporation of Mitigation Measures MM-AQ-1 through MM-AQ-9. Although multiple construction projects, including the 9900-9908 South Santa Monica Boulevard project and the 140 South Lasky Drive project, could be occurring simultaneously in the project site vicinity, the



proposed project would not combine with other projects causing related impacts to result in a significant cumulative air quality impact because maximum daily emissions generated by construction of the proposed project would not exceed SCAQMD thresholds after the incorporation of mitigation. Therefore, with mitigated incorporated, the cumulative air quality impacts of the proposed project would be less than significant, which would therefore be less than the cumulatively considerable and significant and unavoidable contribution identified for the Existing Specific Plans in previous environmental documentation.

## 4.2 Biological Resources

---

This section summarizes the regulatory setting, and existing environmental setting, and analyzes the potential biological resource impacts of the project during both construction and operational phases, respectively. Mitigation measures are proposed in an effort to reduce significant impacts, as needed. Rincon Consultants, Inc. (Rincon) conducted a field reconnaissance survey for the project in October 2020. In addition, LSA Associates, Inc. (LSA) conducted a Focused Bat Survey in October 2020, which was peer reviewed by Rincon (see Appendix C). This analysis builds on the results of the reconnaissance survey and Focused Bat Survey, and a review of the California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database (CNDDB) records.

### 4.2.1 Setting

#### **Environmental Setting**

The City of Beverly Hills is fully developed with urban uses and has little undisturbed native vegetation (City of Beverly Hills 2005a). The only relatively undisturbed areas within the City include those located near the foothills of the Santa Monica Mountains and the few open space areas located in the portion of the City north of Sunset Boulevard. The remaining open space within the City is located in public parks, which typically do not contain natural or native vegetation. The principal terrestrial vegetation in this highly urbanized setting consists of landscape vegetation and other cultivated species with some invasive, weedy, non-native plants in areas that are not maintained. Although unique plants can be found at destinations within the City such as the Virginia Robinson Estate and Gardens, Greystone Mansion and Park, and Beverly Gardens Park, these plant species are exotic and have been planted for display to visitors of these properties and do not occur naturally in the City.

As a result of the low levels of undisturbed native vegetation in the City, the diversity of terrestrial animal species is also very low (City of Beverly Hills 2005a). Due to their mobility and range of travel, avian species tend to be more abundant and conspicuous than other animals. Some migratory birds pass through the City while moving from wintering grounds in the south to breeding grounds in the north. The number of resident bird species in the City is low due to the lack of undisturbed habitat. Raptors have been observed atop taller buildings in the downtown Business Triangle and atop City Hall (City of Beverly Hills 2005a). Non-native mammals that may potentially occur in the City include the house mouse (*Mus musculus*), Norway rat (*Rattus norvegicus*), black rat (*Rattus rattus*), and domestic cats and dogs. Some native terrestrial mammal species may occur within the City, especially in those areas closest to the foothills of the Santa Monica Mountains. The native terrestrial mammal species that may occur within the City are among those mammals adaptable to human presence. These species include the California ground squirrel (*Spermophilus beecheyi*), coyote (*Canis latrans*), and raccoon (*Procyon lotor*). Generally, however, the numbers and kinds of mammals found within the City limits are low (City of Beverly Hills 2005a).

Due the highly urbanized nature of the City, the potential for overland wildlife movement through the majority of the City would be highly restricted (City of Beverly Hills 2005a). Although some local movement of wildlife would be expected to occur throughout the City, the nearby Santa Monica Mountains would be the primary wildlife movement areas.

### *Site Setting*

Rincon Biologist, Gayle Bufo, (the biologist) conducted a reconnaissance level field survey from 9:30 a.m. to 11:00 a.m. at the project site on October 13, 2020. Weather conditions at the time of the survey included clear skies with 0 percent cloud cover, temperatures ranging from 80 to 86 degrees Fahrenheit, and mild, 0 to 3 miles per hour winds. The biologist surveyed the entire project site plus a 300-foot buffer. No special-status species were observed. The entire project site has been previously disturbed and is surrounded by residential/urban developed roads, sidewalks, and buildings. The only vegetation on site are pine, eucalyptus and palm trees, along with non-native weed species and tobacco plant. Bird species were observed during the reconnaissance survey, and include northern mockingbird, common raven, American crow, song sparrow, black phoebe, Lesser goldfinch, California towhee, house finch, common yellowthroat, Say's phoebe.

### *Special-Status Species*

A target list of special-status plant and animal species that could potentially occur in the vicinity of the project site was developed based on a search of CDFW's California Natural Diversity Database (CNDDDB) records occurring within a one-mile radius of the project site. No special-status habitats or plants were identified in the vicinity of the project site. Three special-status species were identified. One species, Busck's gallmoth (*Carolella busckana*), is presumed to be extirpated and no longer existing within the area. Two species, Crotch bumble bee (*Bombus crotchii*) and hoary bat (*Lasiurus cinereus*) are presumed to exist within the area. None of the special-status animals with potential to occur were detected during the reconnaissance survey.

### *Bat Natural History*

Day roosts serve to protect bats from predators and the elements during the day while resting and/or rearing their young; in human-made structures, these roosts are usually in small cavities or crevices (LSA 2020; Appendix C). Bat species that commonly use anthropogenic structures for roosting include the Mexican free-tailed bat (*Tadarida brasiliensis*), big brown bat (*Eptesicus fuscus*), pallid bat (*Antrozous pallidus*), and Yuma myotis (*Myotis yumanensis*). Although bat roosts in structures can be relatively easy to identify, tree roots are more cryptic and require close examination. Some species of bats (e.g., western red bat [*Lasiurus blossevillei*] and hoary bat [*Lasiurus cinereus*]) day roost in the foliage of trees while other bat species (e.g., pallid bat and big brown bat) day roost in crevices or cavities found in mature trees and snags.

Some types of day roosts where bats are particularly vulnerable to disturbance include maternity colonies in which female bats congregate to give birth and raise young, and hibernacula, where bats congregate to enter a period of hibernation during the winter months. A night roost, on the other hand, refers to a structure or structural feature (natural or human-made) in which bats roost during the evening between foraging bouts (e.g., crevices, cavities, corners, and recessed open spaces that are sheltered from the wind). Night roosts are typically situated in or near a foraging area and play an important role in the energetics and social interaction of bats. Because bats have separate roosting and foraging habitat requirements, it is expected that some bats may use one area for foraging and another for roosting. While more extensive and direct impacts to bats occur through roost removal, destruction, or disturbance, indirect impacts such as decline of prey base due to loss or modification of foraging habitat can also be substantial. Therefore, when assessing an area with regard to proposed alterations to habitat, a landscape-level approach is required to adequately determine potential impacts to bats.

## **Regulatory Setting**

The following is a summary of the regulatory context under which biological resources are managed at the federal, state, and local level. Agencies with responsibility for protection of biological resources within the project site include:

- U.S. Fish and Wildlife Service (USFWS) (federally listed species, candidate and proposed species for federal listing, and migratory birds)
- California Department Fish and Wildlife (CDFW) (state listed and fully protected species, and other special status plants, wildlife and habitats)

A number of federal and/or State statutes provide a regulatory structure that guides the protection of biological resources. The City of Beverly Hills General Plan also specifically addresses biological resources. The following discussion provides a summary of those laws that are most relevant to the proposed project.

### *Federal*

#### **UNITED STATES FISH AND WILDLIFE SERVICE AND NATIONAL MARINE FISHERIES SERVICE**

The USFWS implements the Migratory Bird Treaty Act (16 United States Code [USC] Section 703-711) and the Bald and Golden Eagle Protection Act (16 USC Section 668). The USFWS and National Marine Fisheries Service (NMFS) share responsibility for implementing the Federal Endangered Species Act (FESA) (16 USC Section 153 et seq.). The USFWS generally implements the FESA for terrestrial and freshwater species. Projects that would result in “take” of any federally listed threatened or endangered species are required to obtain permits from the USFWS and/or NMFS through either Section 7 (interagency consultation with a federal nexus) or Section 10 (Habitat Conservation Plan) of FESA, depending on the involvement by the federal government in permitting and/or funding of the project. The permitting process is used to determine if a project would jeopardize the continued existence of a listed species and what measures would be required to avoid jeopardizing the species. “Take” under federal definition means to harass, harm (which includes habitat modification), pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. Proposed or candidate species do not have the full protection of FESA; however, the USFWS and NMFS advise project applicants that they could be elevated to listed status at any time.

### *State*

#### **CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE**

The CDFW derives its authority from the Fish and Game Code of California. The California Endangered Species Act (CESA) (Fish and Game Code Section 2050 et. seq.) prohibits take of state listed threatened, endangered or fully protected species. Take under CESA is restricted to direct mortality of a listed species and does not prohibit indirect harm by way of habitat modification. The CDFW also prohibits take for species designated as Fully Protected under Fish and Game Code.

California Fish and Game (CFG) Code Sections 3503, 3503.5, and 3511 describe unlawful take, possession, or destruction of birds, nests, and eggs. Fully protected birds (Section 3511) may not be taken or possessed except under specific permit. Section 3503.5 of the CFG Code protects all birds-of-prey and their eggs and nests against take, possession, or destruction of nests or eggs.

Species of Special Concern (SSC) is a category used by the CDFW for those species which are considered to be indicators of regional habitat changes or are considered to be potential future protected species. Species of Special Concern do not have any special legal status except that which may be afforded by the Fish and Game Code as noted above. The SSC category is intended by the CDFW for use as a management tool to include these species into special consideration when decisions are made concerning the development of natural lands.

Various regulations afford protections to bats, which are classified as indigenous nongame mammal species. These regulations include Title 14, Section 251.1 of the California Code of Regulations, which prohibits harassment (defined in that section as an intentional act that disrupts an animal's normal behavior patterns, including breeding, feeding, or sheltering) of nongame mammals (e.g., bats), and CFG Code Section 4150, which prohibits "take" or possession of all nongame mammals or parts thereof. Any activities resulting in bat mortality (e.g., the destruction of an occupied bat roost that results in the death of bats), disturbance that causes the loss of a maternity colony of bats (resulting in the death of young), or various modes of nonlethal pursuit or capture may be considered "take" as defined in Section 86 of the CFG Code.

The CDFW also has authority to administer the Native Plant Protection Act (NPPA) (Fish and Game Code Section 1900 et seq.). The NPPA requires the CDFW to establish criteria for determining if a species, subspecies, or variety of native plant is endangered or rare. Under Section 1913(c) of the NPPA, the owner of land where a rare or endangered native plant is growing is required to notify the department at least 10 days in advance of changing the land use to allow for salvage of plant.

Perennial and intermittent streams and associated riparian vegetation, when present, also fall under the jurisdiction of the CDFW. Section 1600 et seq. of the CFG Code (Lake and Streambed Alteration Agreements) gives the CDFW regulatory authority over work within the stream zone (which could extend to the 100-year flood plain) consisting of, but not limited to, the diversion or obstruction of the natural flow or changes in the channel, bed, or bank of any river, stream or lake.

### *Local*

The project site is located within the City of Beverly Hills, which oversees land use planning through implementation of the City's General Plan. Biological resources are specifically addressed in the General Plan Open Space Element, which contains the following policies specific to biological resources.

**Policy OS 1.1 Resource Preservation.** Preserve the City's biological diversity, remaining natural habitat and aesthetic character. Encourage new development on hillsides and in canyon areas to preserve natural land formations and native vegetation, and to set aside areas as greenbelts and wildlife corridors when feasible.

**Policy OS 2.1 Trees of Significance.** Require the retention of trees of significance (such as heritage trees) by promoting stewardship of such trees and ensuring that the design of development and reuse projects provide for the retention of these trees wherever possible. Where tree removal cannot be avoided, require replacements with an appropriate species.

**Policy OS 2.2 Manage and Enhance.** Continue to ensure that new construction incorporates trees where appropriate, and manages and cares for all publicly owned trees, works to retain healthy trees, and encourages planting appropriate species in appropriate locations. Maintain Tree City USA accreditation on an annual basis.

In addition, Beverly Hills Municipal Code Title 10, Chapter 3, Article 29, Regulation of Trees on Private Property, includes provisions regarding protected tree removal on portions of single-family residential properties, tree removal permits, and replacement requirements.

#### 4.2.2 Previous Environmental Review

The Beverly Hilton Specific Plan 2008 EIR and 9900 Wilshire Specific Plan 2016 SEIR (hereafter referred to collectively as “previous environmental documentation”) concluded the Existing Specific Plans would not have any significant impacts on biological resources (City of Beverly Hills 2008a and 2016).

#### 4.2.3 Impact Analysis

##### **Methodology and Thresholds of Significance**

The following are the thresholds for determining the significance of impacts related to biological resources and the proposed project’s impacts are assessed to determine whether the project would:

1. 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;
2. 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;
3. 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;
4. 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;
5. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance;
6. 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 analysis of biological resource impacts was based on review of applicable biological resource databases, plans and policies, as described in Section 4.2.1, *Setting*, above, as well as review of aerial photography such as Google Earth and the results of a reconnaissance level field survey. As described in Section 4.2.1, *Setting*, a Rincon Biologist surveyed the entire project site plus a 300-foot buffer on October 13, 2020. The biologist surveyed for both active and inactive bird nests using accepted industry standard methods and for potential bat roosts in nearby buildings/trees. The biologist made observations from the ground, surveying for existing nest structures, whitewash, birds exhibiting breeding/nesting behavior (i.e., courtship displays, copulation, vegetation or food carries, and territorial displays), and the presence of fledglings. Where nests or young were suspected, close physical inspection of the tree was conducted to confirm presence or absence of

nests or birds. Binoculars (8x35) were used to aid in the identification of birds and other wildlife. Inaccessible areas (i.e., fenced construction zones) were also surveyed with the aid of binoculars.

LSA conducted a Focused Bat Survey in October 2020 (Appendix C). As part of this effort, LSA conducted a daytime habitat assessment on the morning and afternoon of October 2, 2020 to locate potential bat roosting sites in trees or buildings within the project area. Suitable bat roosting habitat was identified in the Spanish tile roofs of the service station on the gas station site (9988 Wilshire Boulevard) during the habitat assessment. No other suitable roosting habitat was identified on any of the existing buildings. A passive acoustic nighttime monitoring survey was performed on the nights of October 2 and October 3, 2020 to ascertain whether any bat activity occurs near suitable roosting habitat within the site. After bats were recorded passing over or near the site, a separate nighttime acoustic and emergence survey was performed on October 9, 2020 to determine whether bats occupy the suitable roosting habitat by watching that area for emerging bats at dusk.

Impacts to biological resources could include the direct take of a species or the removal or disturbance of habitats from future development or more indirect delayed or secondary effects from future development, such as fragmentation, pollination interruption, plant and wildlife dispersal interruption, increased risk of fire, and increased invasion of non-native animals and plants that out-compete natives.

## **Project Impacts and Mitigation Measures**

**Threshold 1:** 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?

**Impact BIO-1 THE PROJECT COULD HAVE A SUBSTANTIAL ADVERSE EFFECT ON LOCALLY IMPORTANT WILDLIFE SPECIES THAT MAY OCCUR ON THE PROJECT SITE. REGARDLESS OF WHETHER COMPARED TO EXISTING CONDITIONS OR APPROVED ENTITLEMENTS, IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION.**

## **Existing Conditions**

As detailed above, a Rincon Biologist conducted a reconnaissance level survey of the entire project site plus a 300-foot buffer on October 13, 2020. During the survey the biologist did not observe any nests or nesting behavior. The large pine, eucalyptus, and palm trees located on the adjacent Los Angeles County Country Club near the edge of the site were determined to have high potential to support nesting birds and raptors. The building on the gas station site could also have potential for nesting birds, as well as roosting bats, although none were observed during the site visit. More suitable habitat for birds and roosting bats occurs within the Los Angeles Country Club South Course property, which is within the study area, but outside of the western side of the project site. No special status species were observed. The entire project site has been previously disturbed and is surrounded by residential/urban developed roads, sidewalks, and buildings. The only vegetation on site are the trees listed above, along with non-native weed species and tobacco plant.

While not observed during the survey, birds protected by the CFG Code and federal Migratory Bird Treaty Act (MBTA) may nest in adjacent properties and within the gas station site. Depending on the distance from construction activities, nesting bird species could be impacted by project construction noise. Therefore, when compared to existing conditions, impacts to locally important wildlife

species (nesting birds) would be significant and Mitigation Measure MM-BIO-1 would be required to reduce impacts to a less than significant level.

LSA conducted a Focused Bat Survey in October 2020 (Appendix C). Suitable day-roosting habitat for bats was identified in the Spanish tile roofs of the gas station and convenience store buildings located at the gas station site (9988 Wilshire Boulevard); however, no evidence of roosting was observed. The gas station and convenience store are bordered by the Los Angeles Country Club to the west and the 9900 Wilshire Boulevard site, which is also part of the project area, to the east. Although both of these areas could support insect prey and provide foraging habitat for bats, the 9900 Wilshire Boulevard site consists primarily of ruderal vegetation with patches of bare ground and is not expected to provide high-quality foraging habitat for bats. Suitable roosting habitat was not found in any of the other buildings or trees within the project area.

The architecture of the other structures within the project site lacked features that form crevices or cavities suitable for use by roosting bats, while the trees were generally maintained free of decaying branches or dead fronds that would provide bat roosting habitat. The row of trees that separates the Los Angeles Country Club and 9900 Wilshire Boulevard site is situated on private, golf course property and could not be completely assessed, but they did not appear to contain crevices or cavities. No suitable roosting habitat was found in any of the vegetation on the project site. Moreover, if bats are found to be roosting in the trees adjacent to the project site on the Los Angeles Country Club property during a pre-construction survey, no disturbance or “take” of those bats would occur because the project does not include cutting, trimming, or removal of those trees.

Bat activity was recorded on both of the acoustic detectors that were left on site on the evenings of October 2 and 3, 2020. Three bat species were detected at the detector deployed on the gas station site in the parking lot for the gas station buildings: Mexican free-tailed bat, canyon bat, and Yuma myotis. Although none of these species are designated by the CDFW as “Species of Special Concern (SSC),” Yuma myotis is considered a “Special Animal” by the CDFW, and all bat species in California are protected as nongame mammal species. At the detector deployed on 9900 Wilshire Boulevard site and near the back of the gas station site buildings, the same three bat species were detected. In addition, two echolocation call sequences potentially belonging to western red bat, a CDFW SSC, may also have been recorded at the detector deployed in the vacant lot; however, these sequences were fragmentary, of poor quality, and could not be conclusively identified as belonging to that species. Some of the echolocation calls on both acoustic detectors were recorded within 20 minutes of sunset. The proximity to sunset suggests that some of the recorded bats may be roosting nearby, but not on the project site. No immediately proximate roosting sites were observed during the daytime habitat survey.

During the nighttime emergence survey, bats were observed flying throughout the survey area. However, no bats were observed emerging from the Spanish tile roofs of the gas station buildings and none of the observed bats appeared to originate from anywhere within the site itself. Bat species acoustically detected during the nighttime emergence survey were canyon bats, Mexican free-tailed bats, and Yuma myotis. The individuals observed and/or acoustically detected during the nighttime emergence survey likely originated from a roost located somewhere in the area surrounding the project site.

No active bat roosting sites were found on the project site and there is no evidence of prior bat roosting. While no active bat roosting was identified on the project site during the focused surveys, suitable day-roosting habitat for bats is present in the Spanish tile roofs of the gas station and convenience store buildings located at the gas station site (9988 Wilshire Boulevard). Although no bats were seen emerging from these structures during the nighttime acoustic and emergence survey



performed on October 9, 2020, bats are highly mobile species, may change roosts seasonally, and can occupy suitable roosting habitat at any time. Potential direct impacts to bats within the project site include removal of roosting habitat and harassment or injury if they are foraging within the project area during construction. Bats are considered non-game mammals and are afforded protection by state law from take and/or harassment (CFG Code, Section 4150; California Code of Regulations Section 251.1). In addition, the nighttime acoustic and emergence survey was performed outside of the recognized bat maternity season (April 1–August 31). It was not possible to determine whether the Spanish tile roofs at the gas station buildings have been or will be used by maternity colonies. As such, when compared to existing conditions, impacts to locally important wildlife species (bats) would be significant and Mitigation Measure MM-BIO-2 would be required to reduce impacts to a less than significant level.

## **Approved Entitlements**

Previous environmental documentation concluded the Existing Specific Plans would not have any significant impacts on biological resources because the specific plan site and vicinity were developed, located within an urban setting, and void of any endangered, threatened, or special status species or their habitat (City of Beverly Hills 2008a and 2016). As discussed above, while not observed during the reconnaissance field survey, birds protected by the CFG Code and MBTA may nest in adjacent properties and within the gas station site. Depending on the distance from construction activities, nesting bird species could be impacted by project construction noise. In addition, while no active bat roosting was identified on the project site during Focused Bat Survey (see Appendix C), suitable day-roosting habitat for bats is present in the Spanish tile roofs of the gas station and convenience store buildings located at the gas station site (9988 Wilshire Boulevard). Potential direct impacts to bats within the project site include removal of roosting habitat and harassment or injury if they are foraging within the project area during construction. Therefore, in comparison to approved entitlements, impacts to locally important wildlife species (nesting birds and bats) would be significant and Mitigation Measures MM-BIO-1 and MM-BIO-2 would be required to reduce impacts to a less than significant level.

## **Mitigation Measure**

**MM-BIO-1** The project applicant/contractor should 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 should be initiated during the avian breeding and nesting season (February 1 – August 31).

If, however, construction activity is initiated during the avian breeding and nesting season (February 1 – August 31), 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.

If construction is inactive for over seven days during the least Bell's vireo nesting season (April 10 to July 31) a spot check shall be performed by a qualified biologist to ensure nests have not been established in the interim. If nests are found, the requirements detailed above shall be implemented.

**MM-BIO-2** If demolition is scheduled outside of the bat maternity season (April 1–August 31), a pre-construction clearance survey shall be conducted within two weeks prior to demolition of the gas station site buildings to determine whether bats are roosting. If bats are confirmed absent, the buildings may be removed. If bats are present, the building shall not be demolished until the steps described below are completed.

If bats are determined to be present during the pre-construction clearance survey, prior to demolition of the Spanish tile-roofed buildings, a qualified bat biologist shall install or directly supervise installation of humane eviction devices and exclusionary material to evict bats that are present and to prevent bats from roosting in the buildings. Implementation of the humane eviction/exclusions is typically performed in the fall (September or October) preceding construction activity at each structure to avoid impacts to hibernating bats during the winter months or during the maternity season (typically from April 1 through August 31 in Southern California), when flightless young are present. Humane evictions/exclusions cannot be performed during the bat maternity season because this would result in “take” of juvenile bats and should be avoided during the winter because bats are not consistently active and may be hibernating. Any humane eviction/exclusion devices must be installed at least 10 to 14 days prior to the demolition of a structure housing bats to allow sufficient time for the bats to vacate the roost(s).

If demolition is scheduled during the bat maternity season (April 1–August 31), a pre-construction clearance survey shall be conducted within two weeks of demolition of the gas station site buildings to determine whether maternity colonies use the gas station site buildings. If the pre-construction clearance survey determines maternity colonies use the gas station site buildings or their use of the buildings cannot be ruled out, replacement bat roosting habitat structures shall be installed on site. The design of these structures shall be developed in coordination with a bat biologist who has experience designing roosting habitat mitigation to ensure that appropriate crevice sizes and adequate thermal characteristics are included in the specifications. The aspect and location of the roost structures shall also be determined in coordination with a bat biologist.

## **Significance After Mitigation**

Regardless of whether compared to existing conditions or Approved Entitlements, implementation of Mitigation Measures MM-BIO-1 and MM-BIO-2 would reduce project impacts to locally important wildlife species (nesting birds and bats) to a less than significant level by providing pre-construction nesting bird and bat surveys and construction monitoring. As such, the proposed project would not

result in a new or more severe impact than that identified in previous environmental documentation.

- |                     |   |
|---------------------|---|
| <b>Threshold 2:</b> | 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? |
| <b>Threshold 3:</b> | 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?                               |

**Impact BIO-2**      **THERE ARE NO SENSITIVE HABITATS, RIPARIAN HABITATS, OR STATE OR FEDERALLY PROTECTED WETLANDS WITHIN OR ADJACENT TO THE PROJECT SITE. THEREFORE, REGARDLESS OF WHETHER THE PROJECT IS COMPARED TO EXISTING CONDITIONS OR APPROVED ENTITLEMENTS, NO IMPACTS WOULD RESULT.**

---

### **Existing Conditions**

The project site and vicinity are developed and located within an urban setting. A review of the USFWS's Wetlands Mapper indicates that no wetlands or riparian areas are present within or in the immediate proximity of the project site (2020). In addition, the entire project site has been previously disturbed and is surrounded by residential/urban developed roads, sidewalks, and buildings. Trees are the only vegetation on site, along with non-native weed species and tobacco plant. No sensitive habitats, riparian habitats, or potentially jurisdictional wetlands were documented within the project site during the field survey. Therefore, in comparison to existing conditions, there would be no impact.

### **Approved Entitlements**

For the reasons detailed above, the proposed project would have no impact to sensitive habitats, riparian habitats, or state or federally protected wetlands within or adjacent to the project site, similar to buildout of the Approved Entitlements.

### **Mitigation Measures**

No mitigation measures are required.

- |                     |   |
|---------------------|---|
| <b>Threshold 4:</b> | 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? |
|---------------------|---|

**Impact BIO-3**      **THE PROJECT WOULD NOT SUBSTANTIALLY INTERFERE WITH THE MOVEMENT OF RESIDENT OR MIGRATORY FISH OR WILDLIFE SPECIES OR WITH ESTABLISHED RESIDENT OR MIGRATORY WILDLIFE CORRIDORS ON THE PROJECT SITE. THE PROJECT SITE HAS THE POTENTIAL TO SUPPORT WILDLIFE NURSERY SITES (BIRD NESTS AND BAT MATERNITY COLONIES), REGARDLESS OF WHETHER COMPARED TO EXISTING CONDITIONS OR APPROVED ENTITLEMENTS, AND IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION.**

---

### **Existing Conditions**

The project site and vicinity are developed and located within an urban setting. The project site is bounded to the west by Los Angeles Country Club South Course, to the north by Wilshire Boulevard,

to the south by North Santa Monica Boulevard, and to the east by the intersection of these two major roadways (Wilshire Boulevard and North Santa Monica Boulevard). Wilshire Boulevard is a major east-west roadway that extends from the City of Santa Monica to downtown Los Angeles. Adjacent to the project site, Wilshire Boulevard has three travel lanes in each direction and is classified as a Principal Arterial. North Santa Monica Boulevard is also a major east-west roadway that is designated as a Principal Arterial with two to three travel lanes in each direction adjacent to the project site. The roadway is designated as a Principal Arterial in the City of Beverly Hills. There are no major wildlife movement corridors across the site. The proposed project does not involve any activities that would substantially interfere with the movements or migrations of fish or wildlife. As detailed under Impact BIO-1, when compared to existing conditions on the site, impacts to wildlife nursery sites (potential bird nests or bat maternity colonies) would be significant and Mitigation Measures MM-BIO-1 and MM-BIO-2 are required to reduce impacts to a less than significant level.

### **Approved Entitlements**

As detailed above, the project site and vicinity are developed and located within an urban setting and the proposed project does not involve any activities that would substantially interfere with the movements or migrations of fish or wildlife. However, as detailed under Impact BIO-1, when compared to building of the Approved Entitlements, impacts to wildlife nursery sites (potential bird nests or bat maternity colonies) would be significant and Mitigation Measures MM-BIO-1 and MM-BIO-2 are required to reduce impacts to a less than significant level.

### **Mitigation Measures**

Mitigation Measures MM-BIO-1 and MM-BIO-2, as detailed under Impact BIO-1, would be required to address impacts to wildlife nursery sites.

### **Significance After Mitigation**

Regardless of whether compared to existing conditions or Approved Entitlements, implementation of Mitigation Measures MM-BIO-1 and MM-BIO-2 would reduce project impacts to wildlife nursery sites (potential bird nests or bat maternity colonies) to a less than significant level by providing pre-construction nesting bird and bat surveys and construction monitoring. As such, the proposed project would not result in a new or more severe impact than that identified in previous environmental documentation.

**Threshold 5:** Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

**Impact BIO-4** THE PROJECT WOULD NOT CONFLICT WITH ANY LOCAL POLICIES OR ORDINANCES PROTECTING BIOLOGICAL RESOURCES, SUCH AS A TREE PRESERVATION POLICY OR ORDINANCE. THEREFORE, REGARDLESS OF WHETHER THE PROJECT IS COMPARED TO EXISTING CONDITIONS OR APPROVED ENTITLEMENTS, NO IMPACTS WOULD RESULT.

---

### **Existing Conditions**

The City of Beverly Hills oversees land use planning through implementation of the City's General Plan. Biological resources are specifically addressed in the General Plan Open Space Element. Policy OS 2.1 requires the retention of trees of significance (such as heritage trees) where possible, and replacement with an appropriate tree species, when retention of trees is not possible. In addition,

Beverly Hills Municipal Code Title 10, Chapter 3, Article 29, Regulation of Trees on Private Property, includes provisions regarding protected tree removal on single-family residential properties, tree removal permits, and replacement requirements; Because the project site is not a single-family residential property, the provisions of this ordinance do not apply to the project. The project site and vicinity are developed or highly disturbed due to construction, located within an urban setting, and no heritage trees were observed during the field reconnaissance survey. Moreover, the proposed project would include approximately 13.4 acres of open space, which would include tree planting. No heritage trees would be removed as a result of the project and the project would not conflict with the policies related to the protection of biological resources when compared to existing conditions.

### **Approved Entitlements**

For the reasons detailed above, the proposed project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, similar to buildout of the Approved Entitlements.

### **Mitigation Measures**

No mitigation measures are required.

**Threshold 6:** 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?

**Impact BIO-5 THE PROJECT WOULD NOT CONFLICT WITH THE PROVISIONS OF AN ADOPTED HABITAT CONSERVATION PLAN, NATURAL CONSERVATION COMMUNITY PLAN, OR OTHER APPROVED LOCAL, REGIONAL, OR STATE HABITAT CONSERVATION PLAN. THEREFORE, REGARDLESS OF WHETHER THE PROJECT IS COMPARED TO EXISTING CONDITIONS OR APPROVED ENTITLEMENTS, NO IMPACTS WOULD RESULT.**

---

### **Existing Conditions**

The project 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). Therefore, the project would conflict with any such provisions. No impact would occur regardless of whether compared to existing conditions or Approved Entitlements.

### **Approved Entitlements**

For the reasons detailed above, the proposed project would not conflict with the provisions of an adopted habitat conservation plan, natural conservation community plan, or other approved local, regional, or state habitat conservation plan, similar to buildout of the Approved Entitlements.

### **Mitigation Measures**

No mitigation measures are required.

#### 4.2.4 Cumulative Impacts

There are 42 planned and pending projects in the cities of Beverly Hills, West Hollywood, and Los Angeles within the vicinity of the project site. These developments include multi-family dwelling units, hotels, office, a museum, and commercial/retail development (refer to Table 3-1 in Section 3, *Environmental Setting*). Two pending projects would be in the immediate vicinity of the project site (9900-9908 South Santa Monica Boulevard and 140 S. Lasky Drive). The 9900-9908 South Santa Monica Boulevard project, located approximately 300 feet southwest of the project site across North Santa Monica Boulevard, would develop a mixed-use multi-family residential and commercial project on a currently vacant lot that was previously disturbed. The 140 S. Lasky Drive project site is a built-out property, located approximately 580 feet southwest of the proposed project, that involves the replacement of an existing three-story hotel with a four-story hotel including belowground parking and a restaurant. The cumulative analysis considers the potential contribution of buildout of the project site in combination with other approved and proposed development to: fragmentation of open space in the project site's vicinity; the loss of sensitive habitats and species; and urban expansion into natural areas.

The project site area and surrounding areas are already developed or actively maintained in a non-native state (e.g., the Los Angeles Country Club), and are of low quality for biological resources. Moreover, there is no habitat on the site, which has been disturbed. Vegetation, including trees, located throughout the City could potentially support migratory birds. As discussed previously, the CFG Code and MBTA protect migratory avian species, including sensitive species, when they are nesting. Compliance with the CFG Code and MBTA throughout the City would ensure that cumulative impacts to migratory birds would not be significant. In compliance with these regulations, the project would be required to implement Mitigation Measure MM-BIO-1, which requires pre-construction nesting bird surveys and avoidance measures, which would ensure the project would not result in cumulatively considerable impacts related to bird nest disturbance. In addition, bats are considered non-game mammals and are afforded protection by state law from take and/or harassment (CFG Code, Section 4150; California Code of Regulations Section 251.1). Compliance with these regulations throughout the City would ensure that cumulative impacts to bats would not be significant. In compliance with these regulations, the project would be required to implement Mitigation Measure MM-BIO-2 which requires pre-construction surveys and avoidance measures for bats. Cumulative impacts to biological resources would be less than significant regardless of whether compared to existing conditions or Approved Entitlements.

#### **Mitigation Measures**

Mitigation Measures MM-BIO-1 and MM-BIO-2, as detailed under Impact BIO-1, would be required to address project impacts to biological resources.

*This page intentionally left blank.*

## 4.3 Cultural Resources

---

This section discusses the regulatory and existing environmental setting, and analyzes the potential for the proposed project to cause significant impacts to cultural resources. Mitigation measures are proposed in an effort to reduce significant impacts, as needed. The analysis in this section is based on the One Beverly Hills Overlay Specific Plan Cultural Resources Technical Report (hereinafter referred to as “Cultural Resources Technical Report”) included in Appendix D. The Cultural Resources Technical Report documents the results of a cultural resource records search, field survey of the project area, historical background review, and Native American outreach for the proposed project. Refer to Section 4.10, *Tribal Cultural Resources*, for additional information on the proposed project’s impacts regarding tribal cultural resources.

### 4.3.1 Setting

#### Prehistory

The project site is located within the City of Beverly Hills. The prehistoric chronological sequence that is applicable to near-coastal and many inland areas within southern California is generally divided into four periods: Early Man, Milling Stone, Intermediate, and Late Prehistoric. The Early Man - Horizon I period (ca. 10,000 to 6000 BCE) is represented by numerous pre-8,000 B.C. sites identified along the mainland coast and Channel Islands (Erlandson 1991; Johnson et. al. 2002; Moratto 1984; Rick et. al. 2001). Early Man - Horizon I sites are generally associated with a greater emphasis on hunting than in later periods, though recent data indicates that the economy was a diverse mixture of hunting and gathering, including a significant focus on aquatic resources (Wallace 1978; Jones et. al. 2002; Moratto 1984). The Milling Stone – Horizon II period (ca. 6,000 to 3,000 BCE) is characterized by subsistence strategies centered on collecting plant foods and small animals, including an apparent importance of seed processing suggested by the appearance and abundance of stone grinding implements, namely milling stones and hand stones (Kowta 1969; Byrd and Raab 2007). The Intermediate – Horizon III period (ca. 3,000 BCE to CE 500) is characterized by a shift toward a hunting and maritime subsistence strategy, along with a wider use of plant foods. A pronounced trend occurred toward greater adaptation to regional or local resources including an increased variety and abundance of fish, land mammals, and sea mammals along the coast (Warren 1968; Rogers, D. 1929; Moriarty 1966; Rogers, M. 1939, 1945). Tool kits for hunting, fishing, and processing food and other resources reflect this increased diversity, with larger knives, flake scrapers, shell fishhooks, drill-like implements, and various projectile points being more common than in the preceding period. Mortars and pestles also became more common, indicating an increasing reliance on acorns (Koerper and Drover 1983; Glassow et. al. 1988; True 1993; Glassow 1997). The Late Prehistoric – Horizon IV period (ca. CE 500 to Historic Contact) experienced further increase in the diversity of resource procurement demonstrated by more classes of artifacts, including finely-sharpened projectile points associated with usage of the bow and arrow. Other items include steatite cooking vessels and containers, a variety of bone tools, and personal ornaments made from shell, bone, and stone. This period experienced an increase in population size accompanied by the advent of larger, more permanent villages (Wallace 1955, 1978; Drover 1971, 1975; Meighan 1954).



## **Ethnography**

The project lies within an area traditionally occupied by the Native American group known as the Gabrieleño (or Gabrieliño or Gabrielino). The name Gabrieleño was applied by the Spanish to those natives that were attached to Mission San Gabriel (Bean and Smith 1978; Kroeber 1925). Today, most contemporary Gabrieleño prefer to identify themselves as Tongva (King 1994); however, one contemporary group, the Gabrieleño Band of Mission Indians – Kizh Nation, prefer the term “Kizh.” Gabrieleño territory included the Los Angeles basin and southern Channel Islands as well as the coast from Aliso Creek in the south to Topanga Creek in the north. The Gabrieleño language belongs to the Takic branch of the Uto-Aztecan language family, which can be traced to the Great Basin region (Heizer 1978; Shipley 1978).

The Gabrieleño established large permanent villages and smaller satellite camps throughout their territory. Society was organized along patrilineal non-localized clans, a common Takic pattern. Gabrieleño subsistence was oriented around acorns supplemented by roots, leaves, seeds, and fruits from a wide variety of plants. Meat sources included large and small mammals, freshwater and saltwater fish, shellfish, birds, reptiles, and insects. Gabrieleño employed a wide variety of tools and implements to gather and hunt food (Blackburn 1963; Kroeber 1925; McCawley 1996). The digging stick, bow and arrow, traps, nets, blinds, throwing sticks and slings, spears, harpoons, and hooks were common tools. The Gabrieleño made oceangoing plank canoes (known as *tí'at*) capable of holding 6 to 14 people that they used for fishing, travel, and trade between the mainland and the Channel Islands.

## **Historic Context**

Post-Contact history for the State of California is generally divided into three periods: the Spanish Period (1769 to 1822), Mexican Period (1822 to 1848), and American Period (1848 to present).

Spanish exploration of California began when Juan Rodriguez Cabrillo led the first European expedition into the region in 1542. For more than 200 years after his initial expedition, Spanish, Portuguese, British, and Russian explorers sailed the California coast and made limited inland expeditions, but they did not establish permanent settlements. In 1769, Captain Gaspar de Portolá led an expedition composed of soldiers, missionaries, Native Americans from Baja California, and Mexican civilians into what was then known as Alta California. The Spanish Period in California begins in 1769 with the establishment of first Spanish settlements at the presidio of San Diego (a military outpost) and Mission San Diego Alcalá, the first of 21 missions constructed between 1769 and 1823. The expedition proceeded north and reached the present-day boundaries of Los Angeles two months later. On September 8, 1771, Fathers Pedro Benito Cambón and Angel Fernandez Somera y Balbuena established the Mission San Gabriel Arcángel east of present-day downtown Los Angeles (Kyle 2002). In addition to Mission San Gabriel, the Spanish also established a pueblo (town) known as El Pueblo de la Reina de los Angeles de la Porciúncula in the Los Angeles Basin in 1781 (Rice et al. 2012). This was one of only three pueblos established in Alta California and eventually became the city of Los Angeles. The Spanish crown also began to make land grants permitting soldiers and other prominent citizens to establish ranchos during this period. To manage and expand their herds of cattle on these large ranchos, colonists enlisted the labor of the surrounding Native American population. Native populations were also negatively affected by the mission system, which was put in place to govern them as well as convert them to Christianity. The increased European presence during this period led to the spread of diseases foreign to the Native Americans, contributing to the devastation of their population.

The Mexican Period commenced when news of the success of the Mexican War of Independence (1810 to 1821) against the Spanish crown reached California in 1822. The federalization and distribution of mission lands in California occurred during this period with the passage of the Secularization Act of 1833. This Act enabled Mexican governors in California to distribute former mission lands to individuals in the form of land grants. Successive Mexican governors made more than 700 land grants between 1834 and 1846, putting most of the state's lands into private ownership for the first time (Rice et al. 2012). During the supremacy of the ranchos, landowners largely focused on the cattle industry and devoted large tracts to grazing. The land within which the project site is located was once part of Rancho El Rodeo de las Aguas, initially claimed in 1822 by Mexican settlers Maria Rita Valdez Villa and her husband Vicente Valdez, a Spanish soldier.

The American Period officially began with the signing of the Treaty of Guadalupe Hidalgo in 1848, which ended the Mexican-American War and made California a territory of the United States. California was made a state with the Compromise of 1850 (Waugh 2003). The Gold Rush began in 1848, resulting in an influx of people to California seeking gold. Cattle were no longer desired mainly for their hides but were also important for their meat and other by-products. Eventually, the cattle boom ended, and severe drought years reduced the productivity of the ranchos (Cleland 2005). Many ranchos in Los Angeles County were sold or otherwise acquired by Americans in the mid-1800s, and most were subdivided into agricultural parcels or towns. The county of Los Angeles was established on February 18, 1850, and the city of Los Angeles incorporated two months later. By 1876, the County had a population of 30,000 (Dumke 1944).

### *Beverly Hills*

The City of Beverly Hills is situated on the former rancho lands of the 4,449-acre El Rodeo de las Aguas, initially claimed in 1822 by Mexican settlers Maria Rita Valdez Villa and husband Vicente Valdez, a Spanish soldier. Maria Rita, an Afro-Latina, built an adobe ranch house near the present-day intersection of Sunset Boulevard and Alpine Drive and raised cattle and horses on the land. In 1854, Maria Rita sold the rancho to Benjamin D. Wilson and Henry Hancock for \$4,000 (Johnson Heumann Research Associates 1986; Wanamaker 2005).

The rancho changed ownership multiple times through the late 1800s due to a series of failed subdivision attempts by land speculators. By 1906, the rancho was under the ownership of oil investor Burton Green with several partners. After locating water instead of oil, the partners reorganized the former rancho lands as the Rodeo Land and Water Company and began development of a new community. Green later named the town Beverly Hills, in honor of Beverly Farms, Massachusetts (Wanamaker 2006).

Landscape architect Wilbur Cook was hired to help design the new town. An apprentice of Frederick Law Olmstead, Cook designed the town to include wide, curvilinear streets and Santa Monica Park, which spanned three blocks. The first streets were Rodeo, Canon, Crescent, Carmelita, Elevado and Lomitas, all constructed in 1907 (City of Beverly Hills 2012; Johnson Heumann Research Associates 1986).

Following construction of the Beverly Hills Hotel in 1912, the community quickly drew the attention of Hollywood, attracting a cadre of film celebrities including Douglas Fairbanks, Mary Pickford, Charlie Chaplin, Buster Keaton, Marion Davies and Rudolph Valentino. The Speedway, a wooden racetrack, was constructed in 1920 just south of and parallel to Wilshire Boulevard (Johnson Heumann Research Associates 1986).

From 1920 to 1930, Beverly Hills expanded from a City of 700 to 17,000 residents and became the preferred community of the region's wealthy and elite, over Hollywood and the city of Los Angeles' Wilshire district (Longstreth 1998; Wanamaker 2005).

Beverly Hills continued to expand and flourish in the post-World War II period. The city's reputation as a destination for the glamorous and wealthy has continued over the decades though the addition of luxury retailers and the images projected by countless films and television programs. Today, the city has a population of approximately 34,000 (City of Beverly Hills 2012).

### **WILSHIRE BOULEVARD COMMERCIAL DEVELOPMENT**

The early commercial development of Beverly Hills was carefully controlled within a 20-square block known as the triangle, which was designed to prevent commercial sprawl that could diminish the character of the city. Located between North Santa Monica Boulevard to the north, Rexford Drive to the east, and Wilshire Boulevard to the southwest, nearly all of the city's earliest shops and businesses were situated within this district. Businesses in the triangle catered to the needs of local residents and included grocers, auto repair garages, and fine clothing and furniture retailers. A handful of local architects were responsible for constructing most of the early buildings within the triangle, designed in period revival-styles including Spanish Colonial, Tudor, Mediterranean, and French Revival. The buildings were typically small in scale and height and were frequently altered or reconstructed over the decades to suit the changing tastes of residents and property owners (Johnson Heumann Research Associates 1986; Longstreth 1998; English and Lee 2006).

Commercial development expanded beyond the triangle during the 1920s real estate boom, particularly along Wilshire Boulevard to the eastern City limits. As the automobile replaced the streetcar as the primary mode of transportation, Wilshire Boulevard became a critical artery in the network of roads through the City of Los Angeles, prompting new development along the corridor. By the mid-1920s, Wilshire Boulevard had become one of the most heavily traveled streets through the cities of Los Angeles and Beverly Hills, and points west (ARG 2015).

With the exception of several notable developments along Wilshire Boulevard including the Beverly-Wilshire Hotel, most of the commercial development during this period was modest in scale and catered to commuters rather than local clientele. Shops were largely one- and two-story structures designed in revival and vernacular styles and featured ample rear or side parking lots (Johnson Heumann Research Associates 1986). Businesses noted along Wilshire Boulevard through the 1920s included cafes, auto dealers, markets, and garages (City of Beverly Hills Chamber of Commerce var.).

The City of Beverly Hills contained nearly 300 commercial buildings by the 1930s (Johnson Heumann Research Associates 1986). At this time, Wilshire Boulevard served as the most direct east-west route through the City of Los Angeles, spanning from downtown to the Pacific Ocean. Wilshire Boulevard offered Angelinos an alternative to shopping downtown. Its new hotels, restaurants, department stores and other commercial establishments made the boulevard a trendy and sophisticated district that lured customers from different parts of the area. The focus on the motorist was reflected in the architectural design of the buildings along the boulevard: large display windows, projecting signs and other elements that were highly visible to drivers served to advertise commercial establishments' merchandise. In historian Kevin Roderick's words, Wilshire Boulevard became the showcase drive of the Automobile Age (Roderick and Lynxwiler 2005).

Commercial development along Wilshire Boulevard in Beverly Hills shifted away from small-scale, commuter-friendly necessities towards larger and grander developments that reflected the city's wealth and affluence. Many of the nation's most reputable department stores, including furniture

retailer W.& J. Sloane and the first west-coast branch of Saks Fifth Avenue, were established along Wilshire Boulevard because it was the only commercial area with sufficient-sized parcels to accommodate the necessary amenities. The simple Revival-style neighborhood shops gave way to elegantly designed structures, constructed in Regency, Art Deco, and Streamline Moderne styles. By the 1940s, Wilshire Boulevard was bustling with motion picture theaters, banks, and high-end retailers designed by renowned architects that reflected the growing affluence of the community (Longstreth 1998; Johnson Heumann Research Associates 1986).

A pioneering aspect of the boulevard is that it served as the city of Los Angeles's first linear downtown, a departure from the familiar form of a compact business section in the old city center. While the downtown streetcar system had been utilized by Angelinos for years, many people began to prefer driving their automobiles along the boulevard for shopping and also preferred living among more open spaces closer to the boulevard (Roderick and Lynxwiler 2005).

During the post-World War II period (1945 to 1990), an impressive collection of medium- to large-scale commercial office buildings was constructed within Beverly Hills, primarily along Wilshire Boulevard. These buildings were designed predominately by architects offering a wide range of modernistic architectural interpretations, including International, Corporate Modern, Late Modern, and Post Modern (English and Lee 2006). The shift from low-scale brick and stucco buildings towards larger-massed, high-rise structures constructed of glass, steel and concrete marked a shift in the character of Wilshire Boulevard, a trend that continues today. Architects responsible for a number of these modern commercial improvements included William Pereira, Charles Luckman, Maxwell Starkman, I.M. Pei, Victor Gruen Associates, Welton Becket and Associates, Langdon and Wilson, Edward Durrell Stone, Palmer and Krisel, Anthony Lumsden, Sidney Eisenshtat, and Gin Wong Associates (English and Lee 2006).

#### *Mid-Century Modern Architecture (1945-1965)*

Historic-era buildings within the project site feature elements of Mid-Century Modern-style architecture. The Mid-Century Modern style was most commonly applied to commercial buildings constructed in Beverly Hills as elsewhere in the nation between 1945 and 1965. Although it emerged from earlier iterations of the Modern movement, the Mid-Century Modern style and later interpretations of the International style were not fully embraced by the public until after World War II. The style incorporated industrial materials and modern engineering techniques that were developed during the war years. Design elements generally included glass curtain walls, large expanses of ribboned windows, cantilevered roofs, exposed concrete and steel structural elements, and tile and terracotta siding, vertical corrugated siding or stacked roman brick cladding. New technology and materials such as plastic laminates, anodized metal sheaths, and spandrel glass were incorporated in Mid-Century Modern buildings. The style did not fall neatly into any category because many of the architects who practiced within the Modernist theory used a broad range of design elements. The Mid-Century Modern style reflected the emerging philosophy of indoor-outdoor living. Design of commercial properties demonstrated this shift by constructing buildings with open plazas, which represented a major departure from the previous standard of lot line development.

Character Defining Features of the Mid-Century Modern style include:

- Rectangular or gently curving forms
- Concrete, steel, and glass construction materials
- Use of glass curtain walls, reflective or tinted (solar)

- Flat roofs, either with flush eaves or cantilevered slabs
- Horizontal bands of flush, metal-framed windows, or curtain walls
- Lack of applied ornament
- Brick, stone, tile, or terra cotta veneer often used as primary accent material
- Integral parking lot, either subterranean or above-grade
- Landscaped plaza or integral plantings at ground floor

### *Conrad Hilton*

The Beverly Hilton Property is associated with Conrad Hilton, the renowned hotelier and developer of the Hilton Hotel Corporation and Hilton International, and with the company's importance in embodying American ideals internationally during the post-war period of the 1950s and 1960s. The significance of Conrad Hilton is also tied closely to the primary architect of his hotels, Welton Becket. The following historic context derived from the *Cultural Resources Technical Document for the Beverly Hilton Revitalization Plan* prepared as part of the Beverly Hilton Specific Plan is presented to establish a background for the historical significance of Conrad Hilton (Jones & Stokes 2007a). Similarly, the Hilton Office Building, located at 9990 Santa Monica Boulevard is a Beverly Hills Landmark significant for, among other things, its association with Conrad Hilton.

Welton Becket (1902–1969) and Conrad Hilton (1887–1979) were contemporaries. Conrad Hilton is considered one of the 20th century's best-known and most innovative hoteliers. He is of national, if not global, stature in this context. Both Hilton and Becket ensured that they ran very profitable firms geared to accommodating the changing needs of their respective disciplines.

Both organizations were global in outlook. Becket's firm was one of the nation's most successful architectural firms in the mid-20th century, employing hundreds of people, with corporate offices in San Francisco, Chicago, Houston, and New York in addition to the head office in Los Angeles. At the time of Becket's death in 1969, his architectural firm was the largest in the world. In 1987, his firm was acquired by Ellerbe Associates, and the merged firm continues in operation today as Ellerbe Becket.

Both Becket and Hilton were ambitious men who circulated in the same country club and entertainment circles in Beverly Hills and Los Angeles society, developing a friendship that furthered them and their firms professionally and that raised the stature of Hilton hotels. They both developed business methods (analyzing and quantifying both needs and responses to them to maximize efficiencies) to accommodate a new age, epitomized by the new jet-setting American business client and corporate executive. These parallel approaches converged at the Beverly Hilton, a pioneer in hotel architecture in which cunning economies permitted both lower room rates and a high standard of luxury. In being alert and aggressive in exploiting new technologies and methods, often facilitated by Southern California's leadership in aircraft and related industries, Welton Becket often demonstrated the radical attributes of the "early adopter," simultaneously sustaining close ties to relatively conservative corporate clients.

Conrad Hilton is renowned for not only developing the Hilton empire of hotels but also for his savvy investment style that surmounted apparent high risk. For example, when he was broke (having just opened the El Paso Hilton in 1930, when the Great Depression gained full force), he threw a party for 1,200 people who, he said, badly needed to celebrate. At that gathering he stated, "Publicly, and as often as I could I stated my faith in America ... the Golden Land ... the Land of Opportunity. This 'thing' [the Depression] couldn't last." He went on to buy the Sir

Francis Drake Hotel in San Francisco, the Plaza and the Waldorf-Astoria in New York, the Palmer House in Chicago, the Mayflower in Washington, D.C., and the entire Statler hotel chain, the grande dame of deluxe hotels.

Conrad Hilton and his family lived high-profile lives. He married Zsa Zsa Gabor; his son married Elizabeth Taylor. But when he traveled to Europe, he bought no hotels. He preferred to build his own using his acumen in hoteliery, real estate, and efficiency. Hilton wrote, “each of our hotels is a little America, not as a symbol of bristling power, but as a friendly center where men of many nations and of good will may speak the language of peace. The Hilton house flag is one small flag of freedom which is being waved defiantly against Communism ... with humility we submit this international effort of ours as a contribution to world peace.” President Dwight (“Ike”) and Mrs. Mamie Eisenhower were close friends of Hilton. Becket’s first commission for the hotelier, who lived not far away from his hotel in Bel Air, was the corporation’s administration building. His firm eventually designed many hotels for Conrad Hilton, not only because of the firm’s design skills but also because of the vision and assumptions shared by Becket and Hilton.

Trader Vic’s played an important role in creating the allure of Los Angeles. According to one of the chain’s longest serving executives and former C.E.O. Hans Richter, Vic ‘The Trader’ Bergeron and Conrad Hilton formed a friendship beginning around 1945, when Trader Vic’s restaurants were attaining fame for prescient “fusion” fare. Up to that time, hotel restaurants were not that individually distinguished. Hilton approached Bergeron, and they agreed as part of a master franchise that Trader Vic’s would be located in three Hilton hotels: the extant Chicago and Washington Hiltons, as well as the unbuilt Beverly Hilton. In subsequent decades, Trader Vic’s were established in many Hiltons nationally and internationally, also including Dallas, Havana and London. The South Seas-themed restaurant at The Beverly Hilton was designed specifically for the site by Welton Becket and Associates in consultation with Trader Vic’s, and it became a destination for the community as well as celebrities. These leaders included major manufacturers such as Howard Hughes and steel magnate Earle Jorgensen, and actors and entertainment figures such as Robert Stack, Art Linkletter, Walter Pigeon, Ronald Reagan, and Walt Disney among many others. Sunday evenings were often when these people came together, Hilton and Becket among them. “Real thinkers, real dreamers, people who would talk about really interesting, exciting things, and among them all they developed these hotels, inspired each other ... they grew from each other.” Because The Beverly Hilton hosted the annual Golden Globe Awards and other industry and political events, the restaurant has continued to be part of Hollywood legend and California politics.

### *Welton Becket*

The Beverly Hilton Property was designed by the famed firm of Welton Becket and Associates and is an important example of Becket’s influence on Mid-Century Modern architecture. The following historic context, derived from the Cultural Resources Technical Report prepared as part of the Beverly Hilton Specific Plan (Jones and & Stokes 2007a), is presented to establish the significance of the property under its association with Welton Becket:

Welton Becket and Associates, 1949–1988, designed six of the 17 signature post–World War II Hilton International hotels built between 1949 and 1966, including the Baghdad Hilton, Beirut Hilton, Hilton Havana, Hilton Hawaiian Village, Manila Hilton, and the Nile Hilton, and executed schematic designs for many more.

At a regional level in Southern California, Becket's firms at which he worked as partner and principal are responsible for what are now landmark buildings that defined Southern California on its own terms. Though later Welton Becket and Associates became known as one of the most successful executors of a freely interpreted, more whimsical Modernism, as Walter Wurdeman's partner in Wurdeman and Becket (1933–49) the firm developed the concept of 'total design', meaning that their firm assumed responsibility for master planning, engineering, interiors, furniture, fixtures, landscaping, signage menus, silverware, matchbooks, napkins, brochures and any ancillary graphics.

Wurdeman and Becket's commissions include:

- The Pan Pacific Auditorium, city of Los Angeles, 1935, a building that resembled a reconfigured ocean liner with four striking "smokestacks" or fins. Though it burned down in 1989, it is recalled as one of the finest examples of Streamline Moderne style in the nation.
- Bullock's Pasadena, Pasadena, 1947, listed on the National and California registers
- The General Petroleum Company Building, city of Los Angeles, 1949, listed on the National and California registers
- Welton Becket and Associates' commissions include:
  - Capitol Records tower, city of Los Angeles, 1954, determined eligible for the National Register/listed on the California Register
  - Santa Monica Civic Auditorium, Santa Monica, 1958
  - Century City Master Plan/Development, city of Los Angeles, 1958–1962
  - Memorial Sports Arena, city of Los Angeles, 1959
  - Los Angeles International Airport Theme Building, city of Los Angeles, 1962, with Pereira & Luckman and Paul R. Williams
  - The Cinerama Dome, the world's first concrete geodesic dome, city of Los Angeles, 1964
  - The Los Angeles Music Center, (including the Dorothy Chandler Pavilion), city of Los Angeles, 1964
  - UCLA Master Plan, city of Los Angeles, 1965; Becket served as master planner and supervising architect from 1948–1968, designing the Medical Center and Pauley Pavilion
  - The Federal Office Building, city of Los Angeles, 1966, with Paul R. Williams and A.C. Martin & Associates

In addition to the firm's renown for breadth of style, culminating in mid-century Modernism, Becket was also known for a progressive approach to construction methods. To cite one example of Becket's approach, Oakland's curved aluminum-and-glass clad Henry J. Kaiser Building, 1960, was considered by contemporary critics to be of outstanding beauty, simultaneously acting as a giant billboard marketing aluminum and as one of the city's architectural highlights. The structure was prescient and progressive, revealing Becket's skill with new materials and in executing new ideas. It featured a rooftop garden to conceal and insulate the parking structure, radiant heating, and fire cladding for steel that eschewed asbestos in favor of cement and ground-up seashells. The thin profile of the building ensured natural daylight for interiors, reducing energy costs and enhancing worker productivity. Becket's progressive approach to construction was also manifest in The Beverly Hilton.

The architecture of The Beverly Hilton embodies a response to the end of World War II and to the Great Depression preceding it. It was intended to replace architecture associated with the

‘long, cold and grey time’ with a fresh design that spoke optimistically and with a sense of “exuberance—it was a new world that had become sunny again—the cars had these funny shapes but they weren’t black anymore.”

The Beverly Hilton was promoted as ‘the queen of the Hilton Empire ... the most beautiful hotel on earth.’ As a contemporary Los Angeles Times article noted, ‘In achieving his Beverly Hilton design, Becket did not pattern his work after previous hotels ... Becket aimed to establish, rather than to follow, a pattern. Thus, The Beverly Hilton derives from no previous style though it could quite conceivably set some.’

As rendered by Welton Becket and Associates, the strongly horizontal Beverly Hilton embodies the distinctive characteristics of mid-century American modernism within the framework of American and international hoteliery. It redefined concepts of luxury and service. Luxury was now on a new American, not old European, footing. As the hotel’s current public relations site notes, for example, “The management team even went so far as to scientifically test the acoustics of guestroom wall construction, hiring UCLA scientists to measure the partition between every room electronically for complete soundproof assurance.” In addition, to further ensure guests received an excellent night of sleep, the Hilton executive team tested mattresses in their homes before they were approved. Sleeping soundly and well was not only necessary for a business guest demanding luxury but a phenomenon that could be scientifically analyzed by the architect and confirmed by experience by the hotelier, a standard that exemplified the close teamwork of the Becket and Hilton firms.

#### *Gin Dan Wong, FAIA*

Gin Dan Wong (1922-2017), FAIA, was responsible for a major renovation of Wilshire Tower in 1989 that changed many of the interior public spaces and entry court. He was a Chinese-born architect who immigrated to Los Angeles as a child. He served in the United States Army during World War II and subsequently studied at the University of Southern California (USC) School of Architecture. After graduating in 1950, Wong went to work for the well-known firm of Pereira and Luckman, eventually becoming the vice president of design. In 1958, Wong helped found the firm of William L. Pereira & Associates, becoming a partner and president of the firm. Wong established his own firm, Gin Wong Associates (GWA) in 1974, which was known internationally until its closure in 2015. The firm specialized in the design and planning of corporate headquarters, commercial and retail spaces, hotels, educational facilities, and university campuses (Los Angeles Conservancy 2016).

Wong was part of a small group of Chinese-American architects that made significant contributions to the post-war architectural landscape of the Los Angeles area. He served as the director of design for the three architectural firms that partnered on the Los Angeles International Airport (LAX) construction project in 1960: Pereira & Luckman and Associates, Welton Becket and Associates, and Paul R. Williams. During this time, Wong worked on the design of the futuristic LAX Theme Building (1961). His other best known local works include: the CBS Television City building (1952), the Union Oil Center (aka Los Angeles Center Studios) (1958), the Union 76 gas station in Beverly Hills (1965), the Arco Tower (1989), and in association with Philip Johnson, the Crystal Cathedral’s Crean Tower and Family Life Center building (1990).

Wong is known to have built a number of projects in the City of Beverly Hills and is considered a Master Architect in the City. His contributions in Beverly Hills include at least one residence on Maple Drive (address unknown), a mixed-use building at 9242 Beverly Boulevard (1989), a bank at 8485 Wilshire Boulevard (1979, demolished), an office complex at 9336-9346 Civic Center Drive (1985), and a multi-story, stepped profile office building at 100 North Crescent Drive (Gin Wong



Associates 2013; Los Angeles Conservancy 2016; Hasanovic 2006; Orange County Catholic 2016; Green 1984; Finke 2011).

Throughout his long career, Wong's design aesthetic slowly transitioned away from his classically Modern origins expressed while at his earlier firms towards a style that reflected a stronger influence from the Corporate Modern and Postmodern styles. This shift is evident in many of his designs completed from 1972 to 2016, as evidenced by a number of common themes, including the use of bronze solar and reflective glass curtain walls; use of concrete, steel and stone as cladding; use of rectangular, cylindrical and pyramidal forms and planes; use of recessed walls and notched corners; and landscaping influences of atriums or rooftop gardens. Additionally, he designed several high-rise offices during the late 1980s with hexagonal forms. This building shape was chosen as a way to maximize the number of corner offices in the buildings.

Wong was made a Fellow of the American Institute of Architects (AIA) in 1966, an honor conferred upon a member of the AIA who has notably contributed to the advancement of the profession in design, construction, literature, education or public service (American Institute of Architects 2017). He retired and closed his firm, GWA, in 2015 (Sandomir 2017).

Wong died September 1, 2017 at his home in Beverly Hills (*Los Angeles Times* 2017). Wong's contributions to the broad architectural landscape of the Los Angeles area have been widely acknowledged, and since his passing, more commentary and analysis has been written about his work. However, he is still known best for his Mid-Century Modern designs, and his later work with GWA is just beginning to be considered and appreciated. Architectural historian Trudi Sandmeier, director of graduate programs in heritage conservation at Wong's alma mater, the USC, noted that Wong "had a very refined sense of style in terms of his design aesthetic, and if you look at what he did pre-1970s, he had a clear eye for what he wanted to see" (Sandomir 2017). A comprehensive list of his work at GWA has yet to be completed, and his papers are not yet available for scholarly analysis.

### *The Los Angeles Country Club*

Golf was emerging as a popular sport on the West Coast in the late 19th century, and several clubs were established in Southern California in the late 1890s. The first golf course in the city of Los Angeles was reportedly a private course built by John M. Baldwin at Rancho Los Feliz, in today's Griffith Park. The Los Angeles Country Club (LACC), originally called The Los Angeles Golf Club, was established in 1897 by Walter Grindlay, Edward B. Tufts, Hugh W. Vail and E. Conde Jones. The club occupied three locations prior to 1904, when The Country Club Realty Company was formed to raise money for purchase of the Wolfskill Ranch, near the area that would later become Beverly Hills, on which a new course would be developed.

In 1906, Beverly Hills was named in honor of LACC member, Burton E. Green, a native of Beverly Farms, Massachusetts. An East Coast landscape architect laid out the curving streets, lots and triangular commercial district that characterize Beverly Hills today. Sales and development began slowly, and Green built the Beverly Hills Hotel in 1912 to help attract interested buyers (Beverly Hills Historical Society, n.d.). The LACC moved in entirety to its current location on Wilshire Boulevard in 1910 and the club's presence contributed in drawing new residents to the then-remote area (Whited 2020).

The property's original 18-hole, 6,496-yard course was designed by board members Sartori, Tufts, Orr and Norman Macbeth, a champion player and golf course designer. A clubhouse was designed by the prominent local architect and club member Sumner P. Hunt at a cost of \$85,000 (LACC 1997).

Located one mile away from a new electric trolley stop at Wilshire and North Santa Monica boulevards, the LACC's new course and clubhouse opened in 1911 and was described as the best course in Southern California at the time (Windeler 1997). In 1914 the community of Beverly Hills expanded its boundaries enough to meet the minimum number of citizens to incorporate. Although the LACC had been using "Beverly Hills" as its address since moving to the new location, it remained in unincorporated Los Angeles County. In 1916 the city of Los Angeles annexed the area, bringing the LACC officially into the Los Angeles city boundaries.

In 1920, the LACC expanded with the purchase of 118 acres north of and 57 acres south of Wilshire Boulevard (Windeler 1997). In the Spring of 1920, William Herbert Fowler, an English-born golf architect, was hired to draw up models and design two 18-hole courses on the club's property. Fowler was a prolific golf course architect and was involved in the design of numerous courses including the Ambassador Hotel's Rancho Golf Course, a course for the Olympic Club of San Francisco, the Burlingame Country Club course, the Riverside Golf Club, and the Allegheny Country Club in Pennsylvania. The proposed design for LACC included an easier course covering the club's original grounds, and an updated championship course for the newly acquired land north of Wilshire Boulevard. Fowler simply described the courses as "North" and "South" so that others did not feel one course was implied to be superior to the other. The two courses were to be nearly identical in length but the ground over which they were to be played would vary considerably. Fowler advocated planting shrubs and low trees on especially on the South Course.

Fowler's design was ultimately implemented by George C. Thomas Jr. Thomas was a Philadelphia native who briefly studied at the University of Pennsylvania and enjoyed horticulture and hybridizing roses. An avid golfer, he started working amateurly on golf course design in the early 1900s. His family moved to a Beverly Hills estate in 1919 and he subsequently became responsible for carrying out Fowler's master plan for the North and South courses between 1920-1921. Thomas worked on numerous golf courses including Griffith Park, the Bel-Air Country Club, Riviera Country Club, the La Cumbre Country Club in Santa Barbara, and the Ojai Valley Inn. Although not entirely complete, the new courses opened for play in June 1921, with a formal opening in August of that year. The 6,445-yard, par-71 North Course acquired a reputation of being somewhat difficult (Windeler 1997).

Thomas was again commissioned by LACC to refurbish the North Course, which LACC records show cost approximately \$50,000. Between 1927 and 1928 Thomas modified the North Course by entirely rebuilding hole No. 17 and redesigning others including Nos. 6, 10, 15, 16 and 18. Thomas collaborated with William (Billy) Bell, who supervised the construction and was tasked with modifying the bunkers. The Thomas and Bell design is noteworthy for the manner in which they worked with the natural topography of the land, the ability to play the holes in different manners due to the arrangement of several tees to each green, and the course's unique bunkers which are not typical ovals with smooth edges, rather they have been compared to baseball mitts for their finger-like edges rimmed with rough grass (Wharton 2015). As Thomas was preparing to redesign the South Course in 1932, he died of a heart attack. The South Course greens were still refurbished that year.

The LACC began a master planning process in 1995 to restore the North Course, as designed by Fowler and implemented by Thomas in 1920. The intent was not to replicate the course's 1921 form but rather to incorporate the character of the original course into the current design. Construction on the North Course began in 1996. Considerable work also occurred on the South Course between 1996 and 1997; all greens were renovated to meet USGA specifications, including 18 new greens and about 50 bunkers. The bunkers were said to have been restored to their original forms and

character, but the bunker shaping was not as severe in form as on the North Course to in order to maintain playability.

In 2006, the LACC began interviewing architects to refurbish the North Course, which resulted in the selection of Gil Hanse, who proposed to restore the George C. Thomas Jr. and Billy Bell design from 1928. Thomas and Bell's course design was known for some unique elements – Thomas was said to prefer a more natural look, and the bunkers he and Bell created were not typical ovals with smooth edges, rather, they appeared like baseball mitts with fingers, and were rimmed by shaggy fescue. In his greens, Thomas often used distinctive peninsulas and wings to allow for varied pin placement. Hanse worked with golf historian Geoff Shackelford to study archival documents, and performed investigative work on the LACC property, in order to complete the restoration work. This began with restoring the bunkers, which was completed in 2010. The club membership approved additional work, and Hanse continued the North Course restoration. Hanse also refurbished the South Course with a new, contemporary design in 2015 (Wharton 2015; MoeGolf 2016; Jones 2020; Hanse Golf Design, n.d.).

## **Project Site Setting**

The project site encompasses 9900 Wilshire Boulevard, the Beverly Hilton Property, and the gas station site. The historical significance of all of these properties, in addition to the adjacently located LACC property, were considered as part of the Cultural Resources Technical Report.

### *Gas Station Site*

The gas station site has not been previously subject to historic evaluation. A review of aerial imagery suggests that the built environment features located on the gas station site were constructed between 1980 and 1989 (Netronline var.). During the site visit, the gas station site was inspected and it was affirmed that the built environment features on the gas station site appear less than 45 years of age. Additionally, the property's lack of architectural distinction, indicating that it does not meet National Register Criteria Consideration G, was noted.

### *9900 Wilshire Boulevard*

Since the time of its most recent evaluation in 2007, the Robinsons-May Site Department Store was demolished. Observed on the site visit, the only built feature remaining at 9900 Wilshire Boulevard is a plastic backlit sign mounted to a metal pole that displays an arrow and reads "Robinsons-May Parking."

### *Beverly Hilton Property*

The following section summarizes the primary features of the Beverly Hilton Property, as well as a selected construction and ownership chronology. Figure 4.3-1 shows the location of the contributing buildings and features of the Beverly Hilton Property. See Appendix D for photographs of these features.

Figure 4.3-1 Beverly Hilton Property





## **WILSHIRE TOWER**

The centrally located Wilshire Tower was designed to be the primary architectural feature of the Beverly Hilton Property. As described by Historic Resources Group (HRG) in 2006:

“The main hotel building [Wilshire Tower] was the first to be constructed during the 1953-55 period and contained the most significant spaces in the hotel. The hotel tower is the most significant component of the complex due to its eight-story ‘Y’ shape, the decoration of the spaces, and the uses contained in the building. The tower’s ‘Y’ shape defines the hotel’s relationship to its site and to the surrounding streets and city. It is highly visible in the west-bound traffic on Santa Monica and Wilshire Boulevards and marks the west end of Beverly Hills.

The main building has sustained major alterations, most of which relate to two major renovation periods, one by Gin Wong Associates in 1989 and one in 2004 to 2006 by Gensler.

The 1989 renovation changed many of the public spaces in the hotel; in particular, major alterations are apparent in the interior public spaces and entry court. The wall surfaces and floor surfaces of limestone date to this time, as do the eight-sided limestone-clad columns, wood flush paneling, stairs, and ramps. The open plan of the original hotel lobby remains more or less intact. However, the original palette of materials for the public spaces of the building (which included black terrazzo floors, travertine and marble walls, random pattern tile ceilings, and glass mosaic covering the columns) have been removed. Original window glazing has been replaced in most spaces in the building, although some original glazing remains. Built-in furniture was elevated on stainless steel legs throughout the lobby. These features remained in fragmentary form from when they were discovered during demolition for the most recent rehabilitation of the interiors in 2004.

The 2004 renovation further changed the public spaces in the hotel. Severely damaged black terrazzo was found to remain on the floating staircase that leads from the main lobby level to the lower level, where the pool and restaurants are located. Damaged and missing terrazzo surfaces on the stairs were restored to match the extant terrazzo portions on the sides of the staircase during the 2004 renovation. Guest rooms on upper floors have been substantially modified over the years, but exterior balconies are largely intact. Original black terrazzo covers the balcony floors; and square panels that are placed perpendicularly to the hotel exterior walls to provide visual separation between each balcony remain. These elements were originally painted a variety of colors and are now white. The fenestration pattern remains on the windows on the side of the Wilshire Tower with no balconies. The glazing has been replaced on virtually all windows. The sliding glass doors on the balconies have been replaced and the pattern of the doors has been changed. The interior of the eighth floor was completely altered and repartitioned during the 2004 renovation. Other floors have had multiple alterations to the rooms.”

There have been few physical changes to the Wilshire Tower since this time and the building today appears largely as described in 2006.

## **WILSHIRE EDGE**

Immediately north of Wilshire Tower is the one-story Becket-designed Wilshire Edge. As originally designed and constructed between 1953 and 1955, this building ran along Wilshire Boulevard from Merv Griffin Way to North Santa Monica Boulevard. However, the eastern half of this building was demolished in 2016-17 as part of the construction of the Waldorf-Astoria Beverly Hills portion of the

Beverly Hilton Specific Plan and only the western portion remains. The demolished eastern segment contained the former Trader Vic's building components, including the gabled entry at the corner of Wilshire and North Santa Monica Boulevards. As its name suggests, the Wilshire Edge Building was designed to create a strong urban edge along Wilshire Boulevard, which separated the exclusive residential Beverly Hills to the north from the commercial artery of North Santa Monica Boulevard and the less unified area to the south.

The remaining western section of the Wilshire Edge Building retains many of its original design elements such as its horizontality, rectangular form and one-story composition. Wrapping around Wilshire Boulevard and Merv Griffin Way, the building features a series of unornamented circular concrete columns supporting a flat roof overhang with a thick parapet that creates a sheltered walkway. A line of mature landscaping separates this walkway from the public sidewalk. The façade of the building largely consists of square-section aluminum frames with replacement plate glass windows, some with filled-in transoms at the eastern end. The windows and transoms on the western side of the building have all been filled in but retain the aluminum framing. A few of the original travertine wall tiles and slabs between and above the windows remain. The interior of this section held the original Hilton offices but was reconfigured as a conference center during the 1989 Gin Wong Associates renovation.

### **ENTRANCE COURTYARDS**

The Vehicle Entry Courtyard was constructed during the original phase of development between the northwest and southwest wings of Wilshire Tower. The entrance is accessible from Merv Griffin Way through a long driveway separated by a landscaped median and cobblestone paving, which leads to a circular vehicle court centered on a tiered circular fountain. The hotel's main entrance is sheltered here under a semicircular concrete awning supported by thick round columns.

Although the semi-circular configuration of Vehicle Entry Courtyard, the canopied entrance, and the glass wall are original to the 1955 design, Vehicular Entry Courtyard has sustained multiple alterations. During the 1989 Gin Wong Associates alterations, the slender exterior columns in the car drop-off were enlarged, and some were removed. Original fenestration framing and finishes were removed and replaced with new frameless glazing. The length of the driveway overhang was extended beyond its original length. A circular water fountain was added at the center of the vehicular drop off. The granite tile pavers replaced interlocking pavers, and a plaster finish was added to the exterior surfaces.

A pedestrian entry courtyard is accessed from the northwest wing of Wilshire Tower at Wilshire Boulevard across from Trenton Drive. This area features wide entry steps, a shaded walkway supported by unornamented circular columns, planters and landscaping and a stepped site wall to shelter the pedestrian courtyard from the sidewalk. Directly east of the original entrance is the re-designed pedestrian entry extension, which was completed following the demolition of the eastern portion of the Wilshire Edge Building in 2016-17.

### **SWIMMING POOL AND LANAI ROOMS**

The Swimming Pool, original to the Beverly Hilton Property's design, and surrounding Lanai Rooms (AKA "Cabana Rooms"), added in 1960, are located south of the International Ballroom and sheltered in a courtyard between the south wings of Wilshire Tower. HRG described these features in 2006:

“The swimming pool, a major element of the building’s design, retains its distinctive shape. Round planters that were located in the deck have been removed. The original deck has been replaced (1988 permit indicated removal of a swimming pool concrete deck).

The space surrounding the pool has been substantially altered as well. The International Ballroom (originally the Bali Room) was expanded between 1955 and 1960, leaving a second-story cantilever over the east edge of the pool and altering the space. This first expansion took place very early in the hotel’s history. A second expansion of the ballroom left the swimming pool space partially overhung by the massive bulk of the ballroom, a significant spatial change. These changes impact the glass-walled coffee shop and snack bar originally adjacent to the pool deck on the northeast side which gave the space a much more open feeling. The pool area was originally framed with private cabanas, small spaces in which people could dress and use as a sort of home base while at the pool. The hotel has recently added an open bar to the pool area, C55, and has also remodeled and reconfigured the restaurant on the pool area. The new restaurant, circa 55, is reminiscent in style to the lounges and restaurants of the 1950s, hearkening back to the opening of the hotel.

The Lanai Rooms were added, and the poolside cabanas removed, in 1960. These changes entailed further changes to the pool space. The construction of the Lanai Rooms represented a change to one of the main outdoor spaces of the hotel. The Lanai Rooms are incorporated into the pool space and are only visible within that space and from the gallery connecting the parking garage to the International Ballroom and its associated function rooms and from the Wilshire Tower. From Santa Monica Boulevard, the building presents a two-story patterned wall of square concrete blocks. The pool-facing facades of the Lanai Rooms were originally largely single-pane sliding glass doors with balconies, and panels of patterned concrete block. The plain glass doors were replaced with multi-pane doors in 2000. Interiors were redesigned, and the bathrooms enlarged at this time.”

There have been minimal changes to Swimming Pool and Lanai Rooms since they were last recorded in 2006.

#### **PALM/OASIS COURT AND PARKING GARAGE**

The four-story Becket-designed Palm/Oasis Court features a general U-shaped plan and is located between the southwest wing of Wilshire Tower and the western Wilshire Edge Building. The building was constructed in 1966, at the culmination of the Beverly Hilton Property’s associated period of significance, presumably in an effort to provide a more affordable option in response to market conditions (HRG 2006). The building defines the northern edge of the entry courtyard. Designed in a restrained version of Mid-Century Modernism, it is a concrete block building with its exterior street-facing façade divided by rows of aluminum-frame windows separated by narrow concrete bays. The building is oriented toward an outdoor patio with an octagonal fountain at the center.

The Parking Garage at the southwest corner of the hotel property was constructed in two phases. The first two levels were completed in 1955, and the three upper levels were added in 1961. The large structure consists of concrete wall surfaces and slabs with lattice grillwork at the parking levels and has remained largely unaltered since 1961.

## WALDORF-ASTORIA BEVERLY HILLS

Completed in January 2017, the Waldorf-Astoria Beverly Hills building is located at the prominent northeastern corner of the hotel property. The Waldorf-Astoria Beverly Hills replaced the eastern portion of the Wilshire Edge Building. The flatiron shaped building is approximately 12 stories and features a glass wall lobby that sits below a tower consisting of thick balcony floor slabs and recessed glass walls.

The project area is located within the City of Beverly Hills. None of the surrounding area retains its natural setting because the project area is fully developed.

## BEVERLY HILTON PROPERTY HISTORY

Table 4.3-1 presents a selected construction and ownership chronology of the Beverly Hilton Property.

**Table 4.3-1 Beverly Hilton Construction and Ownership Chronology**

Year(s)	Description	Architect
1953-1955	Property developed by Conrad Hilton. Original building construction consisted of the Y-shaped Wilshire Tower, the retail/office Wilshire Edge Building with Trader Vic's restaurant at the center, a one-level basement and surface Parking Garage at the southwest corner, and Swimming Pool and surrounding cabanas.	Welton Becket and Associates
1955-1959	Completion of the offices and retail space in the eastern wing of the Wilshire Edge Building.	Welton Becket and Associates
1960	Construction of the two, two-story L-shaped "Lanai Rooms" buildings, which replaced the existing cabanas.	Welton Becket and Associates
1961	Three-story addition to the two-story parking structure.	Welton Becket and Associates
1966	Construction of the Palm/Oasis Court.	Welton Becket and Associates
1975	Sale of half-interest in hotel to Prudential Insurance Company.	N/A
1985	Remodel of Trader Vic's interior.	Gin Wong Associates
1986	Reconfiguration of the western wing of Wilshire Edge Building interior for a conference center.	Gin Wong Associates
1987	Purchase of hotel by television personality, Merv Griffin.	N/A
1989	Major alterations to the interior public spaces and entry court, including limestone wall and floor surfaces, eight-sided limestone columns, wood flush paneling, stairs, and ramps. Configuration of the eastern portion of Wilshire Edge Building as a conference center.	Gin Wong Associates
2003	Purchase of hotel by Oasis West Realty, LLC.	N/A
2004-2006	Significant renovations of interior space, public space and fenestration.	Gensler



Year(s)	Description	Architect
2016-2017	Demolition of the eastern wing of the Wilshire Edge Building and former Trader Vic's buildings. Extension/alteration of the pedestrian courtyard at Wilshire Boulevard.	Gensler
2018	Construction of the Waldorf-Astoria Beverly Hills.	Gensler

### *Los Angeles Country Club*

The LACC property is a golf course and country club comprised of multiple parcels, including Los Angeles County APNs 4359018008, 4359020006, 4327027001, and 4359018007, which total approximately 300 acres (City of Los Angeles Department of City Planning 2020). Bisected by Wilshire Boulevard, the country club contains two 18-hole golf courses, a clubhouse building, tennis courts, parking lots, and various ancillary buildings such as maintenance and restroom buildings and a greenhouse. The more complex designed North Course is located north of Wilshire Boulevard and the more restrained and smaller South Course is located south of Wilshire Boulevard.

The North Course is characterized by its 1927-1928 design (restored in 2015 by golf architect Gil Hanse) which flows with the natural topography of the land. It includes a dry wash running through the course, sand hills, grass, unique bunkers in the "Billy Bell Bunker" style which have uneven, toothy edges rimmed with shaggy grass, numerous varieties of trees, a natural area at the north end of the property, thick plantings along the perimeter fence line, and golf cart paths. The South Course, a contemporary design by Gil Hanse in 2015, includes similar bunkers, grass, golf cart paths, and sparser tree groupings.

The LACC clubhouse is a large two-story building located slightly north of Wilshire Boulevard and oriented generally north-south on the property. Built in 1911, the year LACC moved to the Wilshire Boulevard location, the clubhouse was designed by prominent local architect and golfer Sumner P. Hunt. The original portion of the building is noted by its hipped roof with overhanging eaves and a primarily U-shaped footprint with a smaller wing projecting to the north. Based on aerial photos, the U was filled in on the west side of the building with a flat-roofed addition on which mechanical equipment is currently mounted. It appears additions were built at the northeast corner and north side of the building between the 1950s and 1960s. Based on historic photos, other alterations include the addition of porches supported by columns across the façade, the enclosure of the rotundas, addition of patio areas enclosed by balustrades, and replacement of original doors and windows. Construction/alterations were taking place on the clubhouse at the time of the survey and the entirety of the building was not surveyed. Paved parking lots are located adjacent to the clubhouse to the south and west. To the northeast of the clubhouse is a grouping of approximately five buildings which appear to include a golf cart building, garage and possibly an employee residence, surrounded by hedges and shrubs.

## **Regulatory Setting**

### *National Register of Historic Places*

The National Register of Historic Places (NRHP) was established by the National Historic Preservation Act (NHPA) of 1966 as "an authoritative guide to be used by Federal, State, and local governments, private groups and citizens to identify the Nation's cultural resources and to indicate what properties should be considered for protection from destruction or impairment" (CFR 36 CFR 60.2). The NRHP recognizes properties that are significant at the national, state, and local levels. To

be eligible for listing in the NRHP, a resource must be significant in American history, architecture, archaeology, engineering, or culture. Districts, sites, buildings, structures, and objects of potential significance must also possess integrity of location, design, setting, materials, workmanship, feeling, and association. A property is eligible for the NRHP if it is significant under one or more of the following criteria:

- Criterion A:** It is associated with events that have made a significant contribution to the broad patterns of our history;
- Criterion B:** It is associated with the lives of persons who are significant in our past;
- Criterion C:** It embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; and/or
- Criterion D:** It has yielded, or may be likely to yield, information important in prehistory or history.

In addition to meeting these criteria, a property must retain historic integrity, which is defined in National Register Bulletin 15 as the “ability of a property to convey its significance” (National Park Service [NPS] 1990). In order to assess integrity, the NPS recognizes seven aspects or qualities that, considered together, define historic integrity. To retain integrity, a property must possess several, if not all, of these seven qualities, which are defined in the following manner in National Register Bulletin 15:

- **Location.** The place where the historic property was constructed or the place where the historic event occurred;
- **Design.** The combination of elements that create the form, plan, space, structure, and style of a property;
- **Setting.** The physical environment of a historic property;
- **Materials.** The physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property;
- **Workmanship.** The physical evidence of the crafts of a particular culture or people during any given period in history or prehistory;
- **Feeling.** A property’s expression of the aesthetic or historic sense of a particular period of time; and/or
- **Association.** The direct link between an important historic event or person and a historic property.

#### *California Environmental Quality Act/California Register of Historical Resources*

CEQA requires that a lead agency determine whether a project could have a significant impact on historical resources (Public Resources Code (PRC) Section 21084.1). A historical resource is a resource listed in or determined to be eligible for listing in the California Register of Historical Resources (CRHR; PRC Section 21084.1), a resource included in a local register of historical resources (*CEQA Guidelines* Section 15064.5[a][2]), or any object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant (*CEQA Guidelines* Section 15064.5[a][3]).

PRC Sections 5024.1, 21083.2 and 21084.1 and Section 15064.5 of the *CEQA Guidelines* were used as the basic guidelines for the Cultural Resources Technical Report. PRC Section 5024.1 requires an evaluation of historical resources to determine their eligibility for listing in the CRHR. The purpose of the register is to maintain listings of the state's historical resources and to indicate which properties are to be protected from substantial adverse change. The criteria for listing resources in the CRHR, enumerated below, were expressly developed to be in accordance with previously established criteria developed for listing in the NRHP.

According to PRC Section 5024.1(c)(1–4), a resource is considered historically significant if it 1) retains substantial integrity and 2) meets at least one of the following CRHR criteria:

1. It is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
2. It is associated with the lives of persons important in our past.
3. It embodies the distinctive characteristics of a type, period, region, or method of installation; or represents the work of an important creative individual; or possesses high artistic values.
4. It has yielded or may be likely to yield information important in prehistory or history.

#### *City of Beverly Hills*

The City's Historic Preservation Ordinance (Municipal Code Title 10 Chapter 3 Article 32; BHMC 10-3-3212) authorizes the Cultural Heritage Commission (CHC) to recommend the nomination of properties as local landmarks to the City Council. The Council may designate local landmarks and historic districts by the procedures outlined in the ordinance. An eligible property may be nominated and designated as a landmark if it satisfies the requirements set forth below.

- A. A landmark must satisfy all of the following requirements:
  1. It is at least forty-five (45) years of age, or is a property of extraordinary significance;
  2. It possesses high artistic or aesthetic value, and embodies the distinctive characteristics of an architectural style or architectural type or architectural period;
  3. It retains substantial integrity from its period of significance; and
  4. It has continued historic value to the community such that its designation as a landmark is reasonable and necessary to promote and further the purposes of this article.
- B. In addition to the requirements set forth in subsection A of this section, a landmark must satisfy at least one of the following requirements:
  1. It is listed on the National Register of Historic Places;
  2. It is an exceptional work by a master architect;
  3. It is an exceptional work that was owned and occupied by a person of great importance and was directly connected to a momentous event in the person's endeavors or the history of the nation. For purposes of this subsection B3, personal events such as birth, death, marriage, social interaction, and the like shall not be deemed to be momentous;
  4. It is an exceptional property that was owned and occupied by a person of great local prominence;
  5. It is an iconic property; or
  6. The landmark designation procedure is initiated, or expressly agreed to, by the owner(s) of the property. (Ord. 15-O-2682, eff. 11-19-2015)

#### 4.3.2 Previous Environmental Documents

##### **9900 Wilshire Specific Plan & the Final SEIR for the 9900 Wilshire Boulevard (One Beverly Hills) Project**

The 9900 Wilshire Specific Plan applies to the 9900 Wilshire Boulevard Site, which is currently vacant and graded. The City approved the 9900 Wilshire Specific Plan and certified its accompanying 9900 Wilshire Project Final Environmental Impact Report (FEIR) in 2008. The 9900 Wilshire Specific Plan was amended, and in 2016, the City certified the corresponding 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 2016a).

The original 9900 Wilshire Specific Plan 2008 EIR concludes that impacts to historical resources as a result of the 9900 Wilshire Specific Plan would be significant and unavoidable despite implementation of Mitigation Measure MM-CR-1 (detailed below). The 2008 9900 Wilshire Specific Plan included the demolition of the Robinsons-May Department Store, a building previously found eligible for listing in the CRHR. Therefore, its implementation was determined to result in a significant impact to historical resources. The Robinsons-May Department Store was demolished in 2014 and is no longer extant within the current project site. Prior to the building's demolition, Mitigation Measure MM-CR 1 was implemented and is therefore no longer active or applicable to the proposed project.

**MM-CR-1** The Robinsons-May department store shall be photographed with large-format black-and-white photography, and a written report which follows Historic American Buildings Survey ("HABS")/Historic American Engineering Record ("HAER") standards at a minimum Level 3 Recordation. The documentation shall be donated to a suitable repository, such as the City of Beverly Hills Public Library. The cost shall be borne by the Applicant. *[Fully implemented prior to demolition in 2014 and thus no longer applicable.]*

The original 9900 Wilshire Specific Plan 2008 EIR concludes further that there were potentially historic streetlights along the edge of the project site which could have been potential to be impacted by the project. To address these impacts, Mitigation Measure MM-CR-2, detailed below, was adopted. Mitigation Measure MM-CR-2 required that potentially historic streetlights in the vicinity of the project site be preserved and reinstalled as appropriate. In 2011, these streetlights were removed and replaced under a separate project by the City of Beverly Hills Department of Public Works. The replacement streetlights are similar in design and character as the streetlights identified in the original 9900 Wilshire Specific Plan 2008 EIR. As the potentially historic streetlights identified in 2008 are no longer extant, Mitigation Measure MM-CR-2 is no longer active or applicable to the proposed project.

The proposed project has the potential to impact archaeological resources in a manner consistent with potential impacts identified in the original 9900 Wilshire Specific Plan 2008 EIR. Therefore, Mitigation Measure MM-CR-3 remain active and applicable to the proposed project. No additional measures were required by the 9900 Wilshire Specific Plan 2016 SEIR.

- MM-CR-2** Potentially historic streetlights adjacent to the project site shall be preserved and reinstalled along this section of Wilshire Boulevard and Santa Monica Boulevard, as appropriate, in consultation with the project proponents, the City of Beverly Hills, and an architectural historian qualified under the Secretary of the Interior's Standards. *[Potentially historic streetlights no longer remain and thus Mitigation Measure MM-CR-2 is no longer applicable.]*
- MM-CR-3** In the event a previously unknown artifact is uncovered during project construction, all work shall cease until a certified archaeologist can investigate the finds and make appropriate recommendations. Any artifacts uncovered shall be recorded and removed for storage at a location to be determined by the monitor.

### **Beverly Hilton Specific Plan**

The City adopted the Beverly Hilton Specific Plan and certified its accompanying EIR in 2008. It applies to the portion of the project site located at 9850-9876 Wilshire Boulevard, the Beverly Hilton Property. The property contains the Beverly Hilton and the Waldorf-Astoria Beverly Hills. The Waldorf-Astoria Beverly Hills, which opened in 2017, was constructed as the first phase of the Beverly Hilton Specific Plan. The Beverly Hilton Specific Plan allows for the additional development of 110 condominium units and the demolition and reconstruction of approximately 51,600 sf of retail, restaurant, meeting, and office space.

The Beverly Hilton Specific Plan 2008 EIR concludes that impacts to historical resources as a result of implementation of the Beverly Hilton Specific Plan would be significant and unavoidable despite implementation of Mitigation Measure MM-CR-1 (detailed below). Specifically, the Beverly Hilton Specific Plan includes the demolition of portions of the Beverly Hilton Property, including the following NRHP and CRHR-eligible buildings and features: the Wilshire Edge Building (inclusive of the former Trader Vic's Restaurant), Vehicle Entry Courtyard, and Swimming Pool. As the plan included the demolition of historical resources, its implementation was determined to result in a significant impact to historical resources. Mitigation Measure MM-CR-1 was completed by HRG in 2014 and is therefore no longer active and applicable to the proposed project.

The Beverly Hilton Specific Plan 2008 EIR indicated that implementation of Mitigation Measures MM-CR-2 and MM-CR-3 (detailed below) would reduce project related impacts to potentially historic streetlights along Wilshire and North Santa Monica Boulevards and potentially historic signposts along Merv Griffin Way to a less than significant level (City of Beverly Hills 2008a). As noted above, the potentially historic streetlights described in the 2008 FEIR were removed from the sidewalk ROW surrounding the project site in 2011 (Google Earth Pro 2020). As they no longer remain, the proposed project does not have the potential to impact these potentially historic streetlights. Impacts related to potentially historic signposts associated with the proposed project are consistent with those analyzed in the Beverly Hilton Specific Plan 2008 EIR. Therefore, while Mitigation Measures MM-CR-2 is no longer active or applicable to the proposed project, Mitigation Measure MM-CR-3 remains active and applicable to the proposed project. Similarly, the Beverly Hilton Specific Plan 2008 EIR concludes that potential impacts to archaeological resources and human remains would be less than significant with the implementation of Mitigation Measure MM-CR-4 (detailed below). As the potential impacts of the proposed project are consistent with those analyzed in the Beverly Hilton Specific Plan 2008 EIR, Mitigation Measure MM-CR-4 remains active and applicable to the proposed project.

- MM-CR-1** Components of The Beverly Hilton to be demolished shall be photographed with large-format black and white photography, and a written report which follows to Historic American Buildings Survey (HABS) / Historic American Engineering Record (HAER) standards at a minimum Level 3 Recordation. This documentation shall be donated to a suitable repository, such as the City of Beverly Hills Public Library. The costs shall be borne by the Applicant. *[Fully implemented prior to demolition in 2014 and thus no longer applicable.]*
- MM-CR-2** Potentially historic street lights adjacent to the project site shall be preserved and reinstalled along this section of Wilshire Boulevard and Santa Monica Boulevard, as appropriate, in consultation with the project proponents, the City of Beverly Hills, and an architectural historian qualified under the Secretary of the Interior's Standards. *[Potentially historic streetlights were removed in 2011 and thus Mitigation Measure MM-CR-2 is no longer applicable.]*
- MM-CR-3** Potentially historic sign posts adjacent to the project site on Merv Griffin Way shall be preserved and reinstalled in approximately the same locations, as appropriate, in consultation with the project proponents, the City of Beverly Hills, and an architectural historian qualified under the Secretary of the Interior's Standards.
- MM-CR-4** If buried cultural resources are encountered during construction, all work shall be halted in the vicinity of the archaeological discovery until a qualified archaeologist can assess the nature and significance of the archaeological discovery, per *CEQA Guidelines* Section 15064.5 (f). 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.

### 4.3.3 Impact Analysis

#### **Methodology and Significance Thresholds**

##### *Methodology*

The methods utilized in support of the Cultural Resources Technical Report, upon which this analysis is based, were developed to facilitate CEQA compliance by identifying any cultural resources, including built environment/historical resources and archaeological resources, which could be significantly impacted by the proposed project.

#### **CALIFORNIA HISTORICAL RESOURCES INFORMATION SYSTEM**

Rincon conducted a search of the CHRIS at the South Central Coastal Information Center (SCCIC) on September 4, 2020. The purpose of the search was to identify previously recorded cultural resources and previously conducted cultural resources studies that have taken place within a 0.25-mile radius of the project site (search radius). The CHRIS search identified 16 previously recorded cultural resources within the search radius, all of which are built environment resources. Of the 16 previously recorded resources, one, the Beverly Hilton Hotel (P-19-186682), is within the

project site. The CHRIS search identified 21 previously conducted cultural resources studies within the search radius, one of which (LA-06133) included a portion of the project site and resulted in the recordation and evaluation of the Beverly Hilton Hotel (P-19-186682). Appendix D includes additional documentation related to the CHRIS searches.

## **BACKGROUND AND ARCHIVAL RESEARCH**

The archival and background research methods utilized were developed to facilitate CEQA compliance by identifying any cultural resources, including built environment/historical resources and archaeological resources, which could be significantly impacted by the proposed project. Towards that end, Rincon consulted with the City, which as the lead agency under CEQA determined the analysis included in the Cultural Resources Technical Report should consider potential project impacts to both the project site and properties directly abutting it, specifically the adjacent LACC. The background and archival research methods detailed below were aimed at gathering information on the project site in addition to adjacently located historical resources, specifically, LACC.

Archival and background research for this effort was completed throughout August and September 2020. Research methodology focused on the review of a variety of primary and secondary source materials relating to the history and development of the project area and its surroundings. Sources included, but were not limited to historical maps, photographs and written histories of the area. A list of sources and repositories consulted for the Cultural Resources Technical Report is included below.

- Historical aerial photographs accessed digitally via Nationwide Environmental Title Research (NETR) Online, Inc. and the University of California, Santa Barbara Map & Imagery Lab
- Historical photographs of the project area accessed via Calisphere.org
- Historical topographic maps accessed digitally via United States Geologic Survey
- Historical newspaper articles accessed digitally via newspapers.com
- Historical Sanborn Fire Insurance Company maps accessed digitally via the Los Angeles Public Library
- Personal communication with LACC General Manager/COO Michael Beam and club historian, Adrian Whited
- *Links with A Past: The First 100 Years of The Los Angeles Country Club 1897-1997*. Published by LACC

To identify resources that may be impacted by the proposed project and to contextualize the development of the area surrounding the project site, Rincon performed a cultural resource inventory review. The following inventories of cultural resources were referenced to determine if any portion of the project site has been listed as a historical resource. Review of the inventories listed below was negative for any portion of the project site

- National Register of Historic Places (NRHP)
- California Register of Historical Resources (CRHR)
- California Points of Historical Interest (PHI) and Landmarks lists,
- Built Environment Resources Directory (BERD) for Los Angeles County
- Beverly Hills Local Register of Historic Properties
- SurveyLA (the City of Los Angeles Historic Resources Survey) findings via [historicplacesla.org](http://historicplacesla.org)

The background research performed for the Cultural Resources Technical Report indicates two portions of the project site (9900 Wilshire Boulevard and the Beverly Hilton Property) and one property immediately adjacent to the project site (LACC), have been subject to previous historic resources documentation. Research further indicated that the gas station site has not been previously subject to historic resources documentation. The eligibility of 9900 Wilshire Boulevard was explored in 2005 and 2007, ultimately resulting in a finding of eligibility for the property for listing in the CRHR under Criteria 1 and 3. The eligibility of the Beverly Hilton Property has also been extensively explored by previous study. It was found eligible for listing in the NRHP and CRHR under Criteria A/1, B/2 and C/3.

The historic significance of the LACC property was explored in 2011 as part of the Westside Subway Extension (WSE) Project by the Los Angeles County Metropolitan Transportation Authority. The investigation concluded three acres in the southwestern corner of the LACC property appeared eligible for listing in the NRHP and CRHR under Criterion C/3 as a historic landscape that embodies the distinctive characteristics of a professionally designed landscape over 50 years old and it retained sufficient integrity to qualify for listing in the NRHP and CRHR (Daly 2011). The entirety of the LACC property was successively identified by SurveyLA, a city-wide historic resources survey of the city of Los Angeles, in 2015. The survey results discussed the LACC property's potential historic significance and indicated that it appeared eligible for listing in the NRHP, CRHR and as a City of Los Angeles Historic-Cultural Monument (HCM) under Criteria A/1/1 and C/3/3. The survey indicated the LACC property appeared eligible under Criteria A/1/1 as an excellent example of an early 20<sup>th</sup> century golf course and country club in the city of Los Angeles which has been in continuous use since 1911. It additionally indicated the LACC property appeared eligible under Criteria C/3/3 as an excellent example of an early 20<sup>th</sup> century golf course designed by master golf course architects Herbert Fowler and George C. Thomas Jr. (City of Los Angeles 2015).

## **NATIVE AMERICAN OUTREACH**

Rincon contacted the Native American Heritage Commission (NAHC) on July 24, 2020 to request a 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. The NAHC responded on July 27, 2020, stating the SLF search was negative. The NAHC additionally provided the following list of six Native American entities that may have knowledge of cultural resources in the project site and/or its vicinity: 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. Rincon performed informal outreach to the six Native American entities included on the NAHC list. At the time the Cultural Resources Technical Report was prepared, zero responses to the Native American outreach had been received. The informal outreach described above does not constitute consultation under Senate Bill (SB) 18 or Assembly Bill (AB) 52, which was performed by the City and is discussed in Section 4.10, *Tribal Cultural Resources*.

## **FIELD SURVEY**

Rincon performed a survey of the project site and the surrounding area on September 4, 2020. The survey consisted of a visual inspection of all built environment features located within the project site. Additionally, a pedestrian field survey of the 9900 Wilshire Boulevard was performed. Areas of exposed ground were inspected for prehistoric artifacts (e.g., flaked stone tools, tool-making debris, stone milling tools, ceramics, fire-affected rock), ecofacts (marine shell and bone), soil discoloration



that might indicate the presence of a cultural midden, soil depressions, and features indicative of the former presence of structures or buildings (e.g., standing exterior walls, postholes, foundations) or historic debris (e.g., metal, glass, ceramics). Ground disturbances such as burrows and drainages were also visually inspected.

## **NRHP, CRHR, AND LOCAL LANDMARK ELIGIBILITY**

### ***Gas Station Site***

The Cultural Resources Technical Report indicates that the gas station site has not been previously subject to historic evaluation. A review of aerial imagery indicates that the built environment features located on the gas station site were constructed between 1980 and 1989 (Netronline var.). On the site visit, the gas station site was inspected, and it was affirmed the built environment features on the gas station site appear less than 45 years of age. Additionally, property's lack of architectural distinction, which indicates that it does not meet National Register Criteria Consideration G, was noted. Per the guidance of the California Office of Historic Preservation and the NPS (California Office of Historic Preservation 1995; NPS 1995), the property was not further considered as a potential historical resource.

The site visit identified one historic period streetlight located adjacent to the gas station site, in the right-of-way (ROW) outside the boundaries of the project site. The streetlight appears consistent in design with those surrounding the remainder of project site, on Wilshire and North Santa Monica Boulevards, and discussed in the environmental documents prepared in support of the Existing Specific Plans. No alterations to the streetlight are proposed by the Overlay Specific Plan.

### ***9900 Wilshire Boulevard***

Since the time of its most recent evaluation in 2007, the Robinsons-May Site Department Store was demolished. Observed on the site visit, the only built feature remaining at 9900 Wilshire Boulevard is a plastic backlit sign mounted to a metal pole that displays an arrow and reads "Robinsons-May Parking." The previous finding of eligibility for 9900 Wilshire Boulevard relates directly to the Robinsons-May Department Store building. As the building is no longer extant, the property no longer retains historic integrity. As a result of the Cultural Resources Technical Report, 9900 Wilshire Boulevard is recommended ineligible for listing in the NRHP, CRHR, or for local designation. It is no longer considered a historical resource for the purposes of CEQA.

### ***Beverly Hilton Property***

The Beverly Hilton Property has been the subject of multiple historic resource evaluations. However, the property's historical evaluation was updated as a result of the Cultural Resources Technical Report and is included below.

Rincon concurs with previously evaluations that the Beverly Hilton Property is significant under NRHP and CRHR Criteria A/1, B/2, and C/3. The period of significance for these important associations is considered to be 1953 through 1966. This differs from the 1953 through 1955 period of significance that was previously identified in 2008, which was derived using only the property's architectural significance under Criterion C/3 to recognize Becket's original design intent for the property. As described in further detail below, Rincon has extended the period of significance to 1966 to include buildings and features that reflect significant associations with cultural history and important individuals under Criteria A/1 and B/2. Demolitions and alterations that have occurred to the property since this time have negatively affected its integrity; therefore, the entirety of the property as a collection of buildings no longer appears eligible for NRHP listing.

Under Criterion A/1, the Beverly Hilton Property demonstrates important associations with events that have made a significant contribution to local, state, and national history. It represents shifting concepts of the post-war hotel industry and the establishment of Hilton Hotel Corporation of one of the preeminent luxury hospitality brands during this period. As described by HRG, it was the “flagship for a new era of hotels” (HRG 2006). Its importance was exhibited through its prominent and visible siting at a major intersection and strikingly Modernist design idiom. These features capitalized on the country’s mass acceptance of the automobile after World War II and contributed to the hotel’s popularity. Guests could see and be seen through Wilshire Tower’s transparent façade, an important strategy in Hilton hotels, which became known as “machines for viewing” (Jones & Stokes 2007b). The views to and from the Wilshire Tower are therefore of major importance in Hilton hotels from this era and are a notable character-defining feature of the genre. Another innovation in hotel design embodied by the Beverly Hilton was the large number of function rooms it contained. These spaces were intentionally planned and expanded by Hilton and Becket and made the hotel a popular location among the entertainment industry and Los Angeles society. While there were other notable hotels in the Los Angeles area, none offered the number or variety of function rooms that the Hilton contained. Throughout its history, these spaces hosted a number of prominent local and national events, including the annual Golden Globe Awards and other “industry” and political events.

The Beverly Hilton Property is also significant under Criterion B/2 for its important associations with Conrad Hilton and Welton Becket. Both were notable and innovative individuals within their respective fields – Hilton, perhaps the most widely recognized hoteliers of the twentieth century and Becket, an architect that helped define southern California’s Modernist built environment. Jones & Stokes (2007a) discussed the importance of these two individuals and how the Beverly Hilton Property represented their significance to events in our past:

They both developed business methods (analyzing and quantifying both needs and responses to them to maximize efficiencies) to accommodate a new age, epitomized by the new jet-setting American business client and corporate executive. These parallel approaches converged at The Beverly Hilton, a pioneer in hotel architecture in which cunning economies permitted both lower room rates and a high standard of luxury.

Both individuals were demonstrably significant within the context of their respective fields, and the Beverly Hilton Property represents a notable collaboration and nexus between their innovative ideas.

The Beverly Hilton Property is significant under Criterion C/3 as the work of a master, Welton Becket, and for its embodiment of the distinctive characteristics of Mid-Century Modernism. As previously discussed, Becket was responsible for some of southern California’s most iconic Modernist buildings, including Bullock’s Pasadena (1947), Capitol Records tower (1954), and the Santa Monica Civic Auditorium (1958). The Beverly Hilton was built during some of Becket’s most productive years and reflects his ability to respond to a unique project site and the needs of his client. The hotel was designed to become an “instant landmark” and ultimately became a prototype for other Hilton International hotels (ARG 2006). Its location and prominence in the Hilton chain made the Beverly Hilton a prominent and nationally recognized work that was featured in national ad campaigns for Hilton Hotels.

The Beverly Hilton is equally important for its Mid-Century Modern architecture and design because it was completed by the firm during the first two phase of the complex’s development. The main Wilshire Tower’s distinctive Y-shape, prominent horizontality, early adoption of new building

technologies and materials, low-key ornamentation, and open balconies are some of the key features of its Mid-Century Modern architecture. Becket's minimalistic modern design for the Beverly Hilton set the standard for the chain and defined a new model for hotel plan and design. The design of the Beverly Hilton was a key example and product of Becket's "total design" strategy to include the firm's comprehensive design and oversight of everything from the hotel buildings to the matches and napkins designed for the hotel.

Noted master architect Gin D. Wong was responsible for a 1989 renovation that resulted in changes to the interior public spaces. These alterations do not appear eligible under Criterion C/3. Wong was responsible for a number of projects in Beverly Hills, including the former Hilton Hotel Corporate office complex at 9336-9346 Civic Center Drive (1985), the Union 76 gas station (1965), and the office building at 100 North Crescent Drive (1989). Unlike his work at the Beverly Hilton, which was limited to renovation work, these other projects were conscious designs of complete buildings. Because there are better representations of Wong's work in Beverly Hills, the Beverly Hilton Property does not appear significant for its association with Wong.

Alterations to the property over the decades have affected the integrity of the Beverly Hilton Property such that it does not appear eligible for NRHP listing as a property or collection of buildings, which requires that a property retain sufficient integrity to convey its historic significance. However, the California Office of Historic Preservation recognizes that although a property may not retain sufficient integrity to be eligible for the NRHP, the property may still be eligible for the CRHR (California Office of Historic Preservation 2006). Per this guidance, the Beverly Hilton Property appears eligible for the CRHR because the following contributing buildings remain and Wilshire Tower remains visible from two of its three primary vantage points: Wilshire Tower, western half of the Wilshire Edge Building, Swimming Pool, Lanai Rooms, Vehicle Entry Courtyard, Palm/Oasis Court and Parking Garage. The Wilshire Tower itself may additionally qualify for listing in the NRHP, CRHR, and local designation as an individual resource. The current analysis has therefore identified the period of significance to be 1953 through 1966, which captures not only the original design of the property, but also the later additions by Hilton and Becket, which directly contributed to the ongoing success and preeminence of the property.

The Beverly Hilton Property contains a number of buildings and features that were constructed during the period of significance and contribute to its CRHR eligibility under Criteria 1, 2, and 3. Contributing buildings and features have been identified following NPS guidance. Per this guidance, "a contributing building, site, structure, or object adds to the historic associations [or] historic architectural quality... for which a property is significant because it was present during the period of significance, relates to the documented significance of the property, and possesses historic integrity..." (NPS 1997:16). Taking NPS guidance in to account, the following buildings and features are those that contribute to the significance of the Beverly Hilton Property: Wilshire Tower, Wilshire Edge Building, Swimming Pool and Lanai Rooms, Vehicle Entry Courtyard, Palm/Oasis Court and Parking Garage.

Buildings and features of the Beverly Hilton Property critical in its ability to convey historic significance and those that are less critical have been identified in the Cultural Resources Technical Report. As indicated in Table 4.3-2, the property's contributing buildings and features have been divided into three tiers, primary, secondary and tertiary, according to their importance as it relates to the property's ability to convey significance. Those that are highly representative of the property's historical and architectural significance and most clearly embody all of its significant associations are considered the primary contributing buildings and features of the property. While secondary and tertiary buildings and features may also represent these associations, they do so to a

lesser degree, either due to the quality of their design or the date of their construction. Secondary buildings are less characteristic of the Mid-Century Modern Style than is Wilshire Tower. However, these buildings were components of the property's initial design and therefore also express its significant associations. Tertiary buildings and features are least important in the property's ability to convey significance. They were added to the property following its initial design and therefore, are not essential in the property's ability to convey significance.

**Table 4.3-2 Contributing Buildings and Features of the Beverly Hilton Property by Tier**

	Primary	Secondary	Tertiary
Building/Feature	<ul style="list-style-type: none"> <li>Wilshire Tower</li> </ul>	<ul style="list-style-type: none"> <li>Wilshire Edge</li> <li>Swimming Pool</li> <li>Vehicle Entry Courtyard</li> </ul>	<ul style="list-style-type: none"> <li>Parking Garage</li> <li>Palm/Oasis Court</li> <li>Lanai Rooms</li> </ul>

The Beverly Hilton Property is significant under multiple designation criteria, 1, 2 and 3. However, the property's buildings and features are variously representative of its significant associations. As the center piece of the Beverly Hilton Property, around which all contributing buildings and structures are oriented, Wilshire Tower is the property's primary contributing building. Its function as a hotel representative of the post-war hotel industry and the establishment of Hilton Hotel Corporation is most distinctly embodied in Wilshire Tower. With its high style, Wilshire Tower clearly expresses the collaborative relationship between Conrad Hilton and Master Architect Welton Becket and additionally embodies the principles of Mid-Century Modernism.

Secondary buildings and features of the Beverly Hilton Property are Wilshire Edge Building, Swimming Pool and Vehicle Entry Courtyard. While these buildings and features are original to the Beverly Hilton Property's design and convey significance, they clearly represent less of a design investment when compared to Wilshire Tower. Rather, they were designed to complement Wilshire Tower. When considered individually, these buildings and features integrate some of the principles of Mid-Century Modernism but certainly to a lesser degree than Wilshire Tower and are therefore considered secondary. The Parking Garage, Palm/Oasis Court and Lanai Rooms are the property's tertiary buildings and features. These buildings and features were designed in a manner consistent with those original to the Beverly Hilton Property's design. However, they are later additions and are more minimal in terms of their style and detailing when considered individually and are therefore least important in the property's ability to convey significance.

The Beverly Hilton Property does appear to meet the necessary City of Beverly Hills Landmark criteria (BHMC 10-3-3212) based on current research and the above assessment. The contributing buildings and features (i.e., the Wilshire Tower, Wilshire Edge Building, Swimming Pool and Lanai Rooms, Vehicle Entry Courtyard, Palm/Oasis Court, and Parking Garage) were evaluated according to municipal code criteria as listed under Section 2.3, *City of Beverly Hills*. The property meets the following criteria (BHMC 10-3-3212(A)):

**BHMC 10-3-3212 (A)(1).** The property is over 45 years of age or is a property of extraordinary significance.

Construction for the Beverly Hilton hotel began in 1953. Additions to the Beverly Hilton hotel, including the Lanai Rooms, the Oasis/Palm Court, and a large portion of the Parking Garage, were constructed in the 1960s. Therefore, the property satisfies this criterion.

**BHMC 10-3-3212(A)(2).** The property possesses high artistic or aesthetic value and embodies the distinctive characteristics of an architectural style, architectural type, or architectural period.

As a singular resource, the property possesses high artistic style and aesthetic value. Some of the buildings and features contributing to the subject property, for example Wilshire Tower, exhibit the distinctive elements of the Mid-Century Modern style as designed by the master architecture firm of Welton Becket and Associates. Additionally, the property as a whole possesses aesthetic value due to its site layout and the interaction of its contributing elements. Therefore, the property satisfies this criterion.

**BHMC 10-3-3212(A)(3).** The property retains substantial integrity from its period of significance.

The property's period of significance is defined as 1953 to 1966. Since this time, the property has undergone a number of alterations, including renovations in 1989 and 2004, the demolition of the eastern Wilshire Edge building, and the construction of the Waldorf-Astoria Beverly Hills at the eastern terminus of the site. Although these changes have affected many aspects of the property's integrity, the property still retains a sufficient number of its contributing resources, character-defining features, and important viewsheds from its period of significance to meet this criterion.

**BHMC 10-3-3212(A)(4).** The property has continued historic value to the community such that its designation as a landmark is reasonable and necessary to promote and further the purposes of this article.

The property is an important representation of the City's unique and diverse architectural, commercial and cultural heritage dating from the post-war period. Therefore, it has historic value to the local community.

The property also appears to meet many of the criteria under BHMC 10-3-3212(B).

**BHMC 10-3-3212(B)(1).** It is listed on the National Register of Historic Places.

The Beverly Hilton Property is not listed in the NRHP. Therefore, the property does not satisfy this criterion.

**BHMC 10-3-3212(B)(2).** It is an exceptional work by a master architect. The BHMC, which defines an "exceptional work" as the following:

A remarkably superior example of architectural work that has been recognized as such by members of the architectural community. At a minimum, the work's exceptional quality shall have been documented by at least one of the following: a) it was the subject of a major architectural award; b) it was substantively discussed (i.e., not just mentioned) and photographically depicted in a monograph on a master architect's career; or c) it was substantively discussed or photographically depicted in at least two (2) publications (e.g., a book, treatise, trade magazine article, film, or set of photographs made available to the public by an institutional archive) authored by acknowledged experts in the field of architecture. A monograph or publication made available to the public solely in electronic form and without any reasonable expectation of compensation to the author, or substantially authored by the architect of the work, shall not count toward this minimum (BHMC 10-3-3202).

In consideration of these criteria, as a whole the collection of buildings located on the Beverly Hilton Property is an exceptional work as defined by the BHMC. As detailed above in Section 3.3, *Historic Context*, and Section 5.1.1.1, *National and California Registers*, the contributing buildings and

features on the Beverly Hilton Property are an important work of Welton Becket and Associates, and the components constructed during the first phase of development were the subject of numerous awards and article spreads in historic magazines. Therefore, although buildings on the property satisfy this criterion to various degrees individually, the property satisfies this criterion. However, although interior renovations were made by Gin D. Wong, a master architect, these changes are not considered an exceptional example of Gin D. Wong's work or of the Corporate Modern/Postmodern styles and have not acquired significance. In addition, Wong's renovations were significantly modified by Gensler designed renovations in 2004.

**BHMC 10-3-3212(B)(3).** It is an exceptional work that was owned and occupied by a person of great importance and was directly connected to a momentous event in the person's endeavors or the history of the nation.

The BHMC defines 'a person of great importance' as "a person whose activities had a substantial impact on the history of the nation, which impact can be demonstrated through scholarly research and judgment. At a minimum, a person of great importance is someone whose name and exploits were widely known across America during his/her lifetime, and whose widespread fame continues through to the present day. A person shall not be considered to be of great importance by virtue of his/her position or title, race, gender, ethnicity, or religion (BHMC Section 10-3-3202)." The Beverly Hilton Property is considered an exceptional work that was owned by a person of great importance as defined by BHMC, Conrad Hilton. The endeavors of Conrad Hilton are associated with important post-war events in the history of the nation. He was also notable for his productive years as the developer and key representative of the Hilton Hotel and for developing methods in the hospitality industry to accommodate a new age. The Beverly Hilton Property directly represents these associations and set a precedent for Hilton hotels in the post-war era. Therefore, the property satisfies this criterion.

**BHMC 10-3-3212(B)(4).** It is an exceptional property that was owned and occupied by a person of great local prominence.

The BHMC defines 'a person of great local prominence' as one "whose activities had such a substantial impact on the history of the city of Beverly Hills that a public street or public park in the city was named after him or her (BHMC Section 10-3-3202). As Conrad Hilton does not have a public street or public park in the city named after him, the property does not satisfy this criterion.

**BHMC 10-3-3212(B)(5).** It is an iconic property.

The BHMC defines as 'iconic property' as "property that has been visited and photographed so often by residents and visitors to the city that it has become inextricably associated with Beverly Hills in the popular culture and forms part of the city's identity to the world at large (BHMC Section 10-3-3202)." The Beverly Hilton is an iconic property as defined by the BHMC. It has been previously identified as significant in multiple evaluations and is located at a prominent location in Beverly Hills. Since its development in 1953, it has been a major hub for the entertainment industry and the site of numerous award ceremonies including the Golden Globes and other high-profile events. As a result, the property meets this criterion.

**BHMC 10-3-3212(B)(6).** The landmark designation procedure is initiated, or expressly agreed to, by the owner(s) of the property. (Ord. 15-O-2682, eff. 11-19-2015)

The Beverly Hilton Property's landmark designation procedure has not been initiated or agreed to by the owners of the property. Therefore, the property does not satisfy this criterion.

***Los Angeles Country Club***

The Cultural Resources Technical Report concludes that the LACC property is significant and eligible for listing in the NRHP and CRHR at the local level of significance under Criteria A/1 for its association with the broad patterns of local history, specifically the early development of private recreational facilities in the city of Los Angeles. Additionally, the North Course is significant under Criteria C/3 as an excellent example of a 1920s golf course designed by master golf course architects George C. Thomas Jr. and William "Billy" Bell during a period known as the golden era of golf course design.

The LACC appears significant at the local level of significance under Criteria A/1 for its association with the broad patterns of local history, specifically the early development of private recreational facilities in the city of Los Angeles. The property is an extant representative example of an early 20th century private country club and golf course which has remained in the continual use since it was originally developed in 1911. At the time of its development, the future site of LACC was a remote and largely undeveloped area near the growing but small town center of Beverly Hills. The Beverly Hills Hotel, completed in 1912, and the LACC both served to draw visitors and spurred development in the surrounding area. Annexed in 1916 into the city of Los Angeles' boundaries, the LACC may be the oldest extant golf course in the city of Los Angeles proper. Other extant golf clubs from the approximate era and in the greater Los Angeles area include the San Gabriel Country Club founded in 1904 near Mission San Gabriel, the Annandale Golf Club founded in 1906 on the west side of Pasadena's Arroyo Seco, and the Wilshire Country Club, founded in 1919. As relayed by LACC historian, Adrian Whited, due to golf's growing popularity, by the 1930s there were approximately 40 golf courses in the greater Los Angeles area spanning from the San Fernando Valley to Long Beach, and from East Los Angeles to the Pacific Ocean. Within this context, the LACC is an excellent representative example of one of the earliest extant private golf clubs in Los Angeles.

The LACC does not appear significant under Criteria B/2. Archival research shows club membership included numerous wealthy and well-known individuals. However, they were not directly associated with the LACC organization, rather, they came to recreate as did countless others on the property. Archival research did not indicate the LACC property is directly associated with the lives of persons important to local, California or national history.

The North Course of the LACC property appears significant under Criteria C/3 as an excellent example of a 1920s golf course designed by master golf course architects George C. Thomas Jr. and William "Billy" Bell during a period known as the golden era of golf course design (Southern California Golf Association 2017). This design is limited to the North Course which embodies the distinctive characteristics of a type and represents the work of a master. It is significant for the unique elements for which Thomas and Bell are known, such as the incorporation of the natural topography and setting into the golf course layout, bunkers with artistic, uneven edges, and holes that can be played by various approaches. While the Thomas and Bell Design was altered in the years after it was completed in 1928, the North Course was carefully restored to its 1928 design in 2015 by Gil Hanse. California Office of Historic Preservation (OHP) guidance states that historical resources which have been rehabilitated or restored may be evaluated for listing. In addition, the 1911 clubhouse represents the work of a master, architect Sumner P. Hunt.

The LACC does not appear significant under Criteria D/4 as the golf course and its buildings were constructed using common building materials; the property does not have the potential to yield

information regarding local building traditions or methods. Available evidence does not indicate the golf club property has the potential to yield information important to prehistory or history.

Integrity is the ability of a property to convey its significance. As indicated in the significance evaluation above, since the completion of the Thomas and Bell design of the North Course in 1928, the LACC property has undergone various changes including:

- Modifications to the property boundary through sales and purchases of additional property
- Demolition of original (1911) buildings and structures such as employee bungalows, mowing horse barn, and early bridges connecting parts of the golf course
- Additions to the clubhouse on the west, east and north elevations and replacement of clubhouse windows
- Various alteration to the design/layout of the North and South Course (over several decades)
- Addition of new features such as practice putting greens (1930) four miles of perimeter fencing (1946), entry signage (1956)
- Addition of new buildings and structures such as greenhouse (circa 1939), growing house (1940), golf shop (1966), maintenance building (1981) and bridge (1983)
- Enlargement of the tunnels under Wilshire Boulevard (1955 and 1958)
- Construction of new pathways throughout (1950s and 1960s)
- Enlargement of parking lots and the golf cart storage area
- Modification to the types of trees/plantings located on the property (over several decades)
- Refurbishment of the North and South Courses (several times throughout the 2000s)
- 2015 redesign of the South Course by Gil Hanse
- 2015 restoration of the North Course by Gil Hanse

Although the boundaries of the LACC property have been expanded and diminished over time, the location of many of its character-defining features retain their location from the period of significance. The location of the property's two 18-hole golf courses and that of Wilshire Boulevard within the property are original to its period of significance. The property's access road off Wilshire Boulevard and its clubhouse remain in their original location. Therefore, the property retains integrity of location sufficient to convey its significant associations under Criteria A/1 and C/3 (North Course).

The LACC property is significant as an excellent example of a 1920s golf course designed by master golf course architects George C. Thomas Jr. and William "Billy" Bell during a period known as the golden era of golf course design. However, while the North Course was restored to its 1928 appearance in 2015, a new design was applied to the South Course in 2015 such that it no longer retains integrity of design, materials and workmanship. While the North and South Courses retain sufficient integrity of design, materials and workmanship to convey their significant associations under Criteria A/1, only the North Course retains sufficient integrity of design, materials and workmanship to convey its significant associations under Criteria C/3.

At the time of its initial development, the LACC property was surrounded by a rural setting. However, by the end of its period of significance, the cities of Beverly Hills and Los Angeles had grown to surround the property with development which has only densified since the historic period. Although not the intention of the property's location in its initial development, the LACC has none the less functioned as an urban golf course for much its existence. However, due to its size and



the retention of vistas within it, it retains integrity of setting, feeling and association sufficient to convey its significant associations under Criteria A/1 and C/3 (North Course).

As noted above in the Beverly Hilton Property historical evaluation, a property's period of significance refers to the date or span of time during which significant events and activities occurred. LACC moved to its current location in 1911. From 1911 through 1928, the LACC property was developed to include two 18-hole golf courses, the North and South Courses, and a clubhouse in addition to variety of associated features and structures. Under Criteria A/1, the property's significance is related to its development within the context of the city of Los Angeles' recreational development in the early 20<sup>th</sup> century. Therefore, the period of significance associated with Criterion A encompasses its initial development, which occurred progressively from 1911 through 1928. Under Criteria C/3, the property's significance is related to its association with master golf course architects George C. Thomas Jr. and William "Billy" Bell as excellent example of their work. As both Thomas's and Bells contributions to the property occurred in its initial phase of development, between 1911 and 1928, the period of significance associated with Criteria C/3 also spans this period.

According to the NPS, the character of landscapes is defined by their spatial organization and land patterns, features such as topography, vegetation, and circulation, and their materials. As noted in the evaluation above, the significance of the LACC property under Criteria A/1 is associated with the entirety of the property. The character-defining features of the property that convey its significance under Criteria A/1 include the following:

- Presence of two 18-hole courses
- Division of the property by Wilshire Boulevard
- Varied topography within boundaries
- Trees (including California Sycamores) scattered throughout and along some of its perimeter
- Primary entry road off Wilshire Boulevard leading to clubhouse
- Retention of natural drainage features
- Lack of artificial water features
- Tunnels (2) under Wilshire Boulevard
- Prominently located Sumner P. Hunt designed clubhouse
- Tennis courts located west of clubhouse (4)

The significance of the LACC property under Criterion C is associated only with the North Course. In addition to those noted above, the following character-defining features convey the significance of the North Course under Criteria C/3:

- Bunker design (Billy Bell Bunker)
- Course layout (including fairways, tees and bunkers)
- Presence of naturally landscaped areas throughout

### *Significance Thresholds*

Impacts to significant cultural resources are considered a significant effect on the environment if such impacts affect the characteristics of any resource that qualify it for the NRHP or adversely alter the significance of a resource listed in or eligible for listing in the CRHR. These impacts could result from physical demolition, destruction, relocation, or alteration of the resource or its immediate

surroundings such that the significance of a historical resource would be materially impaired (*CEQA Guidelines*, Section 15064.5 [b][1]). Material impairment is defined as demolition or alteration in an adverse manner [of] those characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for inclusion in, the CRHR (*CEQA Guidelines*, Section 15064.5[b][2][A]).

An impact to cultural resources is considered significant if it can be demonstrably argued that the project would:

1. Cause a substantial adverse change in in the significance of a historical resource pursuant to Section 15064.5?
2. Cause a substantial adverse change in in the significance of an archaeological resource pursuant to Section 15064.5?
3. Disturb any human remains, including those interred outside formal cemeteries.

**Threshold 1:** Would the project cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?

**Impact CUL-1** THE BEVERLY HILTON PROPERTY IS SIGNIFICANT FOR ITS DIRECT AND IMPORTANT ASSOCIATIONS WITH POSTWAR COMMERCIAL AND CULTURAL HISTORY, CONRAD HILTON AND WELTON BECKET, AND ITS NOTEWORTHY ARCHITECTURAL FEATURES. THE BEVERLY HILTON PROPERTY AND THE WILSHIRE TOWER ARE CONSIDERED A HISTORICAL RESOURCE IN ACCORDANCE WITH CEQA AND ARE ELIGIBLE FOR DESIGNATION AS A CITY LANDMARK. THEREFORE, IN COMPARISON TO EXISTING CONDITIONS, THE PROJECT WOULD RESULT IN A SIGNIFICANT AND UNAVOIDABLE IMPACT TO HISTORICAL RESOURCES. THE PREVIOUS ENVIRONMENTAL DOCUMENTATION CONCLUDES THAT A SIGNIFICANT AND UNAVOIDABLE IMPACT TO HISTORICAL RESOURCES WOULD OCCUR UNDER THE EXISTING SPECIFIC PLANS. ALTHOUGH HISTORICAL RESOURCE IMPACTS UNDER THE PROPOSED PROJECT WOULD NOT BE GREATER THAN THAT DETERMINED IN THE PREVIOUS ENVIRONMENTAL DOCUMENTATION, THE PROPOSED PROJECT WOULD ALSO RESULT IN A SIGNIFICANT AND UNAVOIDABLE IMPACT TO HISTORICAL RESOURCES, SIMILAR TO THE APPROVED ENTITLEMENTS.

## Direct Project Site

### *Existing Conditions*

The 9900 Wilshire Boulevard site is not considered a historical resource for the purposes of CEQA. Development on this site, therefore, would not result in any direct impacts to historical resources. The proposed project would result in the demolition of an existing gas station at 9988 Wilshire Boulevard and integration of 9988 Wilshire Boulevard into the project site. The Cultural Resources Technical Report affirmed that the gas station site was developed less than 45 years ago. It therefore does not warrant further investigation as a potential historical resource per the guidance of the California OHP (OHP 1995). Therefore, in comparison to existing conditions, demolition of the non-historic period features located on the gas station site and its integration into the project site would not result in impact to historical resources because no historical resources exist on this portion of the project site.

The proposed project would result in the demolition of the Wilshire Edge Building, Vehicle Entry Courtyard, and Swimming Pool, in addition to the Palm/Oasis Court, Parking Garage and Lanai Rooms. Under the Overlay Specific Plan, six buildings and associated small-scale development and gardens would be constructed throughout the project site. Implementation of the Overlay Specific Plan has the potential to result in impacts to the Beverly Hilton Property because it includes the

demolition of buildings that contribute to the significance of the property and the construction of buildings within the boundaries of the resource in addition to outside of the boundaries of the resource in its immediate vicinity, thereby altering its setting.

The historic significance of the Beverly Hilton Property has been previously explored several times. The Cultural Resources Technical Report performed an update to the historical evaluation which concludes that the Beverly Hilton Property is eligible for listing in the CRHR and local historic designation and, therefore, is a historical resource for the purposes of CEQA. The property is significant for its direct and important associations with post-World War II commercial and cultural history, Conrad Hilton and Welton Becket, and its noteworthy architectural features. The period of significance for these associations is from 1953 and 1966, beginning with its construction and extending through its subsequent expansion under Hilton and Becket. As previously discussed in this report, the following buildings and features which were constructed during this period and which still retain integrity are considered buildings that contribute to the significance of the property: Wilshire Tower, the Wilshire Edge Building, Swimming Pool and Lanai Rooms, Vehicle Entry Courtyard, Palm/Oasis Court and the Parking Garage. As the center piece of the Beverly Hilton Property, around which all contributing buildings and structures are oriented, Wilshire Tower is the property's primary contributing building. Secondary buildings and features of the Beverly Hilton Property are Wilshire Edge Building, Swimming Pool and Vehicle Entry Courtyard. While these buildings and features are original to the Beverly Hilton Property's design and convey significance, they clearly represent less of a design investment when compared to Wilshire Tower. Rather, they were designed to complement Wilshire Tower. When considered individually, these buildings and features integrate some of the principles of Mid-Century Modernism but certainly to a lesser degree than Wilshire Tower and are therefore considered secondary. The Parking Garage, Palm/Oasis Court and Lanai Rooms are the property's tertiary buildings and features. These buildings and features were designed in a manner consistent with those original to the Beverly Hilton Property's design. However, they are later additions and are more minimal in terms of their style and detailing when considered individually and are therefore least important in the property's ability to convey significance.

The proposed project would have a significant impact on this historical resource due to proposed demolition and construction activities. The project would demolish the following contributing buildings: Wilshire Edge Building, Vehicle Entry Courtyard, and Swimming Pool, all secondary contributing buildings and features, in addition to the Lanai Rooms, Palm/Oasis Court and Parking Garage, tertiary contributing buildings and features. These buildings and structures represent the collaboration between Becket and Hilton and directly contribute to the significance of the Beverly Hilton Property as a historical resource. Although the project would not result in the demolition of the Wilshire Tower, the property's primary contributing building, the demolition of these secondary and tertiary features would materially impair the resource and alter in an adverse manner those physical characteristics that help to convey its historic significance. As a result of these demolition activities, the Beverly Hilton Property as a whole would no longer retain substantial integrity from its period of significance as required by the CRHR and the City of Beverly Hills' Register of Historic Properties under BHMC 10-3-3212(A)(3). This would result in a substantial adverse change to a historical resource and would create a significant impact to historical resources. Although Wilshire Tower may qualify for historic designation as an individual resource, the Beverly Hilton Property as a collection of buildings would no longer retain substantial integrity from its period of significance or remain eligible for CRHR designation.

The redistribution of previously approved FARs throughout the project site as part of the Overlay Specific Plan would result in the construction of six buildings on the project site. Two of the buildings would be located in the western portion of the Beverly Hilton Property. These include the 31-foot-tall Conference Center and the Beverly Hilton Enhancement, which would be just under 20 feet tall. Additionally, the project includes the construction of the following buildings west of the Beverly Hilton Property at 9900 Wilshire Boulevard and the gas station site: Santa Monica Residences at 410 feet tall, Garden Residences at 369 feet tall, Wilshire Building at 124 feet tall and Park Pavilion at 20 feet tall.

Historically, the Beverly Hilton Property had three primary views from the three major primary thoroughfares that surrounded it: from the east at the intersection of Santa Monica and Wilshire Boulevards, from the west from Wilshire Boulevard, and from the south and west from North Santa Monica Boulevard. Views from the building are additionally character-defining. These viewsheds were an intentional design component of Wilshire Tower and encouraged guests to see and be seen. Wilshire Tower created a precedent for future Hilton hotels, which became known as “machines for viewing.” The views to and from Wilshire Tower are therefore of major importance in Hilton hotels from this era and are a notable character-defining feature of the genre. The first of these views was lost following completion of the Waldorf-Astoria Beverly Hills under the Beverly Hilton Specific Plan. The construction of the buildings noted above would collectively diminish views both to and from the Wilshire Tower, thereby altering its setting and resulting in an impact to historical resources, the Beverly Hilton Property.

Although not capable of reducing impacts to below a level of significance, two mitigation measures have been identified to reduce the proposed project’s impacts to historical resources. Mitigation Measures MM-CR-5 and MM-CR-6 below seek to expand knowledge of the property’s social and cultural history and convey that knowledge to the general public. Implementation of Mitigation Measures MM-CR-5 and MM-CR-6 would reduce impacts to the historical resources; however, impacts would remain significant and unavoidable.

While it remains eligible for listing in the CRHR and local designation, at the current time, the Beverly Hilton Property as a whole is not eligible for listing in the NRHP due to integrity considerations. Following implementation of the proposed project, the property would additionally no longer meet integrity requirements for listing in the CRHR or as a City of Beverly Hills landmark. However, Wilshire Tower has the potential to individually warrant such designation even after buildout of the proposed project. It is the centerpiece of the Beverly Hilton Property and appears to independently meet NRHP and CRHR Criteria A/1, B/2 and C/3 and several of the criteria outlined in BHMC 10-3-3212(A). Therefore, the Cultural Resources Technical Report includes a recommendation that the City of Beverly Hills and the owner of the Beverly Hilton Property consider the designation of Wilshire Tower as a local landmark.

Previous environmental documentation for the Existing Specific Plans documented potentially historic streetlights surrounding the project site. The Cultural Resources Technical Report indicates that these potentially historic streetlights no longer remain. The Overlay Specific Plan does not propose any alteration or modification to existing streetlights in the vicinity of the project site.

### *Approved Entitlements*

The 9900 Wilshire Boulevard site is not considered a historical resource for the purposes of CEQA. Development on this site, therefore, would not result in any direct impacts to historical resources. The gas station site was not included in previous environmental documentation for the Existing Specific Plans because the site does not lie within the area subject to the Existing Specific Plans. For

the reasons detailed above, demolition of the non-historic period features located on the gas station site and its integration into the project site would not result in impact to historical resources because no historical resources exist on this portion of the project site.

As detailed above, the following buildings and features contribute to the significance of the Beverly Hilton Property: Wilshire Tower, the Wilshire Edge Building, Swimming Pool and Lanai Rooms, Vehicle Entry Courtyard, Palm/Oasis Court and the Parking Garage. The proposed project would result in the demolition of the Wilshire Edge Building, Vehicle Entry Courtyard, and Swimming Pool, in addition to the Palm/Oasis Court, Parking Garage and Lanai Rooms. Under the Overlay Specific Plan, six buildings and associated small-scale development and gardens would be constructed throughout the project site. Implementation of the Overlay Specific Plan has the potential to result in impacts to the Beverly Hilton Property because it includes the demolition of buildings that contribute to the significance of the property and the construction of buildings within the boundaries of the resource in addition to outside of the boundaries of the resource in its immediate vicinity, thereby altering its setting.

Similar to the Approved Entitlements, the proposed project would have a significant impact on this historical resource due to proposed demolition and construction activities. In addition to demolition of the Wilshire Edge Building, Vehicle Entry Courtyard, and Swimming Pool (identified as secondary contributing features), the project would demolish the following contributing buildings that were not formerly considered historic: Palm/Oasis Court, Parking Garage and Lanai Rooms (identified as tertiary contributing features). These buildings and structures represent the collaboration between Becket and Hilton and directly contribute to the significance of the Beverly Hilton Property as a historical resource. Although the project would not result in the demolition of the Wilshire Tower, the property's primary contributing building, the demolition of these secondary and tertiary features would materially impair the resource and alter in an adverse manner those physical characteristics that help to convey its historic significance. As a result of these demolition activities, which would also occur under the Approved Entitlements, the Beverly Hilton Property as a whole would no longer retain substantial integrity from its period of significance as required by the CRHR and the City of Beverly Hills' Register of Historic Properties under BPMC 10-3-3212(A)(3). This would result in a substantial adverse change to a historical resource and would create a significant impact to historical resources.

The proposed project would demolish the same buildings within the Beverly Hilton Property as the Approved Entitlements. The 2007 Jones & Stokes assessment prepared for the Beverly Hilton Specific Plan did not identify the Palm/Oasis Court, the Parking Garage and the Lanai Rooms as contributing buildings and features due to the more limited evaluation period used (City of Beverly Hills 2008a). The updated historic evaluation contained herein expanded the Beverly Hilton Property's period of significance to 1966 and identifies Palm/Oasis Court, Parking Garage and Lanai Rooms as tertiary contributing buildings. As a result of the change in the Beverly Hilton Property's period of significance, the updated historic evaluation identified a greater number of contributing buildings and features than the Beverly Hilton Specific Plan 2008 EIR identified for the Beverly Hilton Specific Plan. However, both buildout of the Approved Entitlements and the proposed project would result in demolition of the same buildings, although now as a result of the updated historic evaluation, more of those buildings are considered contributing buildings. Therefore, the significant and unavoidable historical resources impact of the proposed project would not be more severe than that of the Approved Entitlements. Under both scenarios, despite the fact that Wilshire Tower may qualify for historic designation as an individual resource, the integrity of the Beverly Hilton Property as a collection of buildings would be degraded such that it would be ineligible for listing in the CRHR.

As detailed above, the redistribution of previously approved FARs throughout the project site as part of the Overlay Specific Plan would result in the construction of six buildings on the project site, ranging from 20 to 410 feet in height. Historically, the Beverly Hilton Property had three primary views from the three major primary thoroughfares that surrounded it. As noted above, the views from these thoroughfares to the Wilshire Tower and views from the Wilshire Tower are therefore of major importance in Hilton hotels from this era and are a notable character-defining feature of the genre. The first of these views was lost following completion of the Waldorf-Astoria Beverly Hills under the Approved Specific Plan. The construction of the buildings noted above would collectively diminish views both to and from the Wilshire Tower, thereby altering its setting and resulting in an impact to historical resources, the Beverly Hilton Property. However, the Overlay Specific Plan would not result in increased view impacts when compared to Approved Entitlements. While it would construct buildings taller than those previously approved, the buildings proposed as part of the Overlay Specific Plan are further physically separated from Wilshire Tower, the only contributing building that would remain on the Beverly Hilton Property following implementation of the proposed project. While character-defining views would be impacted under the Overlay Specific Plan, the scale, massing and siting of the proposed buildings would not impact character-defining views to a greater extent than Approved Entitlements.

Although not capable of reducing impacts to below a level of significance, two mitigation measures have been identified to reduce the proposed project's impacts to historical resources. Mitigation Measures MM-CR-5 and MM-CR-6 below seek to expand knowledge of the property's social and cultural history and convey that knowledge to the general public. Implementation of Mitigation Measures MM-CR-5 and MM-CR-6 would reduce impacts to the historical resources; however, impacts would remain significant and unavoidable, similar to the Approved Entitlements.

While the Beverly Hilton Property as a whole would no longer meet the integrity requirements for NRHP listing, CRHR listing, or as a City of Beverly Hills landmark following implementation of the proposed project, Wilshire Tower has the potential to individually warrant such designation following buildout of the proposed project. It is the visual centerpiece of the Beverly Hilton Property and may independently meet NRHP and CRHR Criteria A/1, B/2 and C/3 and several of the criteria outlined in BHMC 10-3-3212(A). Therefore, the City of Beverly Hills and the owner of the Beverly Hilton Property should consider the designation of Wilshire Tower as a local landmark.

Previous environmental documents prepared in support of the Existing Specific Plans accounted for impacts to the potentially historic streetlights surrounding the project site. The Cultural Resources Technical Report indicates that these potentially historic streetlights no longer remain. The Overlay Specific Plan does not propose any alteration or modification to existing streetlights in the vicinity of the project site.

## **Los Angeles Country Club**

### *Existing Conditions*

The City of Beverly Hills acting as the CEQA lead agency for the current project determined properties abutting the project site should be assessed for potential historical resources impacts. The LACC property is located immediately adjacent to and shares roughly the southern 0.2 mile of its eastern property boundary (which is over 1.2-mile-long) with the proposed project site. The Cultural Resources Technical Report confirmed the LACC property is eligible for NRHP and CRHR listing and is therefore considered a historical resource for the purposes of CEQA.

The proposed project would not physically demolish, deconstruct, relocate or alter directly any portion of the LACC property. All project components proposed as part of the Overlay Specific Plan would be constructed on the project site, which is adjacent to and outside the boundaries of the LACC property, specifically the South Course. As discussed above, the significance of the LACC is tied to its role in the early recreation history of the city of Los Angeles (Criteria A/1) and as a notable example of golf course design (Criteria C/3). The physical characteristics which convey this significance are tied to the property itself, including but not limited to its two 18-hole golf courses, varied topography and landscaping, and clubhouse. None of these character-defining features would be directly altered by the proposed project in any way. The proposed buildings will cast a shadow on a portion of the property. However, these shadows are confined to a small portion of the South Course, which is eligible for historic designation only under Criterion A/1 making the details of its physical characteristics less essential in its ability to convey historic significance. Despite the shadows, the South Course would retain the features that define its character under Criterion A, for example its function as a golf course, its varied topography and natural drainage features for example. Additionally, the shadow analysis conducted in support of the Initial Study for the project indicates that the project would not result in prolonged periods of shade and shadow on the property (City of Beverly Hills 2020). Increased shade on the property would not alter any of its character-defining features such that they would be materially impaired. Additionally, potential impacts as a result of increased shade on the property are limited to a small portion of the over 300-acre property and would not impact the property's overall character.

The proposed project would affect the property's immediate surroundings. However, alterations to the property's surroundings would not materially impair the significance of the LACC. As discussed throughout the Cultural Resources Technical Report, the demolition and construction of several buildings throughout the project site would occur as a result of the proposed project. In addition to buildings sited further west on the project site, the Overlay Specific Plan would construct three buildings, the Wilshire Building, Garden Residence and Santa Monica Residence, along the western edge of the project site in the immediate vicinity of the LACC property, more specifically adjacent to the South Course. The heights of these proposed buildings are 124, 369 and 420 feet, respectively.

When the LACC was initially developed in its current location in 1911, the surrounding environment included little development. However, by 1928, the end of the period of significance established for the property, its vicinity had been substantially developed, primarily with single-family residential and supportive commercial development. Following the period of significance, the integrity of the property's setting outside of its boundaries progressively changed as the area continued to densify. Today it may be characterized as densely developed and urban in nature.

Regardless of the changes which occurred to surrounding setting since 1928, the LACC property retains sufficient integrity to convey its significance and qualify for NRHP and CRHR listing. While the property retains integrity of setting, feeling, and association, this integrity is largely reliant on the property's character within its boundaries. Its size and inward-facing nature are such that the larger setting outside the boundaries of the property are less essential in its ability to convey significance. The property's surroundings have been significantly altered since the period of significance and the addition of the buildings proposed as part of the Overlay Specific Plan would not result in the alteration of the property's current setting such that its significance would be materially impaired.

There are two locations in the property's immediate vicinity where tall buildings (skyscrapers) are clustered, along North Santa Monica Boulevard directly across from its southern boundary and on Wilshire Boulevard, west of the LACC entrance. Along North Santa Monica Boulevard between Avenue of the Stars and Moreno Drive, directly across the street from the property's southern

boundary, are five buildings, the estimated heights of which from east to west are 480, 230, 365, 390 and 170 feet for an average height of 327 feet. On Wilshire Boulevard roughly 0.25 miles or 1,400 feet west of the LACC entrance are several buildings that are an estimated 250-300 feet tall.

The visibility of the buildings described above is variable from within the property's boundaries, depending on the vantage point. However, throughout the entirety of the South Course, the buildings lining North Santa Monica Boulevard are highly visible. Additionally, aside from those specifically mentioned above, there are many other tall buildings located outside the immediate vicinity of the property that are also variously visible from within its boundaries. The buildings proposed as part of the Overlay Specific Plan are consistent in their height, scale and massing with development already existing along North Santa Monica Boulevard in the vicinity of the project site. Therefore, the addition of the proposed buildings would only minimally alter the property's setting. In addition, due to the size of the LACC property, potential impacts to its setting are localized and while the construction of the proposed buildings may alter a portion of the property's setting, the project would not significantly impact the property's overall setting. Further, the most impacted portion of the LACC would be the South Course, which was redesigned in 2015, and impacts would be less than significant. The proposed project would result in a less than significant impact to historical resources (the LACC property) and no mitigation measures are recommended.

### *Approved Entitlements*

Potential impacts of the proposed project on the LACC property as a historical resource were not considered in previous environmental documentation prepared in support of the Existing Specific Plans. The Overlay Specific Plan would construct taller buildings located in closer proximity to the LACC property when compared to the Approved Entitlements. However, in comparison to the 9900 Wilshire Specific Plan which concentrated building massing in the North and South Buildings parallel to nearly the full extent of the LACC property boundary, the project's proposed building massing would be distributed across three buildings, breaking up building massing along the LACC boundary and providing for view corridors through the property boundary. Nonetheless, as discussed above, while these proposed buildings would alter the immediate surroundings of the LACC property, they would not result in material impairment of the property's significance and impacts to the property as a historical resource would be less than significant.

### **Mitigation Measures**

Although not capable of reducing impacts to below a level of significance, two mitigation measures have been identified to reduce the proposed project's impacts to historical resources (Beverly Hilton Property and the Wilshire Tower). Mitigation Measures MM-CR-5 and MM-CR-6, as modified below, seek to expand knowledge of the property's social and cultural history and convey that knowledge to the general public.

- MM-CR-5** Because the period of significance for the property is relatively modern (1955-1966), efforts shall be made to document oral histories of individuals who have relevant knowledge and experience with the cultural and social history of the property during this time period. Individuals with valuable institutional knowledge of the property should be interviewed to capture this history before it is lost forever. Outreach shall be conducted to identify a maximum of two individuals to complete interviews, not to exceed one hour each. Outreach should include but not be limited to coordination with the Hilton Worldwide Holdings, Inc. (formerly Hilton Hotels Corporation) and former associates and/or family of Welton Becket.



Interviews shall be conducted using audio and/or video documentation and shall be transcribed. The resulting interview materials shall be offered to a minimum of two local organizations such as the Beverly Hills Historical Society and the Beverly Hills Public Library (Historical Collection).

- MM-CR-6** An interpretive plaque discussing the history of the property, its significance, and its important details and features shall be installed at the site. The plaque shall be installed by the project proponent prior to issuance of building occupancy permits on a publicly accessible building or in a publicly accessible outdoor location on the project site. The plaque shall include images and details from the previously prepared HABS documentation, oral histories, and any collected research pertaining to the historic property. The content shall be prepared by a qualified architectural historian or historian who meets the Secretary of the Interior's Professional Qualification Standards for History and/or Architectural History (NPS 1983). Installation of the plaque shall be completed within one year of the date of completion of construction of the proposed project.

The mitigation measures from the previous environmental documentation, reproduced below, would continue to apply to the project: Mitigation Measure MM-CR-3 from the Beverly Hilton Specific Plan 2008 EIR (labeled MM-CR-3a in this SEIR) and the 9900 Wilshire Specific Plan 2016 SEIR, and Mitigation Measure MM-CR-3 from the original 9900 Wilshire Specific Plan 2008 EIR (labeled MM-CR-3b in this SEIR).

- MM-CR-3a** In the event a previously unknown artifact is uncovered during project construction, all work shall cease until a certified archaeologist can investigate the finds and make appropriate recommendations. Any artifacts uncovered shall be recorded and removed for storage at a location to be determined by the monitor.
- MM-CR-3b** Potentially historic sign posts adjacent to the project site on Merv Griffin Way shall be preserved and reinstalled in approximately the same locations, as appropriate, in consultation with the project proponents, the City of Beverly Hills, and an architectural historian qualified under the Secretary of the Interior's Standards.

### **Significance After Mitigation**

Both buildout of the Approved Entitlements and the proposed project would result in demolition of the same buildings, although now as a result of the updated historic evaluation, more of those buildings are considered contributing buildings. Because the Approved Entitlements and the proposed project would result in demolition of the same number of contributing buildings and features, in comparison to existing conditions, the significant and unavoidable historical resources impact under the proposed project would not be more severe than that of the Approved Entitlements. Under both scenarios, the Beverly Hilton Property would not retain substantial integrity from its period of significance and would not remain eligible for CRHR designation under either scenario. Regardless of whether compared to Approved Entitlements or existing conditions on the site, implementation of Mitigation Measures MM-CR-5 and MM-CR-6 as modified here, Mitigation Measure MM-CR-3 from the Beverly Hilton Specific Plan 2008 EIR and the 9900 Wilshire Specific Plan 2016 SEIR, and Mitigation Measure MM-CR-3 from the original 9900 Wilshire Specific Plan 2008 EIR would reduce impacts to historical resources to the maximum extent practicable; however, although there would be no new or more severe significant impact beyond that associated

with the Approved Entitlements, the proposed project's impact would remain significant and unavoidable.

- Threshold 2:** Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?
- Threshold 3:** Would the project disturb any human remains, including those interred outside of formal cemeteries?

**Impact CUL-2 THE LIKELIHOOD OF ENCOUNTERING UNDISTURBED ARCHAEOLOGICAL RESOURCES IS UNLIKELY DUE TO THE HIGHLY DISTURBED NATURE OF THE PROJECT SITE. REGARDLESS OF WHETHER COMPARED TO EXISTING CONDITIONS OR APPROVED ENTITLEMENTS, THE PROPOSED PROJECT WOULD RESULT IN LESS THAN SIGNIFICANT IMPACTS TO ARCHAEOLOGICAL RESOURCES AND HUMAN REMAINS WITH MITIGATION.**

---

### *Existing Conditions*

The CHRIS and SLF searches conducted for this study failed to identify any archaeological resources within the project site or a 0.25-mile radius around it. The archaeological field survey of 9900 Wilshire Boulevard, the only undeveloped portion of the project site, indicated that this portion of the project site is highly disturbed due to historical construction and recent demolition activities. The remainder of the project site is developed with buildings and paved surfaces such as parking lots and sidewalks. These surfaces have been previously graded, disturbed, and developed, and no archaeological resources are known to have been discovered. As a result of the conditions summarized above, the likelihood of encountering undisturbed archaeological resources is unlikely.

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 under Mitigation Measures to reflect current best practices regarding treatment of archaeological resources, to reduce such impacts to a less than significant.

No cemeteries are known to exist within the project site; however, the discovery of human remains is always a possibility during ground disturbing activities. If human remains are found, the State of California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County coroner has made a determination of origin and disposition pursuant to PRC 5097.98. In the event of an unanticipated discovery of human remains, the County coroner would be notified immediately. If the human remains are determined to be prehistoric, the County coroner would notify the NAHC, which would determine and notify a most likely descendant (MLD). The MLD would complete the inspection of the site within 48 hours of being granted access to the site. With adherence to existing regulations, project impacts to human remains would be less than significant. In addition, the Beverly Hilton Specific Plan 2008 EIR and the 9900 Wilshire Specific Plan 2008 EIR both included Mitigation Measure MM-CR-5b requiring compliance with PRC Section 5097.98, Health and Safety Code Section 7050.5, and Section 15064.5(d) of the *CEQA Guidelines*.<sup>1</sup> In accordance with applicable regulations, Mitigation Measure MM-CR-5b requires construction activities to halt in the event of discovery of human remains, and consultation and treatment to occur as prescribed by law. This mitigation measure would also apply to the proposed project as

---

<sup>1</sup> The Beverly Hilton Specific Plan 2008 EIR includes two mitigation measures labeled MM-CR-5 with the human remains-related mitigation measure as the second measure. It is referred to in this SEIR as MM-CR-5b.

modified below under Mitigation Measures to reflect current best practices regarding treatment of archaeological resources, to reduce such impacts to a less than significant.

### *Approved Entitlements*

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 2016a). As discussed above, the project site has been previously graded, disturbed, and/or developed, and no archaeological resources are known to have been discovered. Similar to the Approved Entitlements, and as a result of the conditions summarized above, the likelihood of encountering undisturbed archaeological resources is unlikely.

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 under Mitigation Measures to reflect current best practices regarding treatment of archaeological resources, to reduce such impacts to a less than significant.

No cemeteries are known to exist within the project site; however, the discovery of human remains is always a possibility during ground disturbing activities. If human remains are found, the State of California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County coroner has made a determination of origin and disposition pursuant to PRC 5097.98. In the event of an unanticipated discovery of human remains, the County coroner would be notified immediately. If the human remains are determined to be prehistoric, the County coroner would notify the NAHC, which would determine and notify a most likely descendant (MLD). The MLD would complete the inspection of the site within 48 hours of being granted access to the site. With adherence to existing regulations, project impacts to human remains would be less than significant. In addition, the Beverly Hilton Specific Plan 2008 EIR and the 9900 Wilshire Specific Plan 2008 EIR both included Mitigation Measure MM-CR-5b requiring compliance with PRC Section 5097.98, Health and Safety Code Section 7050.5, and Section 15064.5(d) of the *CEQA Guidelines*. In accordance with applicable regulations, Mitigation Measure MM-CR-5b requires construction activities to halt in the event of discovery of human remains, and consultation and treatment to occur as prescribed by law. This mitigation measure would also apply to the proposed project as modified below under Mitigation Measures to reflect current best practices regarding treatment of archaeological resources, to reduce such impacts to a less than significant.

The proposed project would include excavation of the project site up to 48 feet below ground surface. In comparison, the maximum depth of excavation under the Approved Entitlements would be up to 42 feet below ground surface. The increase in maximum excavation depth from the Approved Entitlements (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 Approved Entitlements 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 (as revised below), 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).

### **Mitigation Measure**

The Beverly Hilton Specific Plan 2008 EIR incorporated Mitigation Measure MM-CR-4 to reduce potential impacts to archaeological resources and Mitigation Measure MM-CR-5b to a less than significant level (City of Beverly Hills 2008a). This mitigation measure would also apply to the proposed project, with minor modifications to reflect current best practices regarding treatment of archaeological resources, to reduce such impacts to a less than significant.

**MM-CR-4** If buried cultural resources are encountered during construction, all work shall be halted in the vicinity of the archaeological discovery until a qualified archaeologist can assess the nature and significance of the archaeological discovery, per *CEQA Guidelines* Section 15064.5(f). 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.

**MM-CR-5b** If human remains are found, State of California Health and Safety Code, Section 7050.5, states that no further disturbance should occur until the County Coroner has made a determination of origin and disposition pursuant to California Public Resources Code, Section 5097.98. In the event of an unanticipated discovery of human remains, the County Coroner must be notified immediately. If the human remains are determined to be prehistoric, the coroner will notify the Native American Heritage Commission, which will determine and notify a most likely descendant. The most likely descendant should complete the inspection of the site within 48 hours of being granted access and provide recommendations for the treatment of the remains.

### **Significance After Mitigation**

With implementation of Mitigation Measure MM-CR-4 and MM-CR-5b, impacts to archaeological resources would be less than significant.

### **4.3.4 Cumulative Impacts**

The proposed project, in conjunction with other nearby planned and pending projects as discussed in Section 3, *Environmental Setting*, would have the potential to adversely impact additional historical resources. In 2012, the City instituted its Historic Preservation Ordinance and has since designated 38 properties in the Beverly Hills Register of Historic Properties, three of which are located near the project site. The Beverly Gardens Park, located immediately north of the project site along Wilshire Boulevard and North Santa Monica Boulevard, is a 1.9-mile linear park developed from 1906 to 1907 and from 1930 to 1931 and includes the Electric Fountain located at the northwest corner of the Wilshire Boulevard/North Santa Monica Boulevard intersection. The Beverly Gardens Park is significant for its association with the founding of the City, the historical City

Beautiful movement, and landmark architect Wilbur D. Cook. The Hilton Office Building, located at 9990 North Santa Monica Boulevard (approximately 0.1 mile south of the project site), was built in 1955 as the Hilton Corporation's headquarters and is significant for exemplifying important elements of the City's economic and architectural history. The Witch's House, relocated to 516 North Walden Drive (approximately 0.1 mile north of the project site) from Culver City, is a single-family residence designed in the Storybook style by Harry Oliver in 1921.

The previous environmental documentation determined that buildout under the Approved Entitlements would result in a cumulatively considerable, and therefore significant, impact on historical resources due to demolition of portions of the Beverly Hilton in tandem with the demolition of the former Robinsons-May building. Therefore, although the proposed project would not involve a new or more severe significant impact compared to the Approved Entitlements, the proposed project, similar to the Approved Entitlements, would result in a cumulatively considerable contribution to the cumulative impact to historical resources resulting from significant impacts to both the former Robinsons-May building and the Beverly Hilton.

### **Mitigation Measures**

Mitigation Measures MM-CR-5 and MM-CR-6, as detailed under Impact CR-1, as well as the mitigation measures from the previous environmental documentation (Mitigation Measure MM-CR-3 from the Beverly Hilton Specific Plan 2008 EIR and the 9900 Wilshire Specific Plan 2016 SEIR, and Mitigation Measure MM-CR-3 from the original 9900 Wilshire Specific Plan 2008 EIR) would be required, but would not be sufficient to reduce project impacts to a less than significant level. Mitigation Measures MM-CR-4 and MM-CR-5b would be required to reduce impacts to archaeological resources and human remains to a less than significant level.

## 4.4 Geology and Soils

---

This section summarizes the regulatory setting, and existing environmental setting, and analyzes the potential impacts related to geology and soils of the proposed project during both construction and operational phases, respectively. Mitigation measures are proposed in an effort to reduce significant impacts, as needed. This section is based on geotechnical studies and fault hazard investigations completed for nearby properties, as well as those completed for the project site, including: The Report of Geotechnical Consultation for the Beverly Hilton Site, prepared by Wood Environment & Infrastructure Solutions, Inc. (Wood; 2018); the Fault Rupture Hazard Investigation for the 9988 Wilshire Boulevard Site, prepared by Lettis Consultants International, Inc. (LCI; 2020); and the Phase II Site-Specific Fault Rupture Investigation for 9900 Wilshire Boulevard, prepared by Geocon West, Inc. (Geocon; 2014). These studies and investigations for the project site are included in Appendix E of this SEIR.

### 4.4.1 Setting

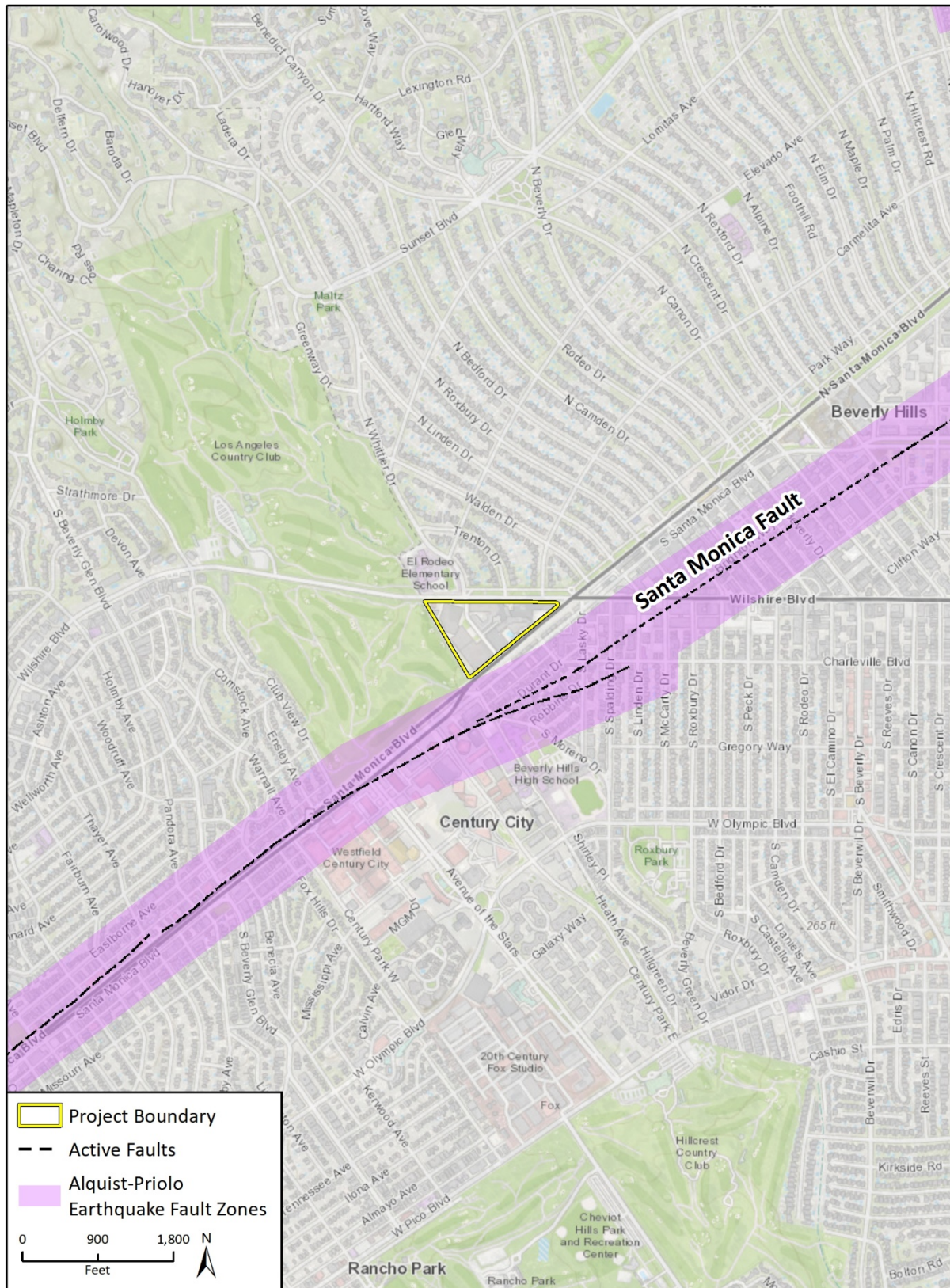
#### **Seismic Setting**

The project site is located in the northern portion of the Los Angeles Basin, approximately two miles south of the Santa Monica Mountains. Regionally, the project site is located at the northernmost end of the Peninsular Ranges geomorphic province, near the boundary of the Transverse Ranges geomorphic province. The Peninsular Ranges geomorphic province is characterized by elongated northwest-southeast trending geologic structures such as the nearby Newport-Inglewood Fault Zone (NIFZ). In contrast, the Transverse Ranges geomorphic province is characterized by east-west trending geologic structures such as the nearby Santa Monica Fault, the Hollywood Fault, and the Santa Monica Mountains. The Santa Monica and Hollywood Faults are considered the boundary between the two geomorphic provinces in the project site vicinity (California Geological Survey [CGS] 2018a). The project site is situated near the mapped intersection of three major fault zones: the NIFZ, the western end of the Hollywood Fault Zone, and the eastern end of the Santa Monica Fault Zone (SMFZ) (Earth Consultants International [ECI] 2018). Under the Alquist-Priolo Earthquake Fault Zoning Act, the Santa Monica, Hollywood, and Newport-Inglewood Faults have been zoned as active (CGS 2018a). In Section 3601 of the Alquist-Priolo Earthquake Fault Zoning Act regulations, the California State Mining and Geology Board defines an active fault as one that has had surface displacement within Holocene time (i.e., within the last approximately 11,000 years).

The SMFZ in the vicinity trends southwest to northeast and traverses the properties to the southeast of the project site, approximately 60 feet at its closest point to the project site (CGS 2018b). 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 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). See Figure 4.4-1 for a map of active faults and Alquist-Priolo Earthquake Fault Zones in the project vicinity.



**Figure 4.4-1 Regional Surface Fault Map**



Basemap provided by Microsoft Bing and its licensors © 2020.  
Additional data from California Geological Survey, 2020.

Fig 4.2-1 Regional Surface Fault Map

## **West Beverly Hills Lineament/ Newport-Inglewood Fault Zone**

The West Beverly Hills Lineament (WBHL) is a north-northwest trending series of east-facing escarpments located along the Beverly Hills - Century City boundary, which is located along the edge of the project site's west boundary (CGS 2018a). Until recently, this feature was thought to be the northernmost extension of the NIFZ because it roughly aligned with the trend of the overall fault zone. However, subsurface investigation by Leighton Consulting, Inc. (Leighton Consulting) in 2015 and 2016 determined that no evidence of significant faulting existed (Leighton Consulting 2015; 2016).

Further studies have postulated new alternative explanations for this geologic feature and have suggested that the northernmost NIFZ is located farther east along the eastern margin of the southeastern Cheviot Hills (CGS 2018a). In the area of the project site, the WBHL is comprised of east-facing escarpments that separate the higher terrain on the west from the gradually sloping alluvial surface in the Benedict Canyon Drainage to the east (Geocon 2014).

## **Santa Monica Fault Zone**

The SMFZ is the western segment of the Santa Monica-Hollywood Fault Zone that forms a portion of the Transverse Ranges Southern Boundary (TRSB) fault system. This fault zone is further separated into east and west segments where it intersects the WBHL. The western segment is considered active by CGS, while the eastern segment is not. The SMFZ is a well-known geologic feature considered capable of producing earthquakes. Studies at the Veterans Administration Hospital Campus and University High School, located approximately 2.5 miles southwest of the project site, have verified that the fault is active in the West Los Angeles area (Geocon 2013).

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

Parsons-Brinkerhoff (Parsons) identified four active northeast trending splays of the SMFZ on the Los Angeles Country Club site and along Santa Monica Boulevard, approximately 1,450 feet west of the project site, projecting in a northeasterly direction toward the western boundary of the site (Parsons 2011). A 2012 study completed by Kenney Geoscience (KGS) is in close agreement with the general location of these fault splays; however, KGS concluded that the splays are not active (Geocon 2013).

## **Previous Fault Rupture Studies**

The project site vicinity has been the subject of several recent studies evaluating the existence of suspected active faults associated with the WBHL and the SMFZ that were identified by Parsons as part of a geotechnical investigation performed for the 2011 Westside Subway Extension (Geocon 2013). As a result of the Parsons study, a number of subsequent studies were undertaken evaluating the location and activity of suspected faults in the Century City and West Beverly Hills areas. These studies were associated with projects at 10000 Santa Monica Boulevard, El Rodeo Elementary School, 9900 Wilshire Boulevard site, 9900-9916 South Santa Monica Boulevard, and the Beverly Hilton site. In addition, a fault rupture hazard analysis was completed for the gas station site located at 9988 Wilshire Boulevard (Geocon 2012; LCI 2020). The following discussion reviews these reports and their conclusions regarding the existence of active faults on the project site and in the project site vicinity.



*Parsons Fault Study for the Metro Westside Subway Extension (2011)*

As detailed in the Geocon prepared *Fault Rupture Hazard Evaluation - 9900 Wilshire Boulevard, Beverly Hills, California*, fault studies performed in 2011 by Parsons for the Metro Westside Subway Extension Project postulated the existence of active faults associated with the WBHL and the SMFZ in the vicinity of the project site (Geocon 2013). The results of the study were based on continuous-core borings, cone penetration tests (CPTs) and seismic reflection surveys. Trench excavations and soil stratigraphic age dating were not performed (Geocon 2013). The Parsons study identified a northwest trending, 800-foot-wide zone of faulting along the Beverly Hills – Century City boundary that was determined to be part of the WBHL fault zone as well as several splays of the SMFZ in close proximity to the project site. The Parsons study concluded that “the WBHL and SMFZ faults were ‘active’ based solely on the interpreted offset of geologic units at depth and the presumed association with nearby active faults” (Geocon 2013).

As summarized in CGS’s *Fault Evaluation Report for the Hollywood, Santa Monica, and Newport-Inglewood Faults in the Beverly Hills and Topanga 7.5’ Quadrangles, Los Angeles County, California*, KGS and Geocon performed detailed reviews of the Parsons study in 2011 (CGS 2018a). KGS reviewed and incorporated several additional fault investigations and other subsurface data from the 10000 Santa Monica Boulevard project, El Rodeo Elementary School, and 9900 Wilshire Boulevard project into a regional geologic model for the Cheviot Hills area. KGS also evaluated the scarp<sup>1</sup> that parallels Santa Monica Boulevard in the Century City area and its associated faults. Based on the data and modeling, KGS concluded that no conclusive geologic evidence was provided by Parsons to indicate that any faults in the Cheviot Hills area are active and that those faults paralleling Santa Monica Boulevard do exist but are not active (CGS 2018a).

*Fault Rupture Hazard Investigation for 10000 Santa Monica Boulevard (2012)*

In 2012, Geocon published *Report of Fault Rupture Hazard Investigation – 10000 Santa Monica Boulevard, Los Angeles, California* evaluating the presence of the faults identified by the Parsons study in 2011 at the 10000 Santa Monica site, located approximately 320 feet southwest of the project site (Geocon 2012). The investigation included excavation of one continuous exploratory trench across the 10000 Santa Monica site to depths between 18 and 20 feet beneath the existing ground surface. Based on the results of Geocon’s investigation, they concluded that active faults are not present beneath the footprint of the 10000 Santa Monica site, and if faults were present at depths below the exploration area, these faults would not be considered active based on the minimum age of the sediments (greater than 100 thousand years before present) at the base of the trench.

*Fault Rupture Hazard Evaluation for 9900 Wilshire Boulevard (2013)*

In 2013, Geocon published *Fault Rupture Hazard Evaluation - 9900 Wilshire Boulevard, Beverly Hills, California* examining the potential for fault rupture at the 9900 Wilshire Boulevard site, which is located within the project site (Geocon 2013). Geocon independently analyzed Parsons’ data, evaluated site-specific soil and groundwater data, and reviewed fault investigations performed for other sites in the immediate vicinity. Geocon concluded that no active faults associated with either the SMFZ or the WBHL were present at the 9900 Wilshire Boulevard site. Similar to KGS, Geocon determined that the faults identified by Parsons in 2011 did not exist or were not active.

---

<sup>1</sup> A scarp is a line of small steps or offsets on the ground surface produced by vertical movements of a fault.

*Phase II Site-Specific Fault Rupture Investigation for 9900 Wilshire Boulevard (2014)*

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, which is located within the project site (Geocon 2014; Appendix E). 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 WHBL 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. Lastly, Geocon recommended a 50-foot wide structural setback zone from the northwestern property line of the 9900 Wilshire Boulevard site due to the proximity of active northwest-trending splays of the SMFZ assumed to be in the vicinity of the gas station site at 9988 Wilshire Boulevard within the project site (Geocon 2014).

*Fault Surface Rupture Hazard Evaluation and Supplemental Report for Waldorf-Astoria Beverly Hills (2014)*

In 2014, AMEC Environment & Infrastructure (AMEC) published *Report of Fault Surface Rupture Hazard Evaluation – Proposed Waldorf-Astoria Luxury Hotel and Conference Center*, which examined the potential for fault rupture at the Waldorf-Astoria Beverly Hills, which is located within the project site on the Beverly Hilton site (AMEC 2014). AMEC identified the nearest interpreted active fault to be located over 850 feet northwest of the Waldorf-Astoria Beverly Hills and concluded that no geomorphic evidence of faulting was present at the Waldorf-Astoria Beverly Hills site (AMEC 2014a). Following this report, AMEC published *Supplemental Report of Fault Surface Rupture Hazard Investigation for Phase I of the Beverly Hilton Revitalization Plan*, which summarized the results of a site-specific fault investigation for which a series of continuous core borings and CPT soundings were performed. AMEC determined that unfaulted stratigraphic units cross the site but that these sediments are older than 14,800 years; therefore, no active faults impact the Waldorf-Astoria Beverly Hills site (AMEC 2014b).

*Fault Hazard Assessment for El Rodeo School (2015 and 2016)*

A series of investigations has been performed by Leighton Consulting on the El Rodeo School campus and within Wilshire Boulevard directly north of the project site (Leighton Consulting 2015; 2016). In 2015, Leighton Consulting 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 north of the project site across Wilshire Boulevard (Leighton Consulting 2015). Leighton Consulting 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 Consulting 2015). In 2016, and in response to CGS review, Leighton Consulting prepared *Updated Fault Hazard Assessment and Response to CGS Review Letter, El Rodeo K-8 School, 655 Whittier Drive, Beverly Hills, California* (Leighton Consulting 2016). Leighton performed new explorations, which included seven boreholes at the school and in Wilshire Boulevard, and three new trenches at the school. Leighton (2016) also reinterpreted stratigraphic relationships beneath the site and concluded that there is direct geologic evidence to preclude faulting at El Rodeo School for at least 22,000 years and likely over 200,000 years. Leighton's (2016) updated fault investigation report and its conclusions regarding the absence of active faulting was approved by CGS in 2016 (LCI 2020).

*Fault Hazard Investigation for 9900-9916 South Santa Monica Boulevard (2018)*

In 2018, ECI published *Fault Hazard Investigation for the Properties Located at 9900-9916 South Santa Monica Boulevard, Beverly Hills, California 90212*, which examined whether active faults extended across a series of properties located approximately 125 feet south of the project site (ECI 2018). These properties are located in an Alquist-Priolo Earthquake Fault Zone and were therefore examined with close scrutiny. ECI conducted a fault trenching excavation diagonally across the 9900-9916 South Santa Monica Boulevard property to a depth of approximately 10 to 12 feet. The fault trenching excavation determined that underlying soils demonstrated a lack of faulting or fracturing and were at least 17,000 years old. Although in a formal CGS-designated Santa Monica “active fault zone,” the site is convincingly not impacted by the Santa Monica, the Newport-Inglewood or any other fault reasonably projected toward it. Therefore, based on these observations, ECI concluded that no active faulting had occurred across these properties (ECI 2018).

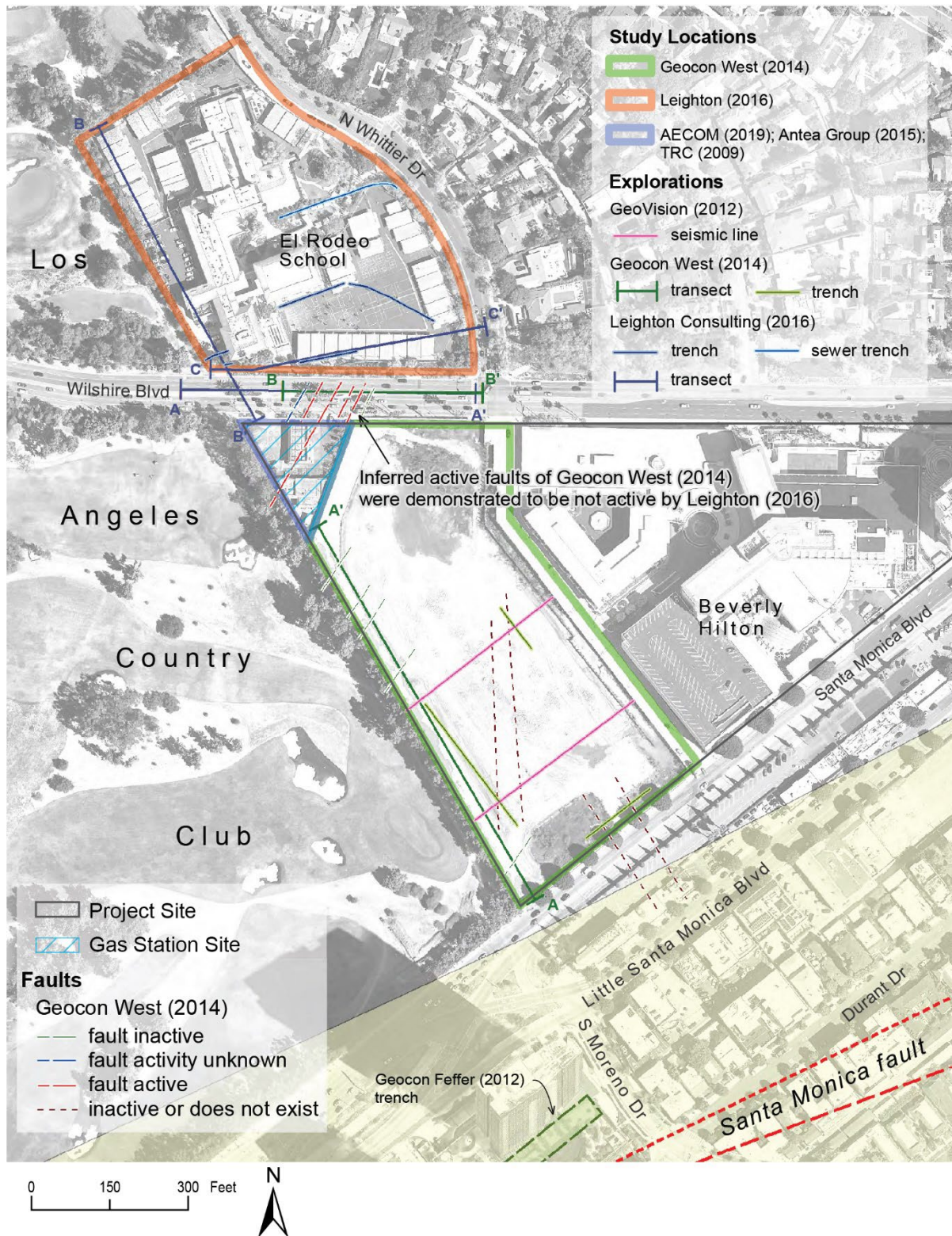
*Report of Geotechnical Consultation for Beverly Hilton Specific Plan Amendment, Beverly Hills, California (2018)*

In 2018, Wood published *Report of Geotechnical Consultation for Beverly Hilton Specific Plan Amendment, Beverly Hills, California*, which examined the work performed by previous geologic consultants in the vicinity of the project site, and provided their updated expert opinion on faults near the Beverly Hilton site, which is located within the project site (Wood 2018; see Appendix E). Wood concluded that there are no identified faults at the Beverly Hilton site and the Beverly Hilton site is not within a current Alquist-Priolo Zone.

*Fault Rupture Hazard Investigation for 9988 Wilshire Boulevard Beverly Hills, California (2020)*

In 2020, LCI published *Fault Rupture Hazard Investigation 9988 Wilshire Boulevard Beverly Hills, California*, which examined whether active faults traversed the gas station site, which is located within the project site at the northwestern corner of the site bounded by Wilshire Boulevard (see Appendix E). The gas station site is located approximately 1,000-feet north of the Alquist-Priolo Earthquake Fault Zone defined by the CGS for the SMFZ. The gas station site is located between adjacent properties that have conducted fault investigations (previous investigations are summarized earlier in this section). The conclusions and recommendations of LCI’s report are based on a review of the fault-activity assessments conducted by Geocon West (2014) for the 9900 Wilshire Boulevard property, by AMEC (2014) for the Waldorf-Astoria Beverly Hills hotel, and Leighton Consulting (2016) for the El Rodeo School directly across Wilshire Boulevard (605 Whittier Drive) (LCI 2020). Figure 4.4-2 depicts these study locations; the seismic line, trenches, and transects evaluated; as well as proximate faults. Each of these fault investigations confirmed the absence of active faults within their respective sites and the Leighton Consulting 2016 study demonstrated the absence of active faults within Wilshire Boulevard north of the gas station site, based on a transect of borings and CPTs that extends from slightly west of the gas station site to significantly east of the site. LCI’s report concluded that based on the previous fault investigations for the El Rodeo School campus (Leighton Consulting 2016) and the 9900 Wilshire Boulevard site (AMEC 2014), active faults are not present within the gas station site. Moreover, the report found that the previously recommended fault setback zone for the 9900 Wilshire Boulevard site recommended by Geocon West (2014), and discussed above, would no longer be required based on Leighton Consulting’s subsequent work (2016), which demonstrates the absence of active faults within the Wilshire Boulevard transect (LCI 2020). Roy J. Shlemon & Associates, Inc. peer reviewed LCI’s *Fault Rupture*

**Figure 4.4-2 Map of Site and Transects, Trenches and Fault Studies**



Source: LCI 2020. Note the inferred active faults of Geocon West (2014) across the gas station site were demonstrated to be not active by Leighton Consulting (2016)

*Hazard Investigation 9988 Wilshire Boulevard Beverly Hills, California (2020)* on behalf of the City and recommended acceptance of the literature-review report (2020; see Appendix E).

## **Surface Rupture and Ground Shaking**

Faults generally produce damage in two ways, ground shaking and surface rupture. Seismically-induced ground shaking covers a wide area and is greatly influenced by the distance of the site to the seismic source, soil conditions, and depth to groundwater. Surface rupture occurs when fault movement propagates upward through subsurface materials and causes displacement at the ground surface as a result of differential movement. Surface rupture is limited to very near the fault and usually occurs along traces<sup>2</sup> of known or potentially active faults, although many historic events have occurred on faults not previously known to be active. Other hazards associated with seismically induced ground shaking include ground acceleration, liquefaction, lateral spreading, lurching, and earthquake-triggered landslides, tsunamis, and seiches. Tsunamis and seiches are associated with ocean surges and inland water bodies respectively, and thus neither of these hazards would affect the project area.

In general terms, an earthquake is caused when strain energy in rocks is suddenly released by movement along a plane of weakness. Earthquakes can result in relatively widespread seismically-induced ground shaking emanating from the fault or more localized surface rupture located at the surface along or near the fault line. Seismicity in Southern California is a result of the dominantly reverse-slip regime of the region. The energy released during an earthquake propagates from its rupture surface in the form of seismic waves. The resulting strong ground motion from the seismic wave propagation can cause substantial damage to structures. At any location, the intensity of the ground motion is a function of the distance to the fault rupture, the local soil/bedrock conditions, and the earthquake magnitude. Intensity is usually greater in areas underlain by unconsolidated material than in areas underlain by more competent rock.

The Alquist-Priolo Special Studies Zone Act was passed into law in 1972 to help mitigate the potential hazards associated with surface faulting on occupied structures. Now known as the Alquist-Priolo Earthquake Fault Zone Act (APEHA), this legislation requires studies within 500 feet of active or potentially active faults. The APEHA designates “active” and “potentially active” faults as those that have had surface displacement within Holocene time (about the last 11,000 years). The established policy is to zone active faults and only those potentially active faults that have a relatively high potential for ground rupture. Ground rupture caused by movement along a fault could likely result in catastrophic structural damage to buildings constructed along the fault trace. Consequently, the State of California via the APEHA prohibits the construction of occupied “habitable” structures across the trace of an active fault. Projects involving the construction of habitable structures must demonstrate that the structure does not encroach on a 50-foot setback from the fault trace. No known active or potentially active faults traverse the project site based on existing maps prepared by the State of California. Therefore, the project site is not located within an Alquist-Priolo Special Studies Zone.

---

<sup>2</sup> A fault trace is the visible mark of a fault line on the ground surface.



## **Project Site Characteristics**

### *Beverly Hilton Site*

Elevations at the Beverly Hilton site within the project site range from approximately 225 to 250 feet above mean sea level. The Beverly Hilton site slopes gently to the east from its highest point near the northwestern corner of the site, and is devoid of distinct landforms (City of Beverly Hills 2008a).

Fill material exists to depths between 3 and 6 feet below the existing grade of the Beverly Hilton site. The fill consists of silty clay and sandy silt, and gravel with clay which is brown to dark brown, moist, and fine to medium in texture. The native soils underlying the fill consist mostly of brown to reddish-brown to brownish-grey silty clay and sandy silt. The native soils are generally medium-stiff to stiff and are generally only moist until a depth of 26 to 40 feet. The soils range from fine- to coarse-grained and contain varying amounts of gravel which are generally slate fragments (City of Beverly Hills 2008a).

Groundwater is found at depths between 26 and 42 feet below the existing ground surface. Periodic fluctuations in depth to groundwater may occur due to variations in rainfall, temperature, and other factors (City of Beverly Hills 2008a).

### *9900 Wilshire Boulevard Site*

Topography at the 9900 Wilshire Boulevard site has been altered by grading associated with construction of the existing on-site structures in the early 1950's. Historic topographic maps indicate that elevations at the 9900 Wilshire site in the 1920s ranged from approximately 270 to 290 feet above mean sea level and the topography sloped gently to the southeast, toward North Santa Monica Boulevard, similar to the existing topography at the site. Current site topography slopes to the south-southeast and site elevations range from Elevation 268 (at the southwest corner) to Elevation 291 (at the northeast corner) (Geocon 2016).

Artificial fill was encountered up to a maximum depth of 7.5 feet beneath the existing ground surface. The fill generally consists of fine- to medium-grained silty sand and clayey sand with varying amounts of brick, asphalt, and concrete debris. The fill is characterized as slightly moist and firm to medium dense. The artificial fill is underlain with alluvial deposits which consists of predominantly yellowish brown to reddish brown sand, gravelly sand, silty sand, sandy silt, clayey sand, and clay. The alluvium is predominantly slightly moist and firm to hard and medium dense to dense, becoming denser with increased depth. At a depth of approximately 20 to 25 feet the soils become primarily sandy clay, clayey sand and silt to the maximum depth explored (Geocon 2016).

The historically highest groundwater level in the area is approximately 28 feet beneath the existing ground surface. Based on current groundwater basin management practices, it is unlikely that groundwater levels will ever exceed the historic high levels. Groundwater was encountered at depths of 50 feet and 54.5 feet below the existing ground surface. Considering the historic high groundwater levels and the depth to perched water encountered, groundwater may be encountered during construction. It is not uncommon for groundwater levels to vary seasonally or for groundwater seepage conditions to develop where none previously existed, especially in impermeable fine-grained soils which are heavily irrigated or after seasonal rainfall. In addition, recent requirements for stormwater infiltration could result in shallower seepage conditions in the immediate site vicinity. Proper surface drainage of irrigation and precipitation will be critical for future performance of the project (Geocon 2016).

### *Gas Station Site*

The gas station site is relatively flat and lies at an elevation of approximately 295 feet above mean sea level. The triangular-shaped site is bounded on the north by Wilshire Boulevard, on the west by the Los Angeles Country Club, and on the east/southeast by 9900 Wilshire Boulevard site.

The soil on site is predominantly sand with silt and clay and typically coarsen with depth to sand and gravel. Subsurface alluvial stratigraphy also found sand with scattered gravel with a few silty to clayey laminations (LCI 2020).

Groundwater elevation contour maps indicate there is a groundwater barrier beneath the site at depths between 33 and 60.4 feet below the existing ground surface (LCI 2020).

## **Regulatory Setting**

### *California Building Code*

The California Building Code (CBC) is contained in the California Code of Regulations (CCR), Title 24, Part 2, which is a portion of the California Building Standards Code. Title 24 is assigned to the California Building Standards Commission, which by law is responsible for coordinating all building standards. The CBC incorporates by reference the federal Uniform Building Code with necessary California amendments. The CBC is the regulatory tool that includes building code standards to address geologic and seismic hazards. Approximately one-third of the text in the CBC has been tailored for California earthquake conditions. The City of Beverly Hills, along with all of Southern California, is within Seismic Zone 4, the area of greatest risk that is subject to the strictest building standards.

### *City of Beverly Hills Safety Element*

The City of Beverly Hills General Plan Safety Element provides the following goal and policy pertaining to geologic hazards applicable to the project site.

#### **GOAL S 5: PROTECTION FROM GEOLOGIC HAZARDS**

To reduce the known level of risk to loss of life, personal injury, public and private property damage, economic and social dislocation, and disruption of vital community services that would result from earthquake damage or other geologic disturbance.

**S 5.1: Safety Standards.** Require new development and redevelopment to be in compliance with seismic and geologic hazard safety standards, including design and construction standards that regulate land use in areas known to have or to potentially have significant seismic and/or other geologic hazards.

### **4.4.2 Previous Environmental Review**

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 CBC or City building standards and that would expose people to potentially significant impacts related to ground shaking (City of Beverly Hills 2008a). The Beverly Hilton Specific Plan 2008 EIR included Mitigation Measure MM-GEO-1 to reduce impacts related to seismic ground shaking to a less than significant level. This mitigation measure aimed to address construction of buildings in accordance with local, state, and federal regulations. The 9900 Wilshire Specific Plan 2016 SEIR concluded that with adherence to the

CBC and City building standards, and the inclusion of a 50-foot structural setback from the gas station site in the 9900 Wilshire Specific Plan, impacts related to Alquist-Priolo Earthquake Fault Zones and seismic ground shaking would be less than significant (City of Beverly Hills 2016a).

### 4.4.3 Impact Analysis

#### **Methodology and Thresholds of Significance**

The analysis of potential geology-related impacts is largely based on geotechnical studies and fault hazard investigations completed for nearby properties, as well as geotechnical studies and investigations previously completed for the project site, including: The *Report of Geotechnical Consultation for the Beverly Hilton Site*, prepared by Wood (2018); the *Fault Rupture Hazard Investigation for the 9988 Wilshire Boulevard Site*, prepared by LCI (2020); and the *Phase II Site-Specific Fault Rupture Investigation for 9900 Wilshire Boulevard*, prepared by Geocon (2014). Geotechnical studies for the project site are included in Appendix E of this SEIR and summarized in Section 4.4.1, *Setting*.

Impacts related to geology are considered significant if the project would:

1. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:
  - a. 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;
  - b. Strong seismic ground shaking;
  - c. Seismic-related ground failure, including liquefaction; or,
  - d. Landslides;
2. Result in substantial soil erosion or the loss of topsoil;
3. 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;
4. 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;
5. 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; or,
6. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

All areas of Southern California are subject to certain risks associated with seismic and geologic activity. Impacts are considered significant if the proposed project would be exposed to an unusually high potential for hazards associated with ground shaking, landslides, subsidence, liquefaction, or expansive soils without incorporation of appropriate design techniques to minimize their potential to cause substantial risk of loss, injury, or death.

As discussed in the Initial Study (Appendix A), the proposed project would not result in changes, new information, or potentially significant impacts that would require further analysis of the project's impacts related to seismic-related ground failure (including liquefaction), substantial soil erosion and the loss of topsoil, location on a geologic unit or soil that is unstable as a result of the



project, location on expansive soil, landslides, use of septic tanks or alternative wastewater systems, or paleontological resources. As noted in the Initial Study (Appendix A), 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, Thresholds 1c, 1d, 2, 3, 4, 5 and 6 are not discussed further in this SEIR. The following section focuses on Thresholds 1a and 1b.

## **Project Impacts and Mitigation Measures**

**Threshold 1a:** Would the project directly or indirectly cause potential 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?

**IMPACT GEO-1      ALTHOUGH THE SANTA MONICA FAULT ZONE WAS RECENTLY DESIGNATED AS AN ALQUIST-PRIOLO EARTHQUAKE FAULT ZONE, THE PROPOSED PROJECT IS NOT LOCATED WITHIN 50 FEET OF THIS FAULT ZONE. FURTHERMORE, NO ACTIVE FAULTS EXIST WITHIN THE PROJECT SITE AND NO ACTIVE FAULTS ARE TRENDING TOWARD THE PROJECT SITE. THEREFORE, REGARDLESS OF WHETHER THE PROJECT IS COMPARED TO EXISTING CONDITIONS OR APPROVED ENTITLEMENTS, IMPACTS RELATED TO SURFACE RUPTURE WOULD BE LESS THAN SIGNIFICANT.**

---

### *Existing Conditions*

The Alquist-Priolo Earthquake Fault Zoning Map for the Beverly Hills Quadrangle was revised in January 2018 to include an extension of the 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 2018a; CGS 2018a). Therefore, the proposed project would not construct habitable structures within 50 feet of a designated fault zone. Furthermore, as discussed under Section 4.4.1, *Setting*, several recent geotechnical studies of the 9900 Wilshire Boulevard site, Beverly Hilton site, and gas station site, as well as properties in the immediate vicinity of the project site, have determined that no active faults exist within the project site, and no active faults are trending toward the project site. Therefore, in comparison to existing conditions, the project would not increase geologic hazards related to surface rupture, and impacts would be less than significant.

### *Approved Entitlements*

The previous environmental documentation concluded that the Existing Specific Plans were not located within a designated Alquist-Priolo Earthquake Fault Zone; therefore, impacts related to surface rupture would be less than significant. As discussed above, recent geotechnical studies summarized in Section 4.4.1, *Setting*, have determined that no active faults exist within the project site, and no active faults are trending toward the project site. The Beverly Hilton site was assessed for fault hazards in Wood's *Report of Geotechnical Consultation for the Beverly Hilton Site*, which determined no fault hazards were present at the Beverly Hilton site (Wood 2018; See Appendix E). The 9900 Wilshire Boulevard site was assessed for fault hazards in Geocon's *Phase II Site-Specific Fault Rupture Investigation – 9900 Wilshire Boulevard, Beverly Hills, California*, which concluded no active faults would impact the 9900 Wilshire Boulevard site (Geocon 2014; see Appendix E). However, this report inferred that a fault may exist on the 9900 Wilshire Boulevard site (the gas

station site) and recommended a 50-foot wide structural setback from the shared property line between 9900 and 9988 Wilshire Boulevard sites. This structural setback was incorporated into the 9900 Wilshire Specific Plan site design. In 2020, LCI reviewed previous on-site and off-site geotechnical studies and fault hazard investigations, most notably Leighton Consulting's *Updated Fault Hazard Assessment and Response to CGS Review Letter, El Rodeo K-8 School, 655 Whittier Drive, Beverly Hills, California* (Leighton Consulting 2016), and concluded that that no active faults traverse the gas station site (LCI 2020; see Appendix E). This report was peer reviewed by the City's Contract Geologist who recommended the City accept the findings of this report (see Appendix E). Therefore, similar to the Approved Entitlements, the proposed project would not increase geologic hazards related to surface rupture, and impacts would be less than significant.

## **Mitigation Measures**

Mitigation would not be required since the proposed project's impact would be less than significant.

## **Significance After Mitigation**

The proposed project's impact would be less than significant without mitigation regardless of whether the project is compared to existing conditions or buildout of the Approved Entitlements. As such, the proposed project would not result in a new or more severe impact than that identified in previous environmental documentation.

**Threshold 1b:** Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?

**IMPACT GEO-2      SEISMICALLY-INDUCED GROUND SHAKING COULD DAMAGE STRUCTURES AND INFRASTRUCTURE, RESULTING IN LOSS OF PROPERTY OR RISK TO HUMAN SAFETY. SIMILAR TO THE APPROVED ENTITLEMENTS, THE DESIGN AND CONSTRUCTION OF THE PROPOSED PROJECT WOULD BE REQUIRED TO COMPLY WITH APPLICABLE PROVISIONS OF THE BEVERLY HILLS MUNICIPAL CODE AND CBC. REGARDLESS OF WHETHER THE PROJECT IS COMPARED TO EXISTING CONDITIONS OR BUILDOUT OF THE APPROVED ENTITLEMENTS, WITH IMPLEMENTATION OF MODIFIED MITIGATION MEASURES CONTAINED IN THE PREVIOUS ENVIRONMENTAL DOCUMENTATION, IMPACTS RELATED TO GROUND SHAKING WOULD BE LESS THAN SIGNIFICANT.**

### *Existing Conditions*

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). 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.

Due to the recent discovery of the extension of the Santa Monica Fault along the southern boundary of the project site, the proposed project may result in exposure of people or structures to potential substantial adverse effects associated with strong seismic ground shaking. However, as discussed under Section 4.4.1, *Setting*, several recent geotechnical studies of the 9900 Wilshire Boulevard site, Beverly Hilton site, and gas station site within the project site, as well as properties in the immediate vicinity of the project site, have determined that no active faults exist within the project site, and no active faults are trending toward the project site. Furthermore, the 50-foot structural setback from the boundary between the 9900 Wilshire Boulevard site and the gas station site originally recommended by Geocon (2014) was determined to no longer be required by LCI's (2020) most recent fault rupture study because the LCI study has determined that no active faults traverse the 9988 Wilshire site.

Although the proposed buildings would be structurally designed in accordance with the most current CBC design requirements prior to issuance of permits for the construction of the proposed project, the project would be required to implement Mitigation Measure MM-GEO-1 from the Beverly Hilton Specific Plan 2008 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, in comparison to existing conditions, impacts related to groundshaking would be potentially significant but mitigable.

#### *Approved Entitlements*

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 CBC or City building standards and that would expose people to potentially significant impacts related to ground shaking (City of Beverly Hills 2008a). The Beverly Hilton Specific Plan 2008 EIR included Mitigation Measure MM-GEO-1 to reduce impacts related to seismic ground shaking to a less than significant level. The 9900 Wilshire Specific Plan 2016 SEIR concluded that with adherence to the CBC and City building standards, and the inclusion of a 50-foot structural setback from the gas station site in the 9900 Wilshire Specific Plan, impacts related to ground shaking would be less than significant (City of Beverly Hills 2016a). The proposed project is located on the same site as the Existing Specific Plans, but also includes the gas station site. As discussed above, recent geotechnical studies summarized in Section 4.4.1, *Setting*, have determined that no active faults exist within the project site, and no active faults are trending toward the project site. Furthermore, the 50-foot structural setback from the boundary between the 9900 Wilshire Boulevard site and the gas station site originally recommended by Geocon (2014) was determined to no longer be required by LCI's (2020) most recent fault rupture study as the LCI study concluded that no active faults traverse the 9988 Wilshire site.

Regardless of the increased height of the proposed buildings, compared to the Approved Entitlements, construction of the proposed project in conformance with the CBC is intended to prevent the catastrophic collapse of structures during a seismic event. 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). Although the proposed residential and hotel buildings would be structurally designed in accordance with the most current CBC design requirements prior to issuance of permits for the construction of the proposed project, the proposed project would be required to implement Mitigation Measure MM-GEO-1, 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, in comparison to Approved Entitlements, impacts related to groundshaking would be potentially significant but mitigable.

## **Mitigation Measures**

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

**MM-GEO-1**     *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. 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.*

## **Significance After Mitigation**

Any structure built in California is susceptible to failure as a result of seismically induced ground shaking. However, Mitigation Measure MM-GEO-1 would ensure that the proposed project is constructed to withstand ground shaking impacts to the maximum extent feasible. Although the proposed project would include construction of taller buildings than those that currently exist on the project site and those envisioned under the Approved Entitlements, the site-specific geotechnical investigation would take into account building height in its recommendations for seismic design parameters; therefore, proposed buildings would be appropriately designed to withstand seismic ground shaking and consistent with all applicable building codes and regulations. Regardless of whether the project is compared to existing conditions or buildout of the Approved Entitlements, implementation of mitigation would reduce impacts related to ground shaking to a less than significant level. As such, the proposed project would not result in a new or more severe impact than that identified in previous environmental documentation.

### **4.4.4 Cumulative Impacts**

Planned and pending projects listed in Section 3, *Environmental Setting*, would increase structural development within the City of Beverly Hills. Such development would expose new residents and property to potential risks from seismic hazards in the area. The proposed project would incrementally contribute to these cumulative impacts. However, geologic hazards are site-specific, and individual developments would not create additive impacts that would affect geologic conditions on other sites. Moreover, development projects would be subject to CEQA review on a

case-by-case basis and would be required to comply with applicable provisions of the Beverly Hills Municipal Code and CBC.

The City of Beverly Hills will continue to require that all new structures comply with seismic and geologic hazard safety standards, including design and construction standards that regulate land use in areas known to have or to potentially have significant seismic and/or other geologic hazards. Potential impacts from future development would be addressed on a case-by-case basis, and appropriate mitigation would be designed to mitigate impacts resulting from individual projects. Therefore, cumulative impacts would be less than significant.

## 4.5 Greenhouse Gas Emissions

---

This section discusses regulatory setting, and existing environmental setting, and analyzes GHG emissions associated with the project and potential impacts related to climate change during both construction and operational phases, respectively. Mitigation measures are proposed in an effort to reduce significant impacts, as needed. The trip generation and vehicle miles traveled (VMT) estimates used to calculate emissions are based on information included in Section 4.9, *Transportation and Traffic*, of this SEIR.

### 4.5.1 Setting

#### **Climate Change and Greenhouse Gases**

Climate change is the observed increase in the average temperature of the Earth's atmosphere and oceans along with other substantial changes in climate (such as wind patterns, precipitation, and storms) over an extended period. The term "climate change" is often used interchangeably with the term "global warming," but climate change is preferred because it conveys that other changes are happening in addition to rising temperatures. The baseline against which these changes are measured originates in historical records that identify temperature changes that occurred in the past, such as during previous ice ages. The global climate is changing continuously, as evidenced in the geologic record which indicates repeated episodes of substantial warming and cooling. The rate of change has typically been incremental, with warming or cooling trends occurring over the course of thousands of years. The past 10,000 years have been marked by a period of incremental warming, as glaciers have steadily retreated across the globe. However, scientists have observed acceleration in the rate of warming over the past 150 years. The United Nations Intergovernmental Panel on Climate Change (IPCC) expressed a high degree of confidence (95 percent or greater chance) that the global average net effect of human activities has been the dominant cause of warming since the mid-twentieth century (IPCC 2014a).

Gases that absorb and re-emit infrared radiation in the atmosphere are called GHGs. The gases widely seen as the principal contributors to human-induced climate change include carbon dioxide (CO<sub>2</sub>), methane, nitrous oxide, fluorinated gases such as hydrofluorocarbons and perfluorocarbons, and sulfur hexafluoride. Water vapor is excluded from the list of GHGs because it is short-lived in the atmosphere, and natural processes, such as oceanic evaporation, largely determine its atmospheric concentrations.

GHGs are emitted by natural processes and human activities. Of these gases, CO<sub>2</sub> and methane are emitted in the greatest quantities from human activities. Emissions of CO<sub>2</sub> are usually by-products of fossil fuel combustion, and methane results from off-gassing associated with agricultural practices and landfills. Human-made GHGs, many of which have greater heat-absorption potential than CO<sub>2</sub>, include fluorinated gases and sulfur hexafluoride (United States Environmental Protection Agency [USEPA] 2020).

Different types of GHGs have varying global warming potentials (GWP). The GWP of a GHG is the potential of a gas or aerosol to trap heat in the atmosphere over a specified timescale (generally, 100 years). Because GHGs absorb different amounts of heat, a common reference gas (CO<sub>2</sub>) is used to relate the amount of heat absorbed to the amount of the gas emitted, referred to as "carbon dioxide equivalent" (CO<sub>2</sub>e), which is the amount of GHG emitted multiplied by its GWP. Carbon

dioxide has a 100-year GWP of one. By contrast, methane has a GWP of 28, meaning its global warming effect is 28 times greater than CO<sub>2</sub> on a molecule per molecule basis (IPCC 2014b).<sup>1</sup>

The accumulation of GHGs in the atmosphere regulates the earth's temperature. Without the natural heat-trapping effect of GHGs, the earth's surface would be about 33 degrees Celsius (59 degrees Fahrenheit [°F]) cooler (World Meteorological Organization 2020). However, since 1750, estimated concentrations of CO<sub>2</sub>, methane, and nitrous oxide in the atmosphere have increased by 36 percent, 148 percent, and 18 percent, respectively, primarily due to human activity (Forster et al. 2007). GHG emissions from human activities, particularly the consumption of fossil fuels for electricity production and transportation, are believed to have elevated the concentration of these gases in the atmosphere beyond the level of concentrations that occur naturally.

## **Greenhouse Gas Emissions Inventory**

Worldwide anthropogenic emissions of GHGs were approximately 49,000 million metric tons (MMT) of CO<sub>2</sub>e in 2010 (IPCC 2014a). CO<sub>2</sub> emissions from fossil fuel combustion and industrial processes contributed about 65 percent of total emissions in 2010. Of anthropogenic GHGs, CO<sub>2</sub> was the most abundant, accounting for over 75 percent of total 2010 emissions. Methane emissions accounted for 16 percent of the 2010 total, while nitrous oxide and fluorinated gases accounted for 6 percent and 2 percent respectively (IPCC 2014a).

Total United States (U.S.) GHG emissions were 6,676.6 MMT of CO<sub>2</sub>e in 2018. Emissions increased by 2.9 percent from 2017 to 2018, and since 1990, total U.S. emissions have increased by an average annual rate of 0.13 percent for a total increase of 3.7 percent between 1990 and 2018. The increase from 2017 to 2018 was primarily driven by increased fossil fuel combustion as a result of multiple factors, including increased energy usage from greater heating and cooling needs due to a colder winter and hotter summer in 2018, as compared to 2017. In 2018, the transportation and industrial end-use sectors accounted for 36 percent and 26 percent, respectively, of nationwide GHG emissions while the residential and commercial end-use sectors accounted for 20 percent and 17 percent of nationwide GHG emissions, respectively, with electricity emissions distributed among the various sectors (USEPA 2020b).

Based on the California Air Resource Board's (CARB) California Greenhouse Gas Inventory for 2000-2018, California produced 425.3 MMT of CO<sub>2</sub>e in 2018. The major source of GHG emissions in California is the transportation sector, which comprises 41 percent of the state's total GHG emissions. The industrial sector is the second largest source, comprising 24 percent of the state's GHG emissions while electric power accounts for approximately 15 percent (CARB 2020f). The magnitude of California's total GHG emissions is due in part to its large size and large population compared to other states. However, a factor that reduces California's per capita fuel use and GHG emissions as compared to other states is its relatively mild climate. In 2016, the State of California achieved its 2020 GHG emission reduction target of reducing emissions to 1990 levels as emissions fell below 431 MMT of CO<sub>2</sub>e (CARB 2020f). The annual 2030 statewide target emissions level is 260 MMT of CO<sub>2</sub>e (CARB 2017).

---

<sup>1</sup> The IPCC's (2014b) *Fifth Assessment Report* determined that methane has a GWP of 28. However, modeling of GHG emissions was completed using the California Emissions Estimator Model version 2016.3.2, which uses a GWP of 25 for methane, consistent with the IPCC's (2007) *Fourth Assessment Report*.

## Potential Effects of Climate Change

Globally, climate change has the potential to affect numerous environmental resources through potential impacts related to future air temperatures and precipitation patterns. Scientific modeling predicts that continued GHG emissions at or above current rates would induce more extreme climate changes during the 21<sup>st</sup> century than were observed during the 20<sup>th</sup> century. Each of the past three decades has been warmer than all the previous decades in the instrumental record, and the decade from 2000 through 2010 has been the warmest. The observed global mean surface temperature (GMST) from 2015 to 2017 was approximately 1.8°F higher than the average GMST over the period from 1880 to 1900 (National Oceanic and Atmospheric Administration 2020). Furthermore, several independently analyzed data records of global and regional Land-Surface Air Temperature (LSAT) obtained from station observations jointly indicate that LSAT and sea surface temperatures have increased due to past and current activities. In addition to these findings, there are identifiable signs that global warming is currently taking place, including substantial ice loss in the Arctic over the past two decades (IPCC 2014a and 2018).

According to *California's Fourth Climate Change Assessment*, statewide temperatures from 1986 to 2016 were approximately 0.1 to 3.1°F higher than those recorded from 1901 to 1960. Potential impacts of climate change in California may include reduced water supply from snowpack, sea level rise, more extreme heat days per year, more large forest fires, and more drought years (State of California 2018). While there is growing scientific consensus about the possible effects of climate change at a global and statewide level, current scientific modeling tools are unable to predict what local impacts may occur with a similar degree of accuracy. Below is a summary of some of the potential effects that could be experienced in California as a result of climate change.

### *Air Quality*

Scientists project that the annual average maximum daily temperatures in California could rise by 2.5 to 5.8°F in the next 50 years and by 5.6 to 8.8°F in the next century. Since 1896, the top five warmest years in the Los Angeles region (in terms of annual average temperature) have all occurred since 2012 (State of California 2018). Higher temperatures are conducive to air pollution formation, and rising temperatures could therefore result in worsened air quality in California. As a result, climate change may increase the concentration of ground-level ozone, but the magnitude of the effect, and therefore its indirect effects, are uncertain. In addition, increased temperatures tend to correspond to greater frequency and larger extent of wildfires, which can result in air quality impacts. As temperatures have increased in recent years, the area burned by wildfires throughout the state has increased, and wildfires have occurred at higher elevations in the Sierra Nevada Mountains. In southern California, the average size of summertime non-Santa Ana based fires has significantly increased from 1,129 hectares in the 1960s to 2,121 hectares in the 2000s (State of California 2018). If higher temperatures continue to be accompanied by an increase in the incidence and extent of large wildfires, air quality could worsen. Severe heat accompanied by drier conditions and poor air quality could increase the number of heat-related deaths, illnesses, and asthma attacks throughout the state. However, if higher temperatures are accompanied by wetter, rather than drier conditions, the rains could tend to temporarily clear the air of particulate pollution, which would effectively reduce the number of large wildfires and thereby ameliorate the pollution associated with them (California Natural Resources Agency 2009).



### *Water Supply*

Analysis of paleoclimatic data (such as tree-ring reconstructions of stream flow and precipitation) indicates a history of naturally and widely varying hydrologic conditions in California and the west, including a pattern of recurring and extended droughts. Uncertainty remains with respect to the overall impact of climate change on future precipitation trends and water supplies in California. Year-to-year variability in statewide precipitation levels has increased since 1980, meaning that wet and dry precipitation extremes have become more common (California Department of Water Resources 2018). This trend of increased dry and wet extremes is expected to increase in the future across most of the Los Angeles region (State of California 2018). The uncertainty regarding future precipitation trends complicates the analysis of future water demand, especially where the relationship between climate change and its potential effect on water demand is not well understood. The average early spring snowpack in the western U.S., including the Sierra Nevada Mountains, decreased by about 10 percent during the last century. During the same period, sea level rose over 0.15 meter along the central and southern California coasts (State of California 2018). The Sierra snowpack provides the majority of California's water supply as snow that accumulates during wet winters is released slowly during the dry months of spring and summer. A warmer climate is predicted to reduce the proportion of precipitation that falls as snow and the amount of snowfall at lower elevations, thereby reducing the total snowpack. Projections indicate that average spring snowpack in the Sierra Nevada and other mountain catchments in central and northern California will decline by approximately 66 percent from its historical average by 2050 (State of California 2018).

### *Hydrology and Sea Level Rise*

Climate change could affect the intensity and frequency of storms and flooding. The number of atmospheric rivers (regions of high water vapor transport from the tropics to the Pacific Coast that produce intense topographic-induced precipitation along southern California mountain ranges) is expected to increase in the future, resulting in an extended flood hazard season (State of California 2018). Furthermore, climate change could induce substantial sea level rise in the coming century. Rising sea level increases the likelihood of and risk from flooding. The rate of increase of global mean sea levels between 1993 to 2020, observed by satellites, is approximately 3.3 millimeters per year, double the twentieth century trend of 1.6 millimeters per year (World Meteorological Organization 2013; National Aeronautics and Space Administration 2020). Global mean sea levels in 2013 were about 0.23 meter higher than those of 1880 (National Aeronautics and Space Administration 2020). Sea levels are rising faster now than in the previous two millennia, and the rise will probably accelerate, even with robust GHG emission control measures. The most recent IPCC report predicts a mean sea level rise of 0.25 to 0.94 meter by 2100 (IPCC 2018). A rise in sea levels could erode 31 to 67 percent of southern California beaches and cause flooding of approximately 370 miles of coastal highways during 100-year storm events. This would also jeopardize California's water supply due to saltwater intrusion and induce groundwater flooding and/or exposure of buried infrastructure (State of California 2018). Furthermore, increased storm intensity and frequency could affect the ability of flood-control facilities, including levees, to handle storm events. In the Los Angeles region, the effects of sea level rise on the coastline is expected to be compounded by the impacts of wave events during coastal storms because much of the coastline is comprised of wide sandy beaches (State of California 2018).

### *Agriculture*

California has an over \$50 billion annual agricultural industry (\$171 million of which is from Los Angeles County) that produces over a third of the country's vegetables and two-thirds of the country's fruits and nuts (California Department of Food and Agriculture 2019). Higher CO<sub>2</sub> levels can stimulate plant production and increase plant water-use efficiency. However, if temperatures rise and drier conditions prevail, certain regions of agricultural production could experience water shortages of up to 16 percent, which would increase water demand as hotter conditions lead to the loss of soil moisture. In addition, crop yield could be threatened by water-induced stress and extreme heat waves, and plants may be susceptible to new and changing pest and disease outbreaks (State of California 2018). Temperature increases could also change the time of year certain crops, such as wine grapes, bloom or ripen, and thereby affect their quality (California Climate Change Center 2006).

### *Ecosystems and Wildlife*

Climate change and the potential resultant changes in weather patterns could have ecological effects on global and local scales. Soil moisture is likely to decline in many regions as a result of higher temperatures and intense rainstorms are likely to become more frequent. Rising temperatures could have four major impacts on plants and animals: timing of ecological events; geographic distribution and range of species; species composition and the incidence of nonnative species within communities; and ecosystem processes, such as carbon cycling and storage (Parmesan 2006; State of California 2018).

## **Regulatory Setting**

The following regulations and case law address both climate change and GHG emissions.

### *Federal Regulations*

#### **FEDERAL CLEAN AIR ACT**

The U.S. Supreme Court determined in *Massachusetts et al. v. Environmental Protection Agency et al.* ([2007] 549 U.S. 05-1120) that the USEPA has the authority to regulate motor vehicle GHG emissions under the federal Clean Air Act. The USEPA issued a Final Rule for mandatory reporting of GHG emissions in October 2009. This Final Rule applies to fossil fuel suppliers, industrial gas suppliers, direct GHG emitters, and manufacturers of heavy-duty and off-road vehicles and vehicle engines and requires annual reporting of emissions. In 2012, the USEPA issued a Final Rule that established the GHG permitting thresholds that determine when Clean Air Act permits under the New Source Review Prevention of Significant Deterioration and Title V Operating Permit programs are required for new and existing industrial facilities.

In *Utility Air Regulatory Group v. Environmental Protection Agency* (134 Supreme Court 2427 [2014]), the U.S. Supreme Court held the USEPA may not treat GHGs as an air pollutant for purposes of determining whether a source can be considered a major source required to obtain a Prevention of Significant Deterioration or Title V permit. The Court also held that Prevention of Significant Deterioration permits otherwise required based on emissions of other pollutants may continue to require limitations on GHG emissions based on the application of Best Available Control Technology.

### **SAFER AFFORDABLE FUEL-EFFICIENT VEHICLES RULE**

On September 27, 2019, the USEPA and the National Highway Traffic Safety Administration published the Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule Part One: One National Program. The SAFE Rule Part One revokes California's authority to set its own GHG emissions standards and to adopt its own zero-emission vehicle mandates. On April 30, 2020, the USEPA and the National Highway Traffic Safety Administration published Part Two of the SAFE Vehicles Rule, which revised corporate average fuel economy and CO<sub>2</sub> emissions standards for passenger cars and trucks of model years 2021-2026 such that the standards increase by approximately 1.5 percent each year through model year 2026 as compared to the approximately five percent annual increase required under the 2012 standards (National Highway Traffic Safety Administration 2020). To account for the effects of the SAFE Vehicles Rule, CARB released off-model adjustment factors on June 26, 2020 to adjust CO<sub>2</sub> emissions outputs from the EMFAC model (CARB 2020e).

#### *State Regulations*

CARB is responsible for the coordination and oversight of state and local air pollution control programs in California. There are numerous regulations aimed at reducing the state's GHG emissions. These initiatives are summarized below. For more information on the Senate and Assembly Bills, executive orders, building codes, and reports discussed below, and to view reports and research referenced below, please refer to the following websites:

<https://www.energy.ca.gov/data-reports/reports/californias-fourth-climate-change-assessment>, [www.arb.ca.gov/cc/cc.htm](http://www.arb.ca.gov/cc/cc.htm), and <https://www.dgs.ca.gov/BSC/Codes>.

### **CALIFORNIA ADVANCED CLEAN CARS PROGRAM**

Assembly Bill (AB) 1493 (2002), California's Advanced Clean Cars program (referred to as "Pavley"), requires CARB to develop and adopt regulations to achieve "the maximum feasible and cost-effective reduction of GHG emissions from motor vehicles." On June 30, 2009, the USEPA granted the waiver of Clean Air Act preemption to California for its GHG emission standards for motor vehicles, beginning with the 2009 model year, which allows California to implement more stringent vehicle emission standards than those promulgated by the USEPA. Pavley I regulates model years from 2009 to 2016 and Pavley II, now referred to as "LEV (Low Emission Vehicle) III GHG," regulates model years from 2017 to 2025. The Advanced Clean Cars program coordinates the goals of the LEV, Zero Emissions Vehicles (ZEV), and Clean Fuels Outlet programs and would provide major reductions in GHG emissions. By 2025, the rules will be fully implemented, and new automobiles will emit 34 percent fewer GHGs and 75 percent fewer smog-forming emissions from their model year 2016 levels (CARB 2011).

### **CALIFORNIA GLOBAL WARMING SOLUTIONS ACT OF 2006 (ASSEMBLY BILL 32 AND SENATE BILL 32)**

The "California Global Warming Solutions Act of 2006" (Assembly Bill [AB] 32) outlines California's major legislative initiative for reducing GHG emissions. AB 32 codifies the statewide goal of reducing GHG emissions to 1990 levels by 2020 and requires CARB to prepare a Scoping Plan that outlines the main state strategies for reducing GHG emissions to meet the 2020 deadline. In addition, AB 32 requires CARB to adopt regulations to require reporting and verification of statewide GHG emissions. Based on this guidance, CARB approved a 1990 statewide GHG level and 2020 target of 431 MMT of CO<sub>2</sub>e, which was achieved in 2016. CARB approved the Scoping Plan on December 11, 2008, which included GHG emission reduction strategies related to energy efficiency, water use, and recycling and solid waste, among others (CARB 2008). Many of the GHG reduction measures

included in the Scoping Plan (e.g., Low Carbon Fuel Standard, Advanced Clean Car standards, and Cap-and-Trade) have been adopted since the Scoping Plan's approval.

CARB approved the 2013 Scoping Plan update in May 2014. The update defined CARB's climate change priorities for the next five years, set the groundwork to reach post-2020 statewide goals, and highlighted California's progress toward meeting the "near-term" 2020 GHG emission reduction goals defined in the original Scoping Plan. It also evaluated how to align the state's longer term GHG reduction strategies with other state policy priorities, including those for water, waste, natural resources, clean energy, transportation, and land use (CARB 2014).

On September 8, 2016, the governor signed Senate Bill (SB) 32 into law, extending the California Global Warming Solutions Act of 2006 by requiring the state to further reduce GHG emissions to 40 percent below 1990 levels by 2030 (the other provisions of AB 32 remain unchanged). On December 14, 2017, CARB adopted the 2017 Scoping Plan, which provides a framework for achieving the 2030 target. The 2017 Scoping Plan relies on the continuation and expansion of existing policies and regulations, such as the Cap-and-Trade Program, and implementation of recently adopted policies and legislation, such as SB 1383 (discussed later). The 2017 Scoping Plan also puts an increased emphasis on innovation, adoption of existing technology, and strategic investment to support its strategies. As with the 2013 Scoping Plan update, the 2017 Scoping Plan does not provide project-level thresholds for land use development. Instead, it recommends that local governments adopt policies and locally-appropriate quantitative thresholds consistent with statewide per capita goals of six MT of CO<sub>2</sub>e by 2030 and two MT of CO<sub>2</sub>e by 2050 (CARB 2017). As stated in the 2017 Scoping Plan, these goals may be appropriate for plan-level analyses (city, county, sub-regional, or regional level), but not for specific individual projects because they include all emissions sectors in the state (CARB 2017).

### **SENATE BILL 375**

The Sustainable Communities and Climate Protection Act of 2008 (Senate Bill [SB] 375), signed in August 2008, enhances the state's ability to reach AB 32 goals by directing CARB to develop regional GHG emission reduction targets to be achieved from passenger vehicles by 2020 and 2035. SB 375 aligns regional transportation planning efforts, regional GHG reduction targets, and affordable housing allocations. Metropolitan Planning Organizations (MPOs) are required to adopt a Sustainable Communities Strategy (SCS), which allocates land uses in the MPO's Regional Transportation Plan (RTP). Qualified projects consistent with an approved SCS or Alternative Planning Strategy (categorized as "transit priority projects") can receive incentives to streamline CEQA processing.

On March 22, 2018, CARB adopted updated regional targets for reducing GHG emissions from 2005 levels by 2020 and 2035. The Southern California Association of Governments (SCAG) was assigned targets of an 8 percent reduction in per capita GHG emissions from passenger vehicles by 2020 and a 19 percent reduction in per capita GHG emissions from passengers vehicles by 2035. In the SCAG region, SB 375 also provides the option for the coordinated development of subregional plans by the subregional councils of governments and the county transportation commissions to meet SB 375 requirements. On September 3, 2020, the SCAG's Regional Council formally adopted the 2020-2045 RTP/SCS entitled Connect SoCal, which meets the requirements of SB 375.

### **CALIFORNIA INTEGRATED WASTE MANAGEMENT ACT (ASSEMBLY BILL 341)**

The California Integrated Waste Management Act of 1989, as modified by AB 341 in 2011, requires each jurisdiction's source reduction and recycling element to include an implementation schedule that shows: (1) diversion of 25 percent of all solid waste by January 1, 1995 through source

reduction, recycling, and composting activities and (2) diversion of 50 percent of all solid waste on and after January 1, 2000.

### **SENATE BILL 1383**

Adopted in September 2016, SB 1383 (Lara, Chapter 395, Statutes of 2016) requires CARB to approve and begin implementing a comprehensive strategy to reduce emissions of short-lived climate pollutants. SB 1383 requires the strategy to achieve the following reduction targets by 2030:

- Methane – 40 percent below 2013 levels
- Hydrofluorocarbons – 40 percent below 2013 levels
- Anthropogenic black carbon – 50 percent below 2013 levels

SB 1383 also requires the California Department of Resources Recycling and Recovery, in consultation with CARB, to adopt regulations that achieve specified targets for reducing organic waste in landfills.

### **SENATE BILL 100**

Adopted on September 10, 2018, SB 100 supports the reduction of GHG emissions from the electricity sector by accelerating the state’s Renewables Portfolio Standard (RPS) Program, which was last updated by SB 350 in 2015. SB 100 requires 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.

### **EXECUTIVE ORDER B-55-18**

On September 10, 2018, former Governor Brown issued Executive Order (EO) B-55-18, which established a new statewide goal of achieving carbon neutrality by 2045 and maintaining net negative emissions thereafter. This goal is in addition to the existing statewide GHG reduction targets established by SB 375, SB 32, SB 1383, and SB 100.

### **CALIFORNIA BUILDING STANDARDS CODE**

The California Code of Regulations (CCR) Title 24 is referred to as the California Building Standards Code. It consists of a compilation of several distinct standards and codes related to building construction including plumbing, electrical, interior acoustics, energy efficiency, and handicap accessibility for persons with physical and sensory disabilities. The California Building Standards Code’s energy-efficiency and green building standards are outlined below. The 2019 California Buildings Standards Code (the most recent iteration of the code) was adopted by reference with applicable local amendments in Beverly Hills Municipal Code Title 9 and Ordinance 19-O-2793. These standards are updated every three years.

#### ***Part 6 – Building Energy Efficiency Standards/Energy Code***

CCR Title 24, Part 6 is the Building Energy Efficiency Standards or California Energy Code. This code, originally enacted in 1978, establishes energy-efficiency standards for residential and non-residential buildings in order to reduce California’s energy demand. New construction and major renovations must demonstrate their compliance with the current Energy Code through submittal and approval of a Title 24 Compliance Report to the local building permit review authority and the

California Energy Commission (CEC). The 2019 Title 24 standards are the applicable building energy efficiency standards for the project because they became effective on January 1, 2020.

### ***Part 11 – California Green Building Standards***

The California Green Building Standards Code, referred to as CALGreen, was added to Title 24 as Part 11, first in 2009 as a voluntary code, which then became mandatory effective January 1, 2011 (as part of the 2010 California Building Standards Code). The 2019 CALGreen includes mandatory minimum environmental performance standards for all ground-up new construction of residential and non-residential structures. It also includes voluntary tiers (Tiers I and II) with stricter environmental performance standards for these same categories of residential and non-residential buildings. Local jurisdictions must enforce the minimum mandatory CALGreen standards and may adopt additional amendments for stricter requirements.

The mandatory standards require:

- 20 percent reduction in indoor water use relative to specified baseline levels;<sup>2</sup>
- 65 percent construction/demolition waste diverted from landfills;
- Inspections of energy systems to ensure optimal working efficiency;
- Low pollutant emitting exterior and interior finish materials such as paints, carpets, vinyl flooring, and particleboards;
- Dedicated circuitry to facilitate installation of electric vehicle (EV) charging stations in newly constructed attached garages for single-family and duplex dwellings; and
- Designation of at least ten percent of parking spaces for multi-family residential developments and six percent of parking spaces for hotel development with more than 201 parking spaces as electric vehicle charging spaces capable of supporting future electric vehicle supply equipment.

The voluntary standards require:

- **Tier I:** stricter energy efficiency requirements, stricter water conservation requirements for specific fixtures, 65 percent reduction in construction waste with third-party verification, 10 percent recycled content for building materials, 20 percent permeable paving, 20 percent cement reduction, and cool/solar reflective roof; and
- **Tier II:** stricter energy efficiency requirements, stricter water conservation requirements for specific fixtures, 75 percent reduction in construction waste with third-party verification, 15 percent recycled content for building materials, 30 percent permeable paving, 25 percent cement reduction, and cool/solar reflective roof.

### **CALIFORNIA ADVANCED CLEAN TRUCKS PROGRAM**

In June 2020, CARB approved the Advanced Clean Trucks regulation, which requires manufacturers who certify Class 2b-8 chassis or complete vehicles with combustion engines to sell zero-emission trucks as an increasing percentage of their annual California sales from 2024 to 2035. In addition, the regulation requires company and fleet reporting for large employers and fleet owners with 50 or more trucks. CARB estimates that implementation of this regulation will reduce GHG emissions by a total of approximately 29 MMT of CO<sub>2</sub>e between 2020 and 2040 relative to the business-as-usual

---

<sup>2</sup> Similar to the compliance reporting procedure for demonstrating Energy Code compliance in new buildings and major renovations, compliance with the CALGreen water reduction requirements must be demonstrated through completion of water use reporting forms. Buildings must demonstrate a 20 percent reduction in indoor water use by either showing a 20 percent reduction in the overall baseline water use as identified in CALGreen or a reduced per-plumbing-fixture water use rate.

baseline. By 2040, emissions are expected to be reduced by approximately four percent annually compared to the business as usual forecast (CARB 2020g).

### **EXECUTIVE ORDER N-79-20**

On September 23, 2020, Governor Newsom issued EO N-79-20, which established the following new statewide goals:

- All new passenger cars and trucks sold in-state to be zero-emission by 2035;
- All medium- and heavy-duty vehicles in the state to be zero-emission by 2045 for all operations where feasible and by 2035 for drayage trucks; and
- All off-road vehicles and equipment to be zero-emission by 2035 where feasible.

EO N-79-20 directs CARB, the Governor’s Office of Business and Economic Development, the CEC, the California Department of Transportation, and other state agencies to take steps toward drafting regulations and strategies and leveraging agency resources toward achieving these goals.

### *Regional and Local Regulations*

#### **2020 - 2045 RTP/SCS**

On September 3, 2020, the SCAG’s Regional Council formally adopted the 2020-2045 RTP/SCS entitled Connect SoCal. The 2020-2045 RTP/SCS builds upon the progress made through implementation of the 2016-2040 RTP/SCS and includes ten goals focused on promoting economic prosperity, improving mobility, protecting the environment, and supporting healthy/complete communities. The SCS implementation strategies include focusing growth near destinations and mobility options, promoting diverse housing choices, leveraging technology innovations, and supporting implementation of sustainability policies. The SCS establishes a land use vision of center focused placemaking, concentrating growth in and near Priority Growth Areas, transferring of development rights, urban greening, creating greenbelts and community separators, and implementing regional advance mitigation (SCAG 2020a).

#### **BEVERLY HILLS SUSTAINABLE CITY PLAN**

In February 2009, the City adopted the Beverly Hills Sustainable City Plan. The following goals related to GHG emissions are applicable to the proposed project (City of Beverly Hills 2009):

**Climate Change and Air Quality Goal:** Combat climate change and improve air quality.

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

**Land Use, Transportation, and Open Space Goal:** Foster an energy-efficient, walkable community that provides ample goods, services, and benefits to all residents while respecting the local environment.

The Sustainable City Plan is not considered a qualified GHG reduction plan as defined in the *CEQA Guidelines* Section 15183.5. The City is currently developing a Climate Action and Adaptation Plan to reduce and encourage the reduction of GHG emissions citywide, which is expected to be completed in mid-2022 (City of Beverly Hills 2020a).

## CITY OF BEVERLY HILLS GENERAL PLAN

The City of Beverly Hills General Plan Land Use and Open Space Elements contain the following policies specific to GHG emissions (City of Beverly Hills 2010g):

**Policy LU 14.1 City Form.** Accommodate a balanced mix of land uses and encourage development to be located and designed to enable residents access by walking, bicycling, or taking public transit to jobs, shopping, entertainment, services, and recreation, thereby reducing automobile use, energy consumption, air pollution, and GHGs.

**Policy LU 14.2 Site Development.** Require that sites and buildings be planned and designed to meet applicable environmental sustainability objectives by: (a) facilitating pedestrian access between properties and access to public transit; (b) providing solar access; (c) assuring natural ventilation; (d) enabling capture and re-use of stormwater and graywater on-site while reducing discharge into the stormwater system; and (e) using techniques consistent with the City's sustainability programs such as the City's Green Building Ordinance.

**Policy LU 14.4 New Construction of Private Buildings.** Require that new and substantially renovated buildings be designed and constructed in accordance with the City's sustainability programs such as the City's Green Building Ordinance or comparable criteria to reduce energy, water, and natural resource consumption, minimize construction wastes, use recycled materials, and avoid the use of toxics and hazardous materials.

**Policy OS 7.9 Greenhouse Gas Reduction.** Work with the CARB and the SCAQMD to comply with statewide GHG reduction goals as established in AB 32 and other subsequent legislation.

**Policy OS 7.10 Citywide GHG Assessment.** Comply with pertinent state regulations to assess citywide GHG emissions for existing land uses and the adopted general plan build-out.

**Policy OS 7.11 Air Quality Education.** Educate the public about air quality standards, health effects, and efforts that residents can make to improve air quality and reduce GHG emissions in the Los Angeles Basin.

## BEVERLY HILLS COMPLETE STREETS PLAN

The Beverly Hills Complete Streets Plan is a long-range planning document that outlines the City's overall transportation policy guidance with the aim of transforming Beverly Hills from an auto-dominated community to one that embraces all modes of travel, reduces vehicle trips on local streets, and is a world class bicycling city. The plan includes recommendations for bikeway network enhancements, priority corridors for pedestrian improvements, first/last mile transit improvements, transportation network efficiency improvements, and neighborhood traffic management, among others. The Complete Streets Plan is currently in its draft stage (City of Beverly Hills 2019d). Refer to Section 4.9, *Transportation and Traffic*, for more information on this plan and its relationship to the project site.

### 4.5.2 Previous Environmental Review

The Beverly Hills Specific Plan 2008 EIR and 9900 Wilshire Specific Plan 2016 SEIR (hereafter referred to collectively as "previous environmental documentation") conclude that the Existing Specific Plans would not generate direct or indirect GHG emissions that would result in a significant impact on the environment and that the Existing Specific Plans would be consistent with applicable GHG emission reduction plans. Therefore, the previous environmental documentation determines that all GHG emissions impacts are less than significant for the Existing Specific Plans.



### 4.5.3 Impact Analysis

#### **Methodology and Significance Thresholds**

##### *Methodology*

Construction and operational GHG emissions were estimated using the California Emissions Estimator Model (CalEEMod), version 2016.3.2. CalEEMod uses project-specific information, including the project's land uses, square footages for different uses (e.g., high-rise condominiums, hotel, enclosed parking garage), and location, to estimate a project's construction and operational emissions. CalEEMod version 2016.3.2 was used to estimate emissions associated with development of the Approved Entitlements and the proposed project to provide an adequate side-by-side comparison of emissions between the Approved Entitlements and the proposed project. Emissions associated with the 9900 Wilshire Specific Plan was originally calculated using CalEEMod version 2013.2.2, which was the industry standard at the time of publication, and GHG emissions were not quantified for the Beverly Hilton Specific Plan (City of Beverly Hills 2008a and 2016a). However, CalEEMod version 2016.3.2 is the current industry standard and was developed for use throughout the state in estimating construction and operational emissions from land use development. Among other improvements, CalEEMod version 2016.3.2 uses updated emissions factors and includes the 2016 Title 24 requirements and current regulatory emission reductions (California Air Pollution Control Officers Association 2017). Emissions were estimated in CalEEMod version 2016.3.2 for the following four scenarios:

- Existing uses that would be demolished under the Approved Entitlements (217 hotel rooms, 17,315 square feet (sf) of meeting room space, 1,239 parking spaces, a swimming pool, 2,556 sf of mercantile retail, 2,610 sf of hotel restaurant, and one acre of landscaping)
- Existing uses that would be demolished under the proposed project (217 hotel rooms, 17,315 sf of meeting room space, 1,239 parking spaces, a swimming pool, 2,556 sf of mercantile retail, 2,610 sf of hotel restaurant, a 14-pump gas station and convenience store, and one acre of landscaping)
- Remaining buildout under the Approved Entitlements
- Buildout under the proposed project

Section 2, *Project Description*, of this SEIR provides a detailed comparison of the Approved Entitlements and the proposed project. This analysis excludes any construction that has already been completed under the Approved Entitlements. GHG emissions were modeled for year 2030 to provide an appropriate comparison to the significance threshold, which is based on the state's 2030 GHG emissions reduction target under SB 32 (see further discussion under *Significance Thresholds*). Construction and net new operational emissions generated by development under the Approved Entitlements and the proposed project (i.e., the net change in emissions as compared to existing uses that would be demolished) were compared to the significance threshold and evaluated in light of the significance findings in the previous environmental documentation.

#### **CONSTRUCTION EMISSIONS**

Construction activities emit GHGs primarily through combustion of fuels (mostly diesel) in the engines of off-road construction equipment and in on-road construction vehicles and in the commute vehicles of the construction workers. Smaller amounts of GHGs are emitted indirectly through the energy required for water used for fugitive dust control and lighting for the

construction activity. Every phase of the construction process, including demolition, grading, paving, building, and architectural coating, emits GHG emissions in volumes proportional to the quantity and type of construction equipment used. Heavier equipment typically emits more GHGs per hour than does lighter equipment because of its engine design and greater fuel consumption. CalEEMod estimates construction emissions by multiplying the time equipment is in operation by emission factors. Construction emissions were modelled in accordance with the methodology outlined in Section 4.1.3(a), *Methodology and Significance Thresholds*, in Section 4.1, *Air Quality*. In accordance with South Coast Air Quality Management District's (SCAQMD) recommendation, GHG emissions from construction of the proposed project were amortized over a 30-year period and added to annual operational emissions to determine the project's total annual GHG emissions (SCAQMD 2008b).

## **OPERATIONAL EMISSIONS**

### ***Area Source Emissions***

Area sources include GHG emissions that would occur from the use of landscaping equipment and fireplaces, which emit GHGs associated with fuel combustion. The landscaping equipment emission values were derived from the 2011 Off-Road Equipment Inventory Model (California Air Pollution Control Officers Association 2017). The proposed project would include natural gas fireplaces; however, in accordance with SCAQMD Rule 445, no wood-burning devices would be installed.

### ***Energy Use Emissions***

GHGs are emitted on-site during the combustion of natural gas for space and water heating and off-site during the generation of electricity from fossil fuels in power plants. CalEEMod estimates GHG emissions from energy use by multiplying average rates of residential and non-residential energy consumption by the quantities of residential units and non-residential square footage entered in the land use module to obtain total projected energy use. This value is then multiplied by electricity and natural gas GHG emission factors applicable to the project location and utility provider.

For the purposes of this analysis, it is assumed that the project's electricity would be supplied by Southern California Edison (SCE).<sup>3</sup> Therefore, SCE's specific energy intensity factors (i.e., the amount of CO<sub>2</sub>e per megawatt-hour) are used in the calculations of GHG emissions. However, per SB 100, the statewide RPS Program requires electricity providers to increase procurement from eligible renewable energy sources to 60 percent by 2030. To account for the continuing effects of the RPS, the energy intensity factors included in CalEEMod were reduced for year 2030 based on the percentage of renewables reported by SCE. SCE energy intensity factors that include this reduction are shown in Table 4.5-1.

---

<sup>3</sup> It may be possible that the project would be served by the Clean Power Alliance, a Los Angeles and Ventura County community choice aggregation program, for which the community's default tier is the 50 percent renewable energy product (i.e., Clean Power). However, assuming that SCE would supply electricity provides a conservative estimate of project emissions because SCE's electricity is more GHG-intensive on a per megawatt-hour basis.

**Table 4.5-1 SCE Energy Intensity Factors**

	2012 (lbs/MWh)	2030 (lbs/MWh) <sup>2</sup>
Percent procurement	20.6% <sup>1</sup>	60%
CO <sub>2</sub>	702.44	353.87
CH <sub>4</sub>	0.029	0.015
N <sub>2</sub> O	0.00617	0.003

<sup>1</sup> Source: SCE 2012

<sup>2</sup> RPS goal established by SB 100

lbs = pounds; MWh = megawatt-hour; CO<sub>2</sub> = carbon dioxide; CH<sub>4</sub> = methane; N<sub>2</sub>O = nitrous oxide; RPS = Renewable Portfolio Standards; SB = Senate Bill

Building energy use is typically divided into energy consumed by the built environment and energy consumed by uses that are independent of the building, such as plug-in appliances. Non-building energy use, or “plug-in energy use,” can be further subdivided by specific end-use (refrigeration, cooking, office equipment, etc.). In California, Title 24 governs energy consumed by the built environment, mechanical systems, and some types of fixed lighting. To account for the requirements of 2019 Title 24 standards that are not included in CalEEMod, energy usage from non-residential land uses under the Approved Entitlements and the proposed project was reduced by 30 percent (CEC 2018).

#### ***Mobile Source Emissions***

Mobile source emissions consist of emissions generated by resident, hotel guest, employee, and patron trips to and from the project site. The trip generation estimates from the Transportation Impact Report prepared by Fehr & Peers (2020; Appendix G) were used to estimate mobile source emissions for development under the Approved Entitlements, proposed project, and existing uses that would be demolished by either development under the Approved Entitlements or the proposed project. The “Increase Density,” “Increase Diversity,” “Improve Destination Accessibility,” and “Increase Transit Accessibility” options in CalEEMod were used to account for project design features that would reduce VMT associated with the Approved Entitlements and the proposed project. The “Improve Destination Accessibility” and “Increase Transit Accessibility” options were also used to model emissions from existing uses that would be demolished to account for the project site’s adjacency to a Central Business District and a major bus stop (CARB 2020e). Because CalEEMod does not calculate nitrous oxide emissions from mobile sources, nitrous oxide emissions were quantified using guidance from CARB and the EMFAC2017 Emissions Inventory for the SCAQMD region for the year 2030 (the next state milestone target year for GHG emission reductions) using the EMFAC2011 categories (CARB 2018 and 2019; see Appendix B for calculations).

#### ***Water and Wastewater Emissions***

Water used and wastewater generated by a project generate indirect GHG emissions. These emissions are a result of the energy used to supply, convey, and treat water and wastewater. In addition to the indirect GHG emissions associated with energy use, the wastewater treatment process itself can directly emit both methane and nitrous oxide.

The indoor and outdoor water use consumption data for each land use subtype comes from the Pacific Institute's 2003 *Waste Not, Want Not: The Potential for Urban Water Conservation in California* (CAPCOA 2017). Based on that report, a percentage of total water consumption was dedicated to landscape irrigation, which is used to determine outdoor water use. Wastewater generation was similarly based on a reported percentage of total indoor water use.

New development would be subject to CALGreen, which requires a 20 percent increase in indoor water use efficiency compared to baseline water use and installation of water-efficient irrigation systems. Thus, in order to account for compliance with CALGreen, a 20 percent reduction in indoor water use and water-efficient irrigation systems were included in the water consumption calculations for new development. In addition to water reductions associated with building code compliance and project design features, the GHG emissions from the energy used to transport the water for both existing and new development account for compliance with the RPS as discussed under "Energy Emissions." All wastewater generated by the project would be treated by the Hyperion Water Reclamation Plant, which does not utilize septic tanks or facultative lagoons (Los Angeles Sanitation and Environment 2020). As a result, CalEEMod was adjusted to account for 100 percent aerobic treatment of the project's wastewater.

### ***Solid Waste Emissions***

The disposal of solid waste produces GHG emissions from the transportation of waste, anaerobic decomposition in landfills, and incineration. To calculate the GHG emissions generated by solid waste disposal, the total volume of solid waste was calculated using waste disposal rates identified by the California Department of Resources Recycling and Recovery (CalRecycle). The methods for quantifying GHG emissions from solid waste are based on the IPCC method, using the degradable organic content of waste. The City of Beverly Hills has achieved a 60 percent solid waste diversion rate; therefore, CalEEMod was adjusted to account for increased solid waste diversion as compared to the standard calculations (City of Beverly Hills 2020b).

### ***LEED and WELL Certification***

As discussed in Section 2, *Project Description*, the proposed project would be designed to achieve a LEED rating of Gold and WELL Certification (or equivalent). It is also assumed that the Approved Entitlements would achieve a LEED rating of Silver (or equivalent). To account for GHG-reducing LEED design features, the use of energy-efficient appliances was included in CalEEMod for the Approved Entitlements and the proposed project. Additional LEED and WELL Certification design features that would reduce GHG emissions, including a graywater system for irrigation of the proposed botanical gardens and landscaping, energy-efficient lighting, green roofs, and exceedance of Title 24 energy conservation requirements, would be incorporated into the Approved Entitlements and the proposed project; however, these additional LEED design features were not included in the model because the specific design parameters for some features is not known at this stage of design and because CalEEMod does not provide direct ways to incorporate some features. Therefore, the estimated GHG emissions for the Approved Entitlements and proposed project are considered to be conservative.

### **EXISTING USES TO BE DEMOLISHED**

Operational emissions associated with existing on-site development that would be demolished by development under the Approved Entitlements or the proposed project were modeled in CalEEMod and subtracted from operational emissions associated with the Approved Entitlements and

proposed project to calculate net new emissions. Existing on-site development anticipated to be demolished under the Approved Entitlements includes 217 hotel rooms, 17,315 sf of meeting room space, 1,239 parking spaces, a swimming pool, 2,556 sf of mercantile retail, 2,610 sf of hotel restaurant, and one acre of landscaping. Existing on-site development anticipated to be demolished under the proposed project includes the same development to be demolished under the Approved Entitlements as well as a 14-pump gas station and convenience store.

### **SERVICE POPULATION**

The service populations of remaining buildout under the Approved Entitlements and the proposed project were determined by summing the number of residents, employees, and hotel guests that would be accommodated by each scenario. As shown in Table 4.5-2, the service population of the remaining buildout under the Approved Entitlements would be approximately 1,000 to 1,022 persons, and the service population of the proposed project would be approximately 1,020 persons. To compare the estimated emissions to the locally-applicable, project-specific efficiency threshold (see *Significance Thresholds* below), the per person GHG emissions for the remaining buildout under the Approved Entitlements and the proposed project were calculated by dividing total GHG emissions by the applicable service population.

**Table 4.5-2 Service Populations for Remaining Buildout under Approved Entitlements and Proposed Project**

<b>Population</b>	<b>Approved Entitlements (Remaining Buildout)</b>	<b>Proposed Project</b>
Residents <sup>1</sup>	810	851
Employees <sup>1</sup>	26 to 48	73
Hotel Guests	164 <sup>2</sup>	96 <sup>3</sup>
<b>Total Service Population</b>	<b>1,000 to 1,022</b>	<b>1,020</b>

<sup>1</sup> See Section 4.1, *Air Quality*

<sup>2</sup> 134 net new hotel rooms with approximately 1.5 persons per room and average occupancy rate of 81.7 percent = 164 persons (occupancy rate based on average local occupancy rate between January 2017 and June 2018; City of Beverly Hills 2018d)

<sup>3</sup> 78 net new hotel rooms with approximately 1.5 persons per room and average occupancy rate of 81.7 percent = 96 persons (occupancy rate based on average local occupancy rate between January 2017 and June 2018; City of Beverly Hills 2018d)

### *Significance Thresholds*

The following thresholds are used to determine the significance of project impacts related to GHG emissions. The proposed project would result in a significant GHG impact if the project would:

1. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; and/or
2. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

The majority of individual projects do not generate sufficient GHG emissions to create significant project-specific environmental effects. However, the environmental effects of a project's GHG emissions can contribute incrementally to cumulative environmental effects that are significant, such as climate change, even if an individual project's environmental effects are limited (*CEQA*

*Guidelines* Section 15064[h][1]). The issue of a project's environmental effects and contribution towards climate change typically involves an analysis of whether or not a project's contribution towards climate change is cumulatively considerable. Cumulatively considerable means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects (*CEQA Guidelines* Section 15064[h][1]).

Section 15064.4 of the *CEQA Guidelines* recommends that lead agencies quantify GHG emissions of projects and consider several other factors that may be used in the determination of significance of GHG emissions from a project, including the extent to which the project may increase or reduce GHG emissions; whether a project exceeds an applicable significance threshold; and the extent to which the project complies with regulations or requirements adopted to implement a plan for the reduction or mitigation of GHG emissions.

*CEQA Guidelines* Section 15064.4 does not establish a threshold of significance. Lead agencies have the discretion to establish significance thresholds for their respective jurisdictions, and in establishing those thresholds, a lead agency may appropriately look to thresholds developed by other public agencies, or suggested by other experts, as long as any threshold chosen is supported by substantial evidence (*CEQA Guidelines* Section 15064.7[c]).

According to *CEQA Guidelines* Section 15183.5, projects can tier off of a qualified GHG reduction plan, which allows for project-level evaluation of GHG emissions through comparison of the project's consistency with the GHG reduction policies included in a qualified GHG reduction plan. However, the City has not adopted a qualified GHG reduction plan; therefore, it is not appropriate to use this approach for evaluating the proposed project. Accordingly, this analysis utilizes three thresholds to evaluate the significance of the project's GHG emissions, which are discussed in the following subsections.

#### *Consistency with Applicable Plans, Policies, and Regulations for the Reduction of GHG Emissions*

Per *CEQA Guidelines* Section 15064(h)(3), a project's incremental contribution to a cumulative impact can be found not cumulatively considerable if the project would comply with an approved plan or mitigation program that provides specific requirements that would avoid or substantially lessen the cumulative problem in the geographic area of the project. To qualify, such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make specific the law enforced or administered by the public agency. Examples of such programs include a "water quality control plan, air quality attainment or maintenance plan, integrated waste management plan, habitat conservation plan, natural community conservation plans [and] plans or regulations for the reduction of GHG emissions." Therefore, a lead agency can make a finding of less than significant for GHG emissions if a project complies with adopted programs, plans, policies and/or other regulatory strategies to reduce GHG emissions. The proposed project's consistency with applicable plans, policies, and regulations adopted for the purpose of reducing GHG emissions is evaluated qualitatively. A project is considered consistent with the provisions of these documents if it meets the general intent in reducing GHG emissions in order to facilitate the achievement of local- and state-adopted goals and does not impede attainment of those goals.

### *Locally-Appropriate, Project-Specific Efficiency Threshold*

Because the City has not adopted a general use threshold for evaluating the significance of GHG emissions, the City has chosen to use project-specific thresholds that are prepared for projects on a case-by-case basis. For this project, the City has calculated a locally-appropriate 2030 project-specific efficiency threshold. Efficiency thresholds are quantitative thresholds based on a measurement of GHG efficiency for a given project, regardless of the amount of mass emissions. These thresholds identify the emission level below which new development would not interfere with attainment of statewide GHG reduction targets. A project that attains such an efficiency target, with or without mitigation, would result in less than significant GHG emissions. This project-specific efficiency threshold was derived from the statewide GHG emission reduction target under SB 32 and CARB's recommendations in the 2017 Climate Change Scoping Plan Update and incorporates local and project-specific conditions that tailor the threshold to this project. The methodology used to develop the project-specific efficiency threshold is consistent with the methodology described in the Bay Area Air Quality Management District's *California Environmental Quality Act: Air Quality Guidelines Appendix D. Threshold of Significance Justification* for developing an efficiency-based threshold for land use projects (Bay Area Air Quality Management District 2017).

A project-specific efficiency threshold can be calculated by dividing statewide GHG emissions by the sum of statewide jobs and residents. However, not all statewide emission sources would be relevant to the proposed project and local jurisdiction (e.g., agriculture and industrial sources). Accordingly, the 2030 statewide inventory target was modified with substantial evidence provided to establish a locally-appropriate, evidence-based, mixed-use project-specific threshold consistent with the SB 32 target.

To develop this threshold, the local planning area (i.e., Beverly Hills) was first evaluated to determine emissions sectors that are present and would be directly affected by potential land use changes. A description of the major emissions sectors that are included in the 2017 Scoping Plan and representative sources in Beverly Hills can be found in Table 4.5-3. According to the City's General Plan Land Use Element, there are no agricultural land uses within Beverly Hills (City of Beverly Hills 2010g). Therefore, the Agricultural Emissions Sector was considered locally inappropriate and was removed from the state 2030 emissions forecast. In addition, the project would not affect industrial land uses in Beverly Hills, such as infrastructure associated with the Beverly Hills Oil Field. Therefore, the Industrial Emissions Sector was considered to be inapplicable to the proposed project and was removed from the state 2030 emissions forecast to provide a more conservative threshold. Furthermore, Cap and Trade emissions reductions occur independent of any local jurisdictional land use decisions and were also excluded from the locally-appropriate target. After removing Agricultural, Industrial, and Cap and Trade emissions, the remaining emissions sectors with sources within the Beverly Hills planning area were then summed to create a locally-appropriate emissions total for a project in Beverly Hills. These emissions sectors are applicable to the proposed mixed-use residential and hotel project because the project would include both residential and commercial uses, require electric power, include sources of GHGs with high global warming potentials such as air conditioning systems, generate solid waste and recycling products, and result in vehicle trips by residents, guests, patrons, and employees. This locally-appropriate, project-specific emissions total is divided by the statewide 2030 service person population to determine a locally-appropriate, project-level threshold of 3.2 MT of CO<sub>2</sub>e per service population that is consistent with SB 32 targets, as shown in Table 4.5-3 and Table 4.5-4.

**Table 4.5-3 SB 32 Scoping Plan Emissions Sector Targets**

GHG Emissions Sector <sup>1</sup>	2030 State Emissions Target (MMT of CO <sub>2</sub> e) <sup>1</sup>	Locally Appropriate <sup>2</sup>	Project-Specific	Major Sources <sup>3</sup>
Residential and Commercial	38	Yes	Yes	Natural gas end uses, including space and water heating of buildings
Electric Power	53	Yes	Yes	Electricity uses, including lighting, appliances, machinery and heating
High Global Warming Potential	11	Yes	Yes	SF <sub>6</sub> from power stations, HFCs from refrigerants and air conditioning <sup>4</sup>
Recycling and Waste	8	Yes	Yes	Waste generated by residential, commercial, and other facilities
Transportation	103	Yes	Yes	Passenger, heavy duty, and other vehicle emissions
Industrial	83	Yes	No	Oil, gas, and hydrogen production, refineries, general fuel use, and mining operations would not be affected by the proposed project
Agriculture	24	No	No	Enteric fermentation, crop residue burning, and manure management do not occur within the City
Cap and Trade Reductions	-60	No	No	Reductions from facilities emitting more than 25,000 MT of CO <sub>2</sub> e per year <sup>5</sup>
<b>Scoping Plan Target (All Sectors)</b>	<b>260</b>	<b>No</b>	<b>No</b>	<b>All emissions sectors</b>
Locally Inapplicable Sector (Industrial)	-83	Yes	No	Oil, gas, and hydrogen production, refineries, general fuel use, and mining operations <sup>5</sup>
Locally Inapplicable Sector (Agriculture)	-24	No	No	Enteric fermentation, crop residue burning, and manure management
Locally Inapplicable Sector (Cap and Trade)	60	No	No	Reductions from facilities emitting more than 25,000 MT of CO <sub>2</sub> e per year <sup>5</sup>
<b>2030 Locally Applicable Emissions Sectors</b>	<b>213</b>	<b>Yes</b>	<b>Yes</b>	<b>Emissions applicable to Beverly Hills</b>

<sup>1</sup> See the 2017 Climate Change Scoping Plan, page 31 for sector details (CARB 2017).

<sup>2</sup> Locally-appropriate is defined as having significant emissions in Scoping Plan Categorization categories within Beverly Hills.

<sup>3</sup> See CARB GHG Emissions Inventory Scoping Plan Categorization for details, available at: <https://www.arb.ca.gov/cc/inventory/data/data.htm>

<sup>4</sup> SF<sub>6</sub> is used primarily as an insulator in electrical substations while HFCs can be found in many residential and commercial refrigeration and air conditioning units. HFCs are in the process of being phased out through 2036 in most developed countries.

<sup>5</sup> Cap and Trade is excluded as reductions will occur independent of local project land use decisions and are therefore not locally appropriate.

MMT = million metric tons; MT = metric tons; CO<sub>2</sub>e = carbon dioxide equivalents, SF<sub>6</sub> = sulfur hexafluoride; HFC= hydrofluorocarbons



**Table 4.5-4 SB 32 Locally-Appropriate Project-Specific Threshold**

California 2017 Climate Change Scoping Plan	California 2030 Population (persons) <sup>1</sup>	42,263,654
	California 2030 Employment Projection (persons) <sup>2</sup>	23,459,500
	Service Population (persons)	65,723,154
Locally-Appropriate 2030 Project Threshold	2030 Locally-Appropriate Emissions Sectors (MT of CO <sub>2</sub> e)	213,000,000
	2030 Service Population (persons)	65,723,154
	2030 Service Person Target (MT of CO <sub>2</sub> e per Service Person)	3.2

<sup>1</sup> California Department of Finance 2020b

<sup>2</sup> Average of employment range projections under implementation scenario. See CARB 2017 Climate Change Scoping Plan Update, page 55 (CARB 2017).

MT = metric tons; CO<sub>2</sub>e = carbon dioxide equivalents

At this time, the state has codified a target of reducing emissions to 40 percent below 1990 emissions levels by 2030 (SB 32) and has developed the 2017 Scoping Plan to demonstrate how the state will achieve the 2030 target and make substantial progress toward the 2050 goal of an 80 percent reduction in 1990 GHG emission levels set by EO S-3-05. In EO B-55-18 (2018), which identifies a new goal of carbon neutrality by 2045 and supersedes the goal established by EO S-3-05, CARB has been tasked with including a pathway toward the EO B-55-18 carbon neutrality goal in the next Scoping Plan update.

While state and regional regulators of energy and transportation systems, along with the state’s Cap and Trade program, are designed to be set at limits to achieve most of the reductions needed to hit the state’s long-term targets, local governments can do their fair share toward meeting the state’s targets by siting and approving projects that accommodate planned population growth and projects that are GHG-efficient. The AEP Climate Change Committee recommends that CEQA GHG analyses evaluate project emissions in light of the trajectory of state climate change legislation and assess their “substantial progress” toward achieving long-term reduction targets identified in available plans, legislation, or EOs. Consistent with AEP Climate Change Committee recommendations (2016), GHG impacts are analyzed in terms of whether the proposed project would impede “substantial progress” toward meeting the reduction goal identified in SB 32 and EO B-55-18. As SB 32 is considered an interim target toward meeting the 2045 state goal, consistency with SB 32 would be considered contributing substantial progress toward meeting the state’s long-term 2045 goals. Avoiding interference with, and making substantial progress toward, these long-term state targets is important because these targets have been set at levels that achieve California’s fair share of international emissions reduction targets that will stabilize global climate change effects and avoid the adverse environmental consequences described under Section 4.5.2, *State Regulations* (EO B-55-18).

#### *SCAQMD Bright-Line Threshold*

In guidance provided by the SCAQMD’s GHG CEQA Significance Threshold Working Group in September 2010, SCAQMD considered a tiered approach to determine the significance of residential and commercial projects. The draft tiered approach is outlined in meeting minutes dated September 29, 2010 (SCAQMD 2010):

- **Tier 1.** If the project is exempt from further environmental analysis under existing statutory or categorical exemptions, there is a presumption of less than significant impacts with respect to climate change. If not, then the Tier 2 threshold should be considered.
- **Tier 2.** Consists of determining whether or not the project is consistent with a GHG reduction plan that may be part of a local general plan, for example. The concept embodied in this tier is equivalent to the existing concept of consistency in *CEQA Guidelines* Section 15064(h)(3), 15125(d) or 15152(a). Under this Tier, if the proposed project is consistent with the qualifying local GHG reduction plan, it is not significant for GHG emissions. If there is not an adopted plan, then a Tier 3 approach would be appropriate.
- **Tier 3.** Establishes a screening significance threshold level to determine significance. The Working Group has provided a recommendation of 10,000 MT of CO<sub>2</sub>e per year for industrial projects, 3,500 MT of CO<sub>2</sub>e per year for residential projects, 1,400 MT of CO<sub>2</sub>e per year for commercial projects, and 3,000 MT of CO<sub>2</sub>e per year for mixed-use projects
- **Tier 4.** Establishes a service population threshold to determine significance. The Working Group has provided a recommendation of 4.8 MT of CO<sub>2</sub>e per year for land use projects.

The project would not be statutory or categorically exempt, and therefore Tier 1 does not apply. As previously stated, the City does not have a local, qualified GHG reduction plan for the project to tier off; therefore, Tier 2 would not apply. Therefore, Tier 3 is the most applicable SCAQMD-recommended threshold to utilize, and pursuant to *CEQA Guidelines* Section 15064, this threshold is considered appropriate by the City to evaluate GHG emission impacts for the project. The project would be a mixed-use residential and hotel project; as such, the applicable Tier 3 threshold would be the bright line threshold of 3,000 MT of CO<sub>2</sub>e per year for mixed-use projects. This threshold is consistent with that used in the 9900 Wilshire Specific Plan 2016 SEIR.

## Project Impacts

<b>Threshold 1:</b>	Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?
<b>Threshold 2:</b>	Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

**Impact GHG-1** CONSTRUCTION AND OPERATION OF THE PROPOSED PROJECT WOULD GENERATE TEMPORARY AND LONG-TERM GHG EMISSIONS. THE PROPOSED PROJECT WOULD RESULT IN A NET INCREASE IN GHG EMISSIONS AS COMPARED TO THE EXISTING USES TO BE DEMOLISHED (EXISTING CONDITIONS) AND INCREMENTALLY GREATER NET NEW EMISSIONS THAN REMAINING BUILDOUT OF THE APPROVED ENTITLEMENTS. HOWEVER, THE PROPOSED PROJECT WOULD NOT CONFLICT WITH AN APPLICABLE PLAN, POLICY, OR REGULATION ADOPTED FOR THE PURPOSE OF REDUCING GHG EMISSIONS, INCLUDING THE CITY'S GENERAL PLAN AND SUSTAINABLE CITY PLAN, SCAG 2020-2045 RTP/SCS, 2017 SCOPING PLAN, AND EO B-55-18. FURTHERMORE, PROJECT-RELATED GHG EMISSIONS WOULD NOT EXCEED THE LOCALLY-APPLICABLE, PROJECT-SPECIFIC THRESHOLD OF 3.2 MT OF CO<sub>2</sub>E PER YEAR OR THE SCAQMD BRIGHT-LINE THRESHOLD OF 3,000 MT OF CO<sub>2</sub>E. THEREFORE, REGARDLESS OF WHETHER COMPARED TO EXISTING CONDITIONS OR APPROVED ENTITLEMENTS, GHG EMISSION IMPACTS UNDER THE PROPOSED PROJECT WOULD REMAIN LESS THAN SIGNIFICANT.

---

## Existing Conditions

### *Consistency with Applicable Plans, Policies, and Regulations*

As discussed in Section 4.5.2, *Regulatory Setting*, a number of plans and policies have been adopted to reduce GHG emissions in the state, southern California region, Los Angeles County, and Beverly Hills. The proposed project's consistency with the City of Beverly Hills General Plan and Sustainable City Plan, the SCAG 2020-2045 RTP/SCS, the 2017 Scoping Plan, and EO B-55-18 are discussed below.

### **CITY OF BEVERLY HILLS GENERAL PLAN AND SUSTAINABLE CITY PLAN**

As discussed in detail in Section 4.7, *Land Use and Planning*, the proposed project would be consistent with policies of the City's General Plan that are indirectly aimed at reducing GHG emissions through reductions in vehicle miles traveled, energy use, and water consumption. The City of Beverly Hills Sustainable City Plan includes goals aimed at improving energy efficiency, expanding renewable energy use, conserving water, and encouraging efficient land use and transportation patterns (City of Beverly Hills 2009). The Sustainable City Plan also includes policies to increase community participation in sustainability, reduce waste, improve public health through protecting the environment, support a stable and diversified business community, and promote fair and equitable access to goods, services, benefits, and amenities. Table 4.5-5 summarizes the project's consistency with applicable measures of the City's Sustainable City Plan. As summarized therein, the project would be consistent with the applicable measures of the City's Sustainable City Plan.

**Table 4.5-5 Project Consistency with City of Beverly Hills Sustainable City Plan**

Goal	Project Consistency
<p><b>Goal 2.</b> Combat climate change and improve air quality.</p> <ul style="list-style-type: none"> <li>▪ <b>Objective:</b> Reduce and encourage the reduction of air emissions in City operations and Citywide.</li> <li>▪ <b>Policy 2:</b> Minimize mobile source emissions from on- and off-road (construction) vehicles.</li> </ul>	<p><b>Consistent.</b> The proposed project would be designed to achieve a LEED Gold Certification and WELL Certification through environmentally-sensitive architecture and building systems. Buildings would include features for greater efficiency and minimal duplication through a centralized mechanical, electrical and plumbing (MEP) system. Additional sustainability features would include shading, natural ventilation, thermal massing in façade design, and green roofs. In addition, the use of chlorofluorocarbons in heating, ventilation, and air conditioning systems would be prohibited. Furthermore, as discussed further under Goal 5, the proposed project would be located in a walkable area that is well-served by transit, bicycle, and pedestrian facilities, which would reduce mobile source GHG emissions from on-road vehicles. As a mixed-use project with numerous on-site amenities, the project would allow residents and hotel guests to access other uses by walking, which would also reduce mobile source GHG emissions from on-road vehicles. Therefore, project design would minimize GHG emissions and assist the City in combating climate change and improving air quality.</p>
<p><b>Goal 3.</b> Encourage the use of energy in a clean and efficient manner and the use of renewable energy sources.</p> <ul style="list-style-type: none"> <li>▪ <b>Objective:</b> Reduce the use of non-renewable fuels through efficiency and an increase in use of renewable energy.</li> <li>▪ <b>Policy 1:</b> Maximize energy efficiency in both City operations and Citywide.</li> <li>▪ <b>Policy 2:</b> Maximize the use of renewable energy generating systems and other energy efficiency technologies on City, other agency, residential, and commercial buildings.</li> <li>▪ <b>Policy 4:</b> Minimize the use of nonrenewable, polluting transportation fuels.</li> </ul>	<p><b>Consistent.</b> As discussed under Goal 2, the proposed project is designed to achieve a LEED Gold Certification and WELL Certification through environmentally-sensitive architecture and building systems, including the sustainability features listed under Goal 2. In addition, the proposed project would include smart metering and lighting and energy recovery in buildings, as well as EV parking in accordance with CALGreen requirements. Therefore, the proposed project would use energy in a clean and efficient manner.</p>

Goal	Project Consistency
<p><b>Goal 4.</b> Reduce water use while maintaining a garden-like quality in the City.</p> <ul style="list-style-type: none"> <li>▪ <b>Objective:</b> Use water efficiently and effectively while managing storm and wastewater in a beneficial manner.</li> <li>▪ <b>Policy 1:</b> Minimize water consumption, particularly for landscaping through efficient irrigation and drought-tolerant landscaping.</li> <li>▪ <b>Policy 2:</b> Maximize the availability and use of alternative water sources to provide adequate water supplies for present uses and future growth.</li> </ul>	<p><b>Consistent.</b> As discussed under Goals 2 and 3, the proposed project is designed to achieve a LEED Gold Certification and WELL Certification through environmentally-sensitive architecture and building systems, including the sustainability features listed under Goals 2 and 3. In addition, the proposed project would include approximately 13.4 acres of open space including an eight-acre botanical garden that would include native and cultured California plant species providing drought-tolerant landscaping. The proposed project would incorporate rainwater management including collection, storage, filtration, distribution, and reuse to irrigate botanical gardens and landscaping. Additionally, the proposed project would include graywater collection, storage, treatment, and reuse to irrigate botanical gardens and landscaping. The project would also include installation of low-flow water fixtures in residential buildings and water efficient irrigation systems in accordance with CALGreen Section 4.303. Therefore, the project would minimize water use while maintaining a garden-like quality in the City.</p>
<p><b>Goal 5.</b> Foster an energy-efficient, walkable community that provides ample goods, services and benefits to all residents while respecting the local environment.</p> <ul style="list-style-type: none"> <li>▪ <b>Objective:</b> Encourage buildings, infrastructure, parks and open space that better the quality of life for all who live, work and play in the City.</li> <li>▪ <b>Policy 1:</b> Implement land-use and transportation programs that encourage new buildings, re-use of buildings, infrastructure, parks and open space that improve the quality of life for all who live, work and play in the City.</li> <li>▪ <b>Policy 2:</b> Promote a diversity of buildings, infrastructure, parks, open space and uses to support a variety of businesses and improve the quality-of-life for residents at all income levels.</li> <li>▪ <b>Policy 3:</b> Reduce traffic congestion while improving the pedestrian experience on roadways and encourage alternative forms of travel, especially to parks.</li> <li>▪ <b>Policy 4:</b> Encourage the preservation, enhancement and utilization of parks and other open spaces that are accessible to members of the community and that provide wildlife habitat and environmental functions.</li> </ul>	<p><b>Consistent.</b> The proposed project is an infill development in an urban setting that contains a mix of residential, commercial, recreational, educational, and medical facility uses. The project site is adjacent to existing sidewalks along Wilshire Boulevard and North Santa Monica Boulevard and bicycle lanes on North Santa Monica Boulevard, which would facilitate pedestrian and bicycle access to nearby destinations. The project site is also accessible via existing bus transit facilities. Specifically, the North Santa Monica/Wilshire stop for LA Metro Local Bus Lines 4, 16/17, and 20 and Rapid Bus Lines 704 and 720 as well as Antelope Valley Transit Authority Commuter Line 786 is located adjacent to the project site. In addition, the Century Park East/Constellation stop for LA Metro Local Bus Lines 4 and 16/17, Rapid Bus Line 704, and Commuter Express Lines 534 and 573 as well as Antelope Valley Transit Authority Commuter Line 786, Culver City Route 3, and Santa Monica Big Blue Bus Route 5 is located approximately 0.2 mile southwest of the project site. In addition, the future Century City stop for the Metro Purple Line extension is planned to be located approximately 0.5 mile (walking distance) south of the project site. Therefore, the project would foster an energy-efficient, walkable community with ample goods, services, and benefits to residents while respecting the local environment.</p>

Goal	Project Consistency
<p><b>Goal 6.</b> Encourage a reduction in waste and an increase in the amount of materials recycled.</p> <ul style="list-style-type: none"> <li>▪ <b>Objective:</b> Reduce waste and use of products resulting from non-renewable sources while increasing recycling beyond state requirements.</li> <li>▪ <b>Policy 1:</b> Minimize the amount of solid waste deposited in landfills through reducing, reusing and recycling both natural and manmade materials.</li> </ul>	<p><b>Consistent.</b> The City currently has a 60 percent solid waste diversion rate, which exceeds the AB 939 requirement for municipalities to divert at least 50 percent of solid waste by 2000 (City of Beverly Hills 2020c). The proposed project would be required to recycle 65 percent of construction and demolition waste in accordance with CALGreen requirements and would be required to comply with the mandatory commercial recycling and organics recycling provisions of AB 341 and AB 1826. Therefore, the proposed project would minimize its solid waste generation and increase the amount of materials recycled through regulatory compliance. As a result, the project would be consistent with Goal 6 to encourage a reduction in waste and an increase of materials recycled.</p>
Source: City of Beverly Hills 2009	

## 2020-2045 RTP/SCS

On September 3, 2020, SCAG’s Regional Council formally adopted the 2020-2045 RTP/SCS (titled Connect SoCal). The SCAG 2020-2045 RTP/SCS is forecast to help California reach its GHG reduction goals by reducing GHG emissions from passenger cars by 8 percent below 2005 levels by 2020 and 19 percent by 2035 in accordance with the most recent CARB targets adopted in March 2018. The 2020-2045 RTP/SCS includes ten goals with corresponding implementation strategies for focusing growth near destinations and mobility options, promoting diverse housing choices, leveraging technology innovations, and supporting implementation of sustainability policies. The project’s consistency with the 2020-2045 RTP/SCS is discussed in Table 4.5-6. As shown therein, the proposed project would be consistent with the GHG emission reduction strategies contained in the 2020-2045 RTP/SCS.

**Table 4.5-6 Project Consistency with Applicable SCAG 2020-2045 RTP/SCS Strategies**

Reduction Strategy	Project Consistency
<p><b>Focus Growth Near Destinations &amp; Mobility Options.</b></p> <ul style="list-style-type: none"> <li>▪ Emphasize land use patterns that facilitate multimodal access to work, educational and other destinations</li> <li>▪ Focus on a regional jobs/housing balance to reduce commute times and distances and expand job opportunities near transit and along center-focused main streets</li> <li>▪ Plan for growth near transit investments and support implementation of first/last mile strategies</li> <li>▪ Promote the redevelopment of underperforming retail developments and other outmoded nonresidential uses</li> <li>▪ Prioritize infill and redevelopment of underutilized land to accommodate new growth, increase amenities and connectivity in existing neighborhoods</li> <li>▪ Encourage design and transportation options that reduce the reliance on and number of solo car trips (this could include mixed uses or locating and orienting close to existing destinations)</li> <li>▪ Identify ways to “right size” parking requirements and promote alternative parking strategies (e.g., shared parking or smart parking)</li> </ul>	<p><b>Consistent.</b> The proposed project includes construction of a residential and hotel development within an existing transportation network in an area that contains a mix of residential, commercial, recreational, educational, and medical facility uses. The project is also well-served by public transit. Specifically, the North Santa Monica/Wilshire stop for LA Metro Local Bus Lines 4, 16/17, and 20 and Rapid Bus Lines 704 and 720 and Antelope Valley Transit Authority Commuter Line 786 is located adjacent to the project site. In addition, the Century Park East/Constellation stop for LA Metro Local Bus Lines 4 and 16/17, Rapid Bus Line 704, and Commuter Express Lines 534 and 573 as well as Antelope Valley Transit Authority Commuter Line 786, Culver City Route 3, and Santa Monica Big Blue Bus Route 5 is located approximately 0.2 mile southwest of the project site. In addition, the future Century City stop for the Metro Purple Line extension is planned to be located approximately 0.5-mile (walking distance) south of the project site. The project would also provide short-term and long-term bicycle parking spaces and areas for on-site bicycle storage and would connect to the existing bicycles lanes along North Santa Monica Boulevard. Furthermore, the project would provide approximately two miles of walking/running paths on-site, which would connect to adjacent sidewalks along Wilshire Boulevard and North Santa Monica Boulevard. Therefore, the project would focus growth near destinations and mobility options.</p>
<p><b>Promote Diverse Housing Choices.</b></p> <ul style="list-style-type: none"> <li>▪ Preserve and rehabilitate affordable housing and prevent displacement</li> <li>▪ Identify funding opportunities for new workforce and affordable housing development</li> <li>▪ Create incentives and reduce regulatory barriers for building context sensitive accessory dwelling units to increase housing supply</li> <li>▪ Provide support to local jurisdictions to streamline and lessen barriers to housing development that supports reduction of GHGs</li> </ul>	<p><b>Consistent.</b> The proposed project would include the development of up to 370 residential units (including 30 accessory units that could be used for staff living quarters) on an infill site adjacent to a transit stop. Additionally, the proposed project would be located within walking distance to a variety of commercial/retail uses and restaurants. The proposed project would also be adjacent to a CARB-designated Central Business District (CARB 2020e). Furthermore, the project applicant proposes in lieu payment toward the Housing Trust Fund to support development of affordable housing, which would further facilitate the expansion of housing opportunities. Therefore, the project would promote diverse housing choices that support the reduction of GHG emissions.</p>
<p><b>Leverage Technology Innovations.</b></p> <ul style="list-style-type: none"> <li>▪ Promote low emission technologies such as neighborhood EVs, shared rides hailing, car sharing, bike sharing and scooters by providing supportive and safe infrastructure such as dedicated lanes, charging and parking/drop-off space</li> <li>▪ Improve access to services through technology—such as telework and telemedicine as well as other incentives such as a “mobility wallet,” an app-based system for storing transit and other multi-modal payments</li> </ul>	<p><b>Consistent.</b> The project would be constructed in accordance with the California Building Energy Efficiency Standards and CALGreen, which include requirements for at least ten percent of parking spaces for multi-family residential developments and six percent of parking spaces for hotel development with more than 201 parking spaces to be electric vehicle charging spaces capable of supporting future electric vehicle supply equipment, which would promote future use of low emission vehicle technologies. In addition, the proposed parking structure would include a designated area for ridesharing. Therefore, the project would leverage technology innovations.</p>

- Identify ways to incorporate “micro-power grids” in communities, for example solar energy, hydrogen fuel cell power storage and power generation

**Support Implementation of Sustainability Policies.**

- Pursue funding opportunities to support local sustainable development implementation projects that reduce GHG emissions
- Support statewide legislation that reduces barriers to new construction and that incentivizes development near transit corridors and stations
- Support local jurisdictions in the establishment of Enhanced Infrastructure Financing Districts (EIFDs), Community Revitalization and Investment Authorities (CRIAs), or other tax increment or value capture tools to finance sustainable infrastructure and development projects, including parks and open space
- Work with local jurisdictions/communities to identify opportunities and assess barriers to implement sustainability strategies
- Enhance partnerships with other planning organizations to promote resources and best practices in the SCAG region
- Continue to support long range planning efforts by local jurisdictions
- Provide educational opportunities to local decisions makers and staff on new tools, best practices and policies related to implementing the Sustainable Communities Strategy

**Consistent.** The project would be consistent with the City of Beverly Hills Sustainable City Plan (see Table 4.5-5) and would be constructed in accordance with the California Building Energy Efficiency Standards and CALGreen. Therefore, the project would support implementation of sustainability policies.

**Promote a Green Region.**

- Support development of local climate adaptation and hazard mitigation plans, as well as project implementation that improves community resiliency to climate change and natural hazards
- Support local policies for renewable energy production, reduction of urban heat islands and carbon sequestration
- Integrate local food production into the regional landscape
- Promote more resource efficient development focused on conservation, recycling and reclamation
- Preserve, enhance and restore regional wildlife connectivity
- Reduce consumption of resource areas, including agricultural land
- Identify ways to improve access to public park space

**Consistent.** The project is an infill development that would involve construction of residential and hotel uses in an urbanized area and would therefore not interfere with regional wildlife connectivity or convert agricultural land. The project is designed to achieve a LEED Gold Certification and WELL Certification through environmentally-sensitive architecture and building systems, thereby increasing resource efficient development in the city. The project would also include 13.4 acres of open space, 4.5 acres of which would be publicly-accessible botanical gardens, that would improve access to public park space. The project’s open space would also reduce the urban heat island effect and support carbon sequestration. Therefore, the project would support development of a green region.

Source: SCAG 2020a



## CARB 2017 SCOPING PLAN AND EO B-55-18

The 2017 Scoping Plan outlines a pathway to achieving the reduction targets set under SB 32, which is considered an interim target toward meeting the state’s long-term 2045 goal established by EO B-55-18. As discussed in Section 4.5.4, *Methodology and Significance Thresholds*, a project would impede “substantial progress” toward meeting the SB 32 and EO B-55-18 targets if the per-service-person GHG emissions exceeded the locally-appropriate, project-specific efficiency threshold. As discussed under *Quantitative GHG Emissions Assessment*, the project’s GHG emissions would not exceed the efficiency threshold. As a result, the project would be consistent with the 2017 Scoping Plan and EO B-55-18.

### *Quantitative GHG Emissions Assessment*

## CONSTRUCTION EMISSIONS

As shown in Table 4.5-7, construction activity associated with the proposed project would generate approximately 17,620 MT of CO<sub>2</sub>e. When amortized over a 30-year period (in accordance with SCAQMD [2008b] guidance), construction of the project would generate about 587 MT of CO<sub>2</sub>e per year.

**Table 4.5-7 Estimated Construction Emissions (MT of CO<sub>2</sub>e) – Proposed Project**

Year	Proposed Project Emissions
2021	198.2
2022	8,558.8
2023	2,759.8
2024	2,825.9
2025	3,260.9
2026	16.7
<b>Total</b>	<b>17,620.3</b>
<b>Amortized over 30 years</b>	<b>587.3 per year</b>

<sup>1</sup> Includes remaining buildout under the Approved Entitlements.

MT = metric tons; CO<sub>2</sub>e = carbon dioxide equivalents

See Appendix B for CalEEMod results.

## COMBINED ANNUAL EMISSIONS

Table 4.5-8 summarizes combined construction and operational GHG emissions associated with the proposed project and compares the project’s emissions to operational emissions associated with existing uses to be demolished under the proposed project. As shown therein, the proposed project would increase annual GHG emissions by approximately 2,565 MT of CO<sub>2</sub>e per year as compared to existing uses to be demolished, which would not exceed the SCAQMD-recommended bright-line threshold of 3,000 MT of CO<sub>2</sub>e per year for mixed-use projects. Furthermore, emissions associated with the proposed project would be approximately 2.5 MT of CO<sub>2</sub>e per service person per year, which would not exceed the locally-applicable, project-specific threshold of 3.2 MT of CO<sub>2</sub>e per service person per year.

**Table 4.5-8 Combined Annual Emissions (MT of CO<sub>2</sub>e per year)<sup>1</sup> – Proposed Project Compared to Existing Conditions**

Emission Source	Existing Uses to Be Demolished <sup>1</sup>	Proposed Project	Change in Emissions (Proposed Project – Existing Uses)
<b>Construction</b>	--	587.3	587.3
<b>Operational</b>			
Area	< 0.1	86.9	86.9
Energy	1,249.2	2,258.3	1,009.1
Mobile	2,179.9	2,781.6	601.7
CO <sub>2</sub> and CH <sub>4</sub>	40.7	46.6	5.9
N <sub>2</sub> O			
Solid Waste	70.2	229.8	159.6
Water	34.8	149.1	114.3
<b>Total Emissions</b>	<b>3,574.9</b>	<b>6,139.6</b>	<b>2,564.8</b>
SCAQMD-Recommended Bright-Line Threshold			3,000
<b>Exceeds Threshold?</b>			<b>No</b>
Service Population (Residents + Employees) <sup>2</sup>	--	--	1,020 <sup>3</sup>
<b>Emissions per Service Person</b>	--	--	2.5
Locally-Applicable, Project-Specific Efficiency Threshold (per Service Person)	--	--	3.2
<b>Exceeds Threshold?</b>	--	--	<b>No</b>

<sup>1</sup> Includes 217 hotel rooms, 17,315 sf of meeting room space, 1,239 parking spaces, a swimming pool, 2,556 sf of mercantile retail, 2,610 sf of hotel restaurant, a 14-pump gas station and convenience store, and one acre of landscaping.

<sup>2</sup> See Section 4.1, *Air Quality*, for a discussion of the projected population growth and employment opportunities associated with the Approved Entitlements and proposed project.

<sup>3</sup> 851 residents + 73 employees + 96 hotel guests (see Table 4.5-2)

MT = metric tons; CO<sub>2</sub>e = carbon dioxide equivalents; SCAQMD = South Coast Air Quality Management District

See Appendix B for modeling results.

### *Summary*

As discussed above, the project would be consistent with the City of Beverly Hills Sustainable City Plan, SCAG 2020-2045 RTP/SCS, CARB 2017 Scoping Plan, and EO B-55-18. Therefore, project impacts related to GHG emissions would be less than significant. Furthermore, emissions associated with the proposed project would be approximately 2.5 MT of CO<sub>2</sub>e per service person per year, which would not exceed the locally-applicable, project-specific threshold of 3.2 MT of CO<sub>2</sub>e per service person per year. In addition, the proposed project would increase annual GHG emissions by approximately 2,565 MT of CO<sub>2</sub>e per year as compared to existing conditions, which would not exceed the SCAQMD-recommended bright-line threshold of 3,000 MT of CO<sub>2</sub>e per year for mixed-use projects. Therefore, as compared to existing conditions, the project would not generate GHG emissions that may have a significant impact on the environment and would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions. Impacts would be less than significant.

### **Approved Entitlements**

The Beverly Hilton Specific Plan 2008 EIR concludes that the Beverly Hilton Specific Plan's contribution to cumulative climate change impacts would be less than significant based on a qualitative comparison of the project's emissions to existing uses and total emissions for California (City of Beverly Hills 2008a). 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 MT of CO<sub>2</sub>e (City of Beverly Hills 2016a). In addition, previous environmental documentation concludes that the Existing Specific Plans would be consistent with applicable GHG plans and policies and would therefore have a less than significant impact (City of Beverly Hills 2008a and 2016a).

### *Consistency with Applicable Plans, Policies, and Regulations*

As discussed above, the proposed project would be consistent with the City of Beverly Hills Sustainable City Plan, SCAG 2020-2045 RTP/SCS, CARB 2017 Scoping Plan, and EO B-55-18. As such, similar to the Approved Entitlements, the proposed project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

### *Quantitative GHG Emissions Assessment*

#### **CONSTRUCTION EMISSIONS**

As shown in Table 4.5-9, construction activity associated with the proposed project would generate approximately 662 MT of CO<sub>2</sub>e less than construction activity associated with remaining buildout under the Approved Entitlements primarily due to a lower quantity of soil export and associated haul trips. When amortized over a 30-year period (in accordance with SCAQMD [2008b] guidance), construction of the project would generate approximately 22 MT of CO<sub>2</sub>e per year less than construction activity associated with the Approved Entitlements.

**Table 4.5-9 Estimated Construction Emissions (MT of CO<sub>2</sub>e) – Proposed Project Compared to Approved Entitlements**

Year	Approved Entitlements Emissions <sup>1</sup>	Change in Emissions (Proposed Project – Approved Entitlements)
2021	186.4	11.8
2022	9,227.7	-668.9
2023	2,761.8	-2.0
2024	2,827.5	-1.6
2025	3,262.6	-1.7
2026	16.5	0.2
<b>Total</b>	<b>18,282.5</b>	<b>-662.2</b>
<b>Amortized over 30 years</b>	<b>609.4 per year</b>	<b>-22.1 per year</b>

#### COMBINED ANNUAL EMISSIONS

Table 4.5-10 combines the net new construction and operational GHG emissions associated with remaining buildout of the Approved Entitlements, accounting for emissions associated with existing uses to be demolished. As shown therein, buildout of the Approved Entitlements would result in a net increase approximately 2,510 MT of CO<sub>2</sub>e per year as compared to existing conditions, or 2.5 MT of CO<sub>2</sub>e per service person per year (Appendix B). Accordingly, emissions associated with the Approved Entitlements would not exceed the SCAQMD bright-line threshold of 3,000 MT of CO<sub>2</sub>e per year for mixed-use projects or the locally-applicable, project-specific threshold of 3.2 MT of CO<sub>2</sub>e per service person per year. Construction and operation of the proposed project would generate incrementally greater net new GHG emissions as compared to the Approved Entitlements with net new emissions of approximately 2,565 MT of CO<sub>2</sub>e per year, or 2.5 MT of CO<sub>2</sub>e per service person per year (Appendix B). Emissions associated with the proposed project would not exceed the SCAQMD-recommended bright-line threshold of 3,000 MT of CO<sub>2</sub>e per year or the locally-applicable, project-specific threshold of 3.2 MT of CO<sub>2</sub>e per service person per year.

**Table 4.5-10 Combined Annual Emissions (MT of CO<sub>2</sub>e per year) – Proposed Project Compared to Approved Entitlements<sup>1</sup>**

Emission Source	Approved Entitlements <sup>1</sup>	Change in Emissions (Proposed Project – Approved Entitlements) <sup>2</sup>
<b>Construction</b>	609.4	-22.1
<b>Operational</b>		
Area	71.2	15.7
Energy	1,667.1	591.2
Mobile	2,327.2	454.4
CO <sub>2</sub> and CH <sub>4</sub>	38.2	8.4
N <sub>2</sub> O		
Solid Waste	136.6	93.2
Water	114.3	34.8
<b>Total Emissions</b>	<b>4,964.0</b>	<b>1,175.6</b>
<b>Emissions from Existing Uses to Be Demolished<sup>3</sup></b>	2,453.9	--
<b>Net New Emissions (Total – Existing)</b>	2,510.1	54.7
SCAQMD-Recommended Bright-Line Threshold	3,000	--
<b>Exceeds Threshold?</b>	<b>No</b>	--
Service Population (Residents + Employees) <sup>4, 5</sup>	1,000	--
<b>Emissions per Service Person</b>	2.5	<0.1
Locally-Applicable, Project-Specific Efficiency Threshold (per Service Person)	3.2	--
<b>Exceeds Threshold?</b>	<b>No</b>	--

<sup>1</sup> Includes remaining buildout under the Approved Entitlements.

<sup>2</sup> See Table 4.5-8 for a summary of the proposed project's GHG emissions.

<sup>3</sup> Includes 217 hotel rooms, 17,315 sf of meeting room space, 1,239 parking spaces, a swimming pool, 2,556 sf of mercantile retail, 2,610 sf of hotel restaurant, and one acre of landscaping.

<sup>4</sup> See Section 4.1, *Air Quality*, for a discussion of the projected population growth and employment opportunities associated with the Approved Entitlements.

<sup>5</sup> 810 residents + 26 employees (conservatively assumes low end of range of projected employment opportunities) + 164 hotel guests (see Table 4.5-2)

MT = metric tons; CO<sub>2</sub>e = carbon dioxide equivalents; SCAQMD = South Coast Air Quality Management District

See Appendix B for modeling results.

### *Summary*

As discussed above, similar to the Approved Entitlements, the proposed project would be consistent with the City of Beverly Hills Sustainable City Plan, SCAG 2020-2045 RTP/SCS, CARB 2017 Scoping Plan, and EO B-55-18. Therefore, project impacts related to GHG emissions would be less than significant. Construction and operation of the proposed project would generate incrementally greater net new GHG emissions as compared to the Approved Entitlements; however, emissions associated with the proposed project would not exceed the SCAQMD-recommended bright-line threshold of 3,000 MT of CO<sub>2</sub>e per year or the locally-applicable, project-specific threshold of 3.2 MT of CO<sub>2</sub>e per service person per year. Therefore, similar to the Approved Entitlements, the project would not generate GHG emissions that may have a significant impact on the environment and would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions. Impacts would be less than significant.

### **Mitigation Measures**

Mitigation would not be required since the proposed project's impact would be less than significant.

### **Significance After Mitigation**

The proposed project's impact would be less than significant without mitigation.

## **4.5.4 Cumulative Impacts**

The geographic scope for related projects considered in the cumulative impact analysis for GHG emissions is global because impacts of climate change are experienced on a global scale regardless of the location of GHG emission sources. Therefore, GHG emissions and climate change are, by definition, cumulative impacts. As discussed in *Potential Effects of Climate Change*, the adverse environmental impacts of cumulative GHG emissions, including sea level rise, increased average temperatures, more drought years, and more large forest fires, are already occurring. As a result, cumulative impacts related to GHG emissions are significant. Thus, the issue of climate change involves an analysis of whether a project's contribution towards an impact is cumulatively considerable. As discussed under Impacts GHG-1 and GHG-2, project impacts related to GHG emissions would be less than significant and would, therefore, not be cumulatively considerable.

*This page intentionally left blank.*

## 4.6 Hazards and Hazardous Materials

---

This section addresses the regulatory setting, and existing environmental setting, and analyzes the potential hazards and hazardous materials impacts of the proposed project during both construction and operational phases, respectively. Mitigation measures are proposed in an effort to reduce significant impacts, as needed. Specifically, this analysis focuses on demolition activities and removal of the three underground storage tanks (USTs) located on the gas station site (9988 Wilshire Boulevard). The potential hazards and hazardous material impacts associated with the remainder of the project site, including the 9900 Wilshire Boulevard site and the Beverly Hilton site, were analyzed in the Initial Study (Appendix A), where it was determined that potential impacts related to hazards and hazardous materials would be mitigated to a less than significant impact with existing mitigation measures (MM-HAZ-1 through MM-HAZ-7 from the Beverly Hilton Specific Plan 2008 EIR and MM-HAZ-1 through MM-HAZ-3 from the 9900 Wilshire Specific Plan 2016 SEIR) provided in previous environmental documentation (City of Beverly Hills 2008a and 2016a). Therefore, this analysis exclusively discusses potential impacts related to the gas station site, particularly those related to the removal of the three USTs in the expanded project area not analyzed in previous environmental documentation.

### 4.6.1 Setting

#### Regulatory Setting

Federal, state, and local government laws define hazardous materials as substances that are toxic, flammable/ignitable, reactive, or corrosive. Extremely hazardous materials are substances that show high or chronic toxicity, carcinogenic, bioaccumulative properties, persistence in the environment, or that are water reactive. Hazardous materials impacts are normally a result of project-related activities disturbing or otherwise encountering such materials in subsurface soils or groundwater during site grading or dewatering. Other means for human contact with hazardous materials are transportation accidents associated with the conveyance of hazardous materials along highways and railroads.

The management of hazardous materials and hazardous wastes is regulated at the federal, state, and local levels through programs administered by the U.S. Environmental Protection Agency (USEPA); agencies within the California Environmental Protection Agency (CalEPA), such as the Department of Toxic Substances Control (DTSC) and the State Water Resources Control Board (SWRCB); federal and state occupational safety agencies, such as the Occupational Safety and Health Administration (OSHA) and the Division of Occupational Safety and Health (DOSH); and locally by the Los Angeles County Fire Department Health and Hazardous Materials Division (LACoFD HHMD).<sup>1</sup>

#### *Federal*

At the federal level, the USEPA has primary responsibility for enforcing laws and regulations that govern the use, storage, disposal, and cleanup of hazardous materials and hazardous waste. Federal regulations pertaining to hazardous materials are primarily codified in Title 40 of the Code of

---

<sup>1</sup> Los Angeles County Public Works is a Unified Program Agency and a Participating Agency (PA) to the Los Angeles County Certified Unified Program Agency (CUPA), which is managed by the Los Angeles County Fire Department Health Hazardous Materials Division. The Los Angeles County CUPA has jurisdiction in all unincorporated and incorporated areas unless the City is a PA or a CUPA. The City of Beverly Hills is not a PA or a CUPA.



Federal Regulations (40 CFR). The Resource Conservation and Recovery Act of 1976 (42 U.S.C. Section 6901 et seq.) (RCRA), as amended, defines when a hazardous substance is a hazardous waste based on a number of criteria, and regulates hazardous wastes from “cradle to grave,” that is, from generation of the waste through disposal. The RCRA regulates transportation through standards applicable to transporters of hazardous waste. Title 49 of the Code of Federal Regulations (CFR 49) contains lists of more than 2,400 hazardous materials and regulates the transport of those materials. In addition, the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, also known as Superfund, was established to hold multiple parties, including past and present owners, operators, transporters, and generators jointly, severally, and strictly liable for the remediation costs of a hazardously contaminated site. The USEPA is the primary authority for enforcing RCRA and CERCLA.

Federal law also contains worker health and safety standards in the context of work and hazardous sites. The primary federal authority for regulating worker health and safety standards is OSHA. OSHA Standard 1910.120 requires that employers evaluate the potential health hazard that hazardous materials pose in the workplace and communicate information concerning hazards and appropriate protective measures to employees. Under OSHA Standard 1910.120, a health hazard is defined as “a chemical for which there is statistically significant evidence based on at least one study conducted in accordance with established scientific principles that acute or chronic health effects may occur in exposed employees.”

#### *State and Regional*

At the state level, under Title 22, Division 4.5 of the California Code of Regulations (CCR 22), the California DTSC regulates hazardous waste primarily under the authority of the federal RCRA and the California Health and Safety Code. The DTSC is responsible for permitting, inspecting, ensuring compliance, and imposing corrective action programs to ensure that entities that generate, store, transport, treat, or dispose of potentially hazardous materials and waste comply with federal and state laws. The DTSC defines hazardous waste as waste substances that can pose a substantial or potential hazard to human health or the environment when improperly managed. The regulatory definition of hazardous waste is waste that possesses at least one of four characteristics (ignitability, corrosivity, reactivity or toxicity) or waste that appears on special USEPA lists.

California Health and Safety Code Division 20, Chapter 6.7 governs the state UST program, with additional program regulations set forth in CCR Title 23, Division 3, Chapter 16. The various elements regulated by the state's UST program include monitoring and closure of USTs. Oversight of the statewide UST program is assigned to the SWRCB (23 CCR Section 2610 et seq.) The SWRCB also regulates the handling, storage, and disposal of hazardous substances for construction projects. The SWRCB manages the Spills, Leaks, Investigations and Cleanup (SLIC) program, which is designed to protect and restore water quality from spills, leaks, and similar discharges. The SWRCB directs responsible parties to investigate and clean-up site contamination, and in the process, sets clean-up standards for each site. The SLIC list, which was recently integrated into the State's Geotracker database, provides information about the location of sites where hazardous materials releases have impacted groundwater.

The Regional Water Quality Control Board (RWQCB) is authorized by SWRCB to enforce provisions of the Porter-Cologne Water Quality Control Act of 1969. This act gives the RWQCB authority to require groundwater investigations when the quality of groundwater or surface waters of the State is threatened and to require remediation of the site, if necessary.

The CalEPA is directly responsible for administering the “Unified Program,” which consolidates and coordinates the administrative requirements, permits, inspections, and enforcement activities for environmental and emergency management programs. The Unified Program is intended to provide relief to businesses complying with the overlapping and sometimes conflicting requirements of formerly independently managed programs and is implemented at the local government level by Certified Unified Program Agencies (CUPA). A local CUPA is responsible for administering/overseeing compliance with the following programs, as required by state and federal regulations:

- Hazardous Materials Release Response Plans and Inventories (Business Plans)
- California Accidental Release Prevention (CalARP) Program
- Underground Storage Tank Program (UST)
- Aboveground Petroleum Storage Act Requirements for Spill Prevention, Control and Countermeasure (SPCC) Plans (AST)
- Hazardous Waste Generator and Onsite Hazardous Waste Treatment (tiered permitting) Programs
- California Uniform Fire Code: Hazardous Material Management Plans and Hazardous Material Inventory Statements

Administration and enforcement of the major environmental programs were transferred to local agencies as CUPAs beginning in 1996. The purpose of this was to simplify environmental reporting by reducing the number of regulatory agency contacts a facility must maintain and requiring the use of more standardized forms and reports. In Beverly Hills, the local CUPA is Los Angeles County CUPA, which is managed by the LACoFD HHMD. The LACoFD HHMD regulates hazardous materials stored in USTs and oversees soil sampling and remediation associated with soil contamination resulting from UST releases.

Closure of an underground storage tank is permitted by the Los Angeles County Department of Public Works Environmental Programs Division (LACDPW EPD). The LACDPW EPD is a Unified Program Agency and a Participating Agency (PA) and grants authorization for the removal, closure-in-place, and temporary closure of USTs. As part of the closure process, the LACDPW EPD requires completion of a closure report which must be prepared under the direction of a California Professional Civil Engineer or Professional Geologist or Certified Engineering Geologist and must include the following:

- A written summary of events related to the UST closure
- A description of the method of obtaining, handling, and/or transporting soil samples
- Documentation as to the existing geology and depth of ground water
- A plot plan to scale of sampling points
- Soil sampling results
- Completed and signed chain of custody forms
- Documented depth below ground surface where sample was obtained
- Disposal destination of USTs
- Evidence of legal disposal (manifests for UST, product or tank rinsate, piping, impacted soil, etc.)
- An Environmental Laboratory Accreditation Program (ELAP) approved laboratory letterhead, the analysis date, method of extraction, methods of analysis, results, and QA/QC

Additionally, soil samples are required under each tank, every 20 feet of piping, and under each dispenser or remote fill, and must be described in the approved UST Closure Permit. For USTs containing petroleum, soil sampling analysis must meet at a minimum the Los Angeles RWQCB requirements of September 2006. Permits/clearance for closure must also be obtained from the Los Angeles County Fire Department; the City of Beverly Hills Community Development Department; the South Coast Air Quality Management District (Rules 1149, *Storage Tank and Pipeline Cleaning and Degassing*, and 1166, *Volatile Organic Compound Emissions From Decontamination of Soil*); and any other applicable permits (LACDPW EPD n.d.).

#### *Local*

The Beverly Hills General Plan Safety Element was adopted in March 1976 and last amended in January 2010, and the City of Beverly Hills Hazard Mitigation Action Plan 2010-2015 was adopted in August 2010 (City of Beverly Hills 2010h and 2010e). These documents lay out the City's priorities and policies regarding the safety of residents, as well as an assessment of the risks posed by natural and manmade disasters and a plan for mitigating such hazards. The Safety Element contains the following goals:

- **Goal S 1 Protection of Life and Property.** The protection of human life and property from the risks of wildfires and urban fires
- **Goal S 2 Fire Department Service.** An efficient, well-equipped, and responsive fire department that offers maximum feasible personal safety and protection from loss of life and property caused by wildfires and urban fires
- **Goal S 3 Existing and New Development and Redevelopment.** All existing and new development and redevelopment address the provision of fire protection in a proactive and preventative manner
- **Goal S 4 Protection from Flood Hazards.** To reduce the potential risk of flood hazards to human life and public and private property
- **Goal S 5 Protection from Geologic Hazards.** To reduce the known level of risk to loss of life, personal injury, public and private property damage, economic and social dislocation, and disruption of vital community services that would result from earthquake damage or other geologic disturbance
- **Goal S 6 Protection from Hazardous Materials.** To ensure that the health, safety and general welfare of residents, visitors and the overall natural environment is protected to the maximum extent feasible from harmful exposure to hazardous materials
- **Goal S 7 Preparation for Natural or Manmade Disasters.** A city that has a strengthened and maximized potential to prepare for, mitigate against, respond to, and recover from natural or human-induced disasters and multi-disasters, and to minimize the loss of life and damage to life, property, and the environment

The Safety Element identifies the City's priorities and goals for improving the safety of residents, businesses, and the environment within the city. The Hazard Mitigation Action Plan is a tool to aid the City in addressing the goals and priorities established in the Safety Element. The Hazard Mitigation Action Plan provides background information on potential hazards including risk assessments for earthquakes, fires, floods, terrorism, landslides, and windstorms and lays out a timeline for actions the City plans to take to address said hazards, as well as tools for monitoring and evaluating progress.

## Other Hazardous Materials Programs and Regulations

### *Soil Contamination Health Risk Assessment*

Regulatory agencies such as the USEPA, DTSC, and the California Office of Environmental Health Hazard Assessment (OEHHA) set forth guidelines that list concentration thresholds over which contaminants pose a risk to human health. The USEPA combines current toxicity values of contaminants with exposure factors to estimate what the maximum concentration of a contaminant can be in environmental media (e.g., soil, air, water, biota) before it is a risk to human health. These concentrations set forth by the USEPA are termed Regional Screening Levels (RSL) for various pollutants in soil, air, and tap water (USEPA 2020). RSL concentrations can be used to screen pollutants in environmental media, trigger further investigation, and provide an initial cleanup goal. RSLs for soil contamination have been developed for both industrial and residential land uses. Residential RSLs are more conservative and take into account the possibility of the contaminated environmental media coming into contact with sensitive receptor sites such as nurseries and schools. RSLs consider exposure to pollutants by means of ingestion, dermal contact, and inhalation, but do not consider impacts to groundwater.

### *Soil Contamination Groundwater Protection*

The Los Angeles RWQCB has developed an interim guidance document that contains numerical site screening levels to determine the need for remediation of gasoline and volatile organic compound (VOC) contaminated soils (RWQCB 1996). The guidance document has been used to determine when a site may require remedial action or to establish an acceptable cleanup standard for a particular constituent. The document was developed to simplify the remediation process by facilitating the selection of soil cleanup levels for gasoline and VOC impacted sites.

### *Groundwater Contamination*

Both the USEPA, California Department of Health Services (DHS), and SWRCB regulate the concentration of various chemicals in drinking water. The DHS thresholds are generally stricter than those set by the USEPA. Primary maximum contaminant levels (MCL) are established for a number of chemical and radioactive contaminants (Title 22, Division 4, Chapter 15, California Code of Regulations). MCLs are often used by regulatory agencies to determine cleanup standards when contaminants affect groundwater.

### *Lead and Asbestos*

South Coast Air Quality Management District Rule 1403, Asbestos Emissions from Demolition/Renovation Activities, potentially applies to demolition activity within the project site. Compliance with SCAQMD Rule 1403 requires that the owner or operator of any demolition or renovation activity have an asbestos survey performed prior to demolition.

Lead-based materials exposure is regulated by California Occupational Safety and Health Administration (CalOSHA) regulations. California Code of Regulations, Section 1532.1, requires testing, monitoring, containment, and disposal of lead-based materials such that exposure levels do not exceed CalOSHA standards.

## **Existing Conditions**

The gas station site at 9988 Wilshire Boulevard currently contains a gas station with a convenience store. The gas station has been closed since 2019. As detailed in the Initial Study (Appendix A), due to the age of structures on the project site to be demolished, including the gas station building, there is the potential for asbestos, mold, polychlorinated biphenyls (PCBs), and/or lead based paints (LBP) to be present. In addition, there are three USTs underneath the gas station site, all of which held gasoline, but which have been empty since the closure of the gas station in 2019. Although, the gas station site has a pending application for a Conditional Use Permit and could potentially become operational again in the future, the gas station and convenience store would be demolished as part of the proposed project.

## **Sensitive Receptors**

For the purpose of this analysis, sensitive receptors are defined as any facilities or land uses that include people who are particularly sensitive to the effects of hazardous materials. Typical sensitive receptors are residences, hospitals/long-term care facilities, and schools. Sensitive receptors in the vicinity of the project site include El Rodeo School, which is located to the north of the project site across Wilshire Boulevard (approximately 95 feet away from the project site boundary). 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 August 2023 at the earliest, prior to completion of proposed project construction. Single family residences are located across Wilshire Boulevard to the northeast of the gas station site, and the Ten Thousand, a 40-story residential building located at 10000 Santa Monica Boulevard, is located south of the project site. In addition, there is a golf course adjacent to the western boundary of the project site, and those playing golf could potentially be impacted by any effects of hazardous materials on the project site.

### **4.6.2 Impact Analysis**

#### **Methodology and Significance Thresholds**

The methodology used in this section includes review of previous environmental reports for the project site and other readily available information to assess the potential presence of hazards and contamination sources within the gas station site. The following are the thresholds for determining the significance of impacts related to hazards and hazardous materials, and the proposed project's impacts are assessed to determine whether the project would:

1. 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.
2. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school.

As discussed in the Initial Study (Appendix A), the project would not result in significant impacts related to the routine transport, use, or disposal of hazardous materials; is not located on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5; is not located within an airport land use plan or in a wildland fire hazard zone; and the proposed project would not interfere with any existing emergency or evacuation plan (refer to

Section IX, Hazards and Hazardous Materials, of the Initial Study in Appendix A). Therefore, these significance criteria are not addressed in this SEIR.

## Project Impacts and Mitigation Measures

<b>Threshold 1:</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?
<b>Threshold 2:</b>	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?

**Impact HAZ-1** THE GAS STATION SITE HAS THREE UNDERGROUND STORAGE TANKS THAT WOULD BE REMOVED PRIOR TO CONSTRUCTION OF THE PROPOSED PROJECT. ADDITIONALLY, THE PROJECT SITE HAS AN EXISTING GAS STATION, CONVENIENCE STORE, AND OTHER BUILDINGS WHICH MAY CONTAIN ASBESTOS, LBP, AND/OR PCBs AND WOULD BE DEMOLISHED AS PART OF THE PROPOSED PROJECT. REGARDLESS OF WHETHER THE PROJECT IS COMPARED TO EXISTING CONDITIONS OR APPROVED ENTITLEMENTS, WITH IMPLEMENTATION OF THE PROPOSED MITIGATION MEASURES, POTENTIAL IMPACTS RELATED TO THE UNDERGROUND STORAGE TANKS AND POTENTIALLY HAZARDOUS BUILDING MATERIALS REMOVAL DURING CONSTRUCTION WOULD BE LESS THAN SIGNIFICANT. OPERATION OF THE PROPOSED PROJECT WOULD NOT INVOLVE THE USE, GENERATION, OR STORAGE OF SUBSTANTIAL QUANTITIES OF HAZARDOUS MATERIALS AND POTENTIAL IMPACTS RELATED TO REASONABLY FORESEEABLE UPSET AND ACCIDENT CONDITIONS AND EMISSIONS OF HAZARDOUS MATERIALS WITHIN 0.25 MILE OF A SCHOOL DURING PROJECT OPERATION WOULD BE LESS THAN SIGNIFICANT.

## Existing Conditions

### *Construction Impacts*

The gas station site at 9988 Wilshire Boulevard currently contains a gas station with a convenience store. The gas station is currently closed and would be demolished as part of the construction phase of the proposed project. Due to the ages of these structures, they could potentially contain asbestos, mold, polychlorinated biphenyls (PCBs), and/or lead-based paints. However, implementation of Mitigation Measures MM-HAZ-1 through MM-HAZ-7 from the Beverly Hilton Specific Plan 2008 EIR across the entire project site would minimize risks of hazardous materials release associated with project demolition and construction (City of Beverly Hills 2008a). Mitigation Measures MM-HAZ-1 through MM-HAZ-7 would ensure the proper handling and disposal of potentially hazardous building materials during construction throughout the project site and would ensure that potential impacts related to release of hazardous materials during demolition would be reduced to a less than significant level.

In 2016, a site investigation of petroleum releases related to the USTs at the gas station site was completed (Los Angeles RWQCB 2016). After completion of the investigation, corrective action was taken and the Los Angeles RWQCB issued a case closure letter confirming that the site investigation and corrective action were completed at the gas station site. There are currently no ongoing remediation issues or investigations related to the USTs on the gas station site. As part of the proposed project the gas station would be demolished, and the three USTs would be removed. 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 petroleum products into the environment. The UST Program of the LADWP EPD permits and inspects underground

storage tanks within the unincorporated areas of Los Angeles County and 77 cities, including the City of Beverly Hills. Closure by removal of an UST, piping, and/or dispensers must comply with the closure conditions as directed on the Closure Permit as well as meet the requirements of California Health and Safety Code Division 20, Chapter 6.7, Section 25298, California Code of Regulations Title 23, Division 3, Chapter 16, Sections 2670 through 2672, and the Los Angeles County Code (LACDPW EPD n.d.). The requirements associated with the applicable California Health and Safety Code, California Code of Regulations, and Los Angeles County Code are detailed below:

- The California Health and Safety Code Division 20, Chapter 6.7, Section 25298:<sup>2</sup> *Abandonment, Closing, or Temporary Ceasing of Operation of Underground Storage Tank* requires that no person close an underground storage tank system unless they undertake all of the following actions:
  - Demonstrate to the local agency that all residual amounts of the hazardous substance or hazardous substances which were stored in the tank system prior to its closure have been removed, properly disposed of, and neutralized.
  - Adequately seals the tank system to minimize any threat to the public safety and the possibility of water intrusion into, or runoff from, the tank system.
  - Provides for, and carries out, the maintenance of the tank system as the local agency determines is necessary for the period of time the local agency requires.
  - Demonstrates to the appropriate agency, which has jurisdiction over the site, that the site has been investigated to determine if there are any present, or were past, releases, and if so, that appropriate corrective or remedial actions have been taken.
- The California Code of Regulations Title 23, Division 3, Chapter 16, Sections 2670 through 2672<sup>3</sup> relates to Underground Storage Tank Closure Requirements. Section 2760 outlines the General Applicability of the Article; Section 2671 outlines Temporary Closure Requirements; and Section 2672 outlines Permanent Closure Requirements. Section 2672 requires that owners or operators of underground storage tanks subject to permanent closure shall comply with subsection (b) for underground storage tank removal. Section 2672(b) states that owners or operates of underground storage tanks subject to permanent closure shall comply with applicable provisions of Chapter 6.5<sup>4</sup> of Division 20 of the Health and Safety Code and with the following requirements:
  - All residual liquid, solids, or sludges shall be removed and handled as hazardous wastes or recyclable materials in accordance with Chapter 6.5 of the Health and Safety Code.
  - If the underground storage tank contained a hazardous substance that could produce flammable vapors at standard temperature and pressure, it shall be inerted to levels that shall preclude explosion or to lower levels as required by the local agency.
  - When an underground storage tank or any part thereof is disposed of, the owner or operator shall document to the local agency that proper disposal has been completed. This documentation shall be submitted within the time frame specified by the local agency.

---

<sup>2</sup> California Water Boards. Underground Storage of Hazardous Substances. October 2018 with January 1, 2019 amendments.  
[https://www.waterboards.ca.gov/ust/regulatory/docs/hsc\\_6\\_7\\_01\\_2019.pdf](https://www.waterboards.ca.gov/ust/regulatory/docs/hsc_6_7_01_2019.pdf)

<sup>3</sup> California Water Boards. Underground Storage Tank Regulations. October 2020.  
[https://www.waterboards.ca.gov/water\\_issues/programs/ust/regulatory/docs/ccr\\_ch16\\_202010.pdf](https://www.waterboards.ca.gov/water_issues/programs/ust/regulatory/docs/ccr_ch16_202010.pdf)

<sup>4</sup> Chapter 6.5 refers to Hazardous Waste Control, and more information can be found here:  
[https://leginfo.ca.gov/faces/codes\\_displayexpandedbranch.xhtml?tocCode=HSC&division=20.&title=&part=&chapter=6.5.&article=](https://leginfo.ca.gov/faces/codes_displayexpandedbranch.xhtml?tocCode=HSC&division=20.&title=&part=&chapter=6.5.&article=)

- An owner or operator of an underground storage tank or any part thereof that is destined for a specific reuse shall advise the local agency, within the time frame specified by that agency, of:
  - The name of the new owner and new operator of the underground storage tank;
  - The location of intended use; and
  - The nature of intended use.
- The Los Angeles County Code (LACC)<sup>5</sup> includes an ordinance codified in Division 4 of Title 11 known as the "Underground Storage of Hazardous Substances Ordinance," in which the project would comply. LACC Section 11.72.030 states that no person shall cause, suffer, or permit the storage of hazardous substances in underground storage tanks: (1) in a manner that violates a provision of this division or any other local, federal, or state statute, code, rule, or regulation relating to hazardous substances; or in a manner that causes an unauthorized release of hazardous substances or poses a significant risk of such unauthorized release.

In addition, the transport, use, and storage of hazardous materials during construction of the project would be subject to all applicable State and federal laws, such as the Hazardous Materials Transportation Act, Resource Conservation and Recovery Act, the California Hazardous Material Management Act, and the California Code of Regulations, Title 22. Because the project would comply with the requirements of California Health and Safety Code Division 20, Chapter 6.7, Section 25298, California Code of Regulations Title 23, Division 3, Chapter 16, Sections 2670 through 2672, and the Los Angeles County Code, as well as the new Mitigation Measure MM-HAZ-8 detailed below, construction of the project would not 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 or emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school and these impacts would be less than significant.

### *Operational Impacts*

Operation of the proposed project would involve hotel, restaurant, retail, and residential uses on the project site. Under existing conditions, hotel and restaurant uses are currently present on the project site, but new residential and retail uses would be added. Though the proposed project would add new uses and increase development on the project site compared to existing conditions, operation of these land uses would not involve the use or storage of significant quantities of hazardous materials. Operation and maintenance of the proposed project would likely involve the use of common household materials such as cleaning and degreasing solvents, fertilizers, and pesticides. In addition, chemicals, such as chlorine, for the maintenance of the hotel pools would also potentially be stored on site in minor quantities. Any pool chemicals stored onsite would be kept in a locked, protective cabinet or closet. These and other common materials used in the regular maintenance of the buildings, amenities, and landscaping would be subject to compliance with existing regulations, standards, and guidelines established by the federal, State, and local agencies related to storage, use, and disposal of hazardous materials. In comparison to existing conditions, impacts would be less than significant.

---

<sup>5</sup> Los Angeles, County. Code of Ordinances.

[https://library.municode.com/ca/los\\_angeles\\_county/codes/code\\_of\\_ordinances?nodeId=TIT11HESA\\_DIV4UNSTHAMA\\_CH11.72GEPR\\_11.72.030GEOBAFCA](https://library.municode.com/ca/los_angeles_county/codes/code_of_ordinances?nodeId=TIT11HESA_DIV4UNSTHAMA_CH11.72GEPR_11.72.030GEOBAFCA)



## Approved Entitlements

### *Construction Impacts*

In comparison to buildout of Approved Entitlements, the proposed project would involve demolition of the same structures on the Beverly Hilton site, but would add demolition of the gas station, which does not lie within the area subject to the Existing Specific Plans or mitigation measures required by previous environmental documentation. Construction activities under both the Approved Entitlements and the proposed project would be subject to the same regulatory requirements specified above under *Existing Conditions*. The proposed project would be required to implement Mitigation Measures MM-HAZ-1 through MM-HAZ-7 to ensure safe handling of suspect LBP and ACMs, similar to the Approved Entitlements. In addition, the proposed project would be required to implement Mitigation Measure MM-HAZ-8 for proper removal of USTs. Refer to the discussion above regarding potential impacts of construction of the proposed project. Construction impacts would be less than significant with implementation of Mitigation Measures MM-HAZ-1 through MM-HAZ-8.

### *Operational Impacts*

The proposed project involves the same land uses and development intensity as the Approved Entitlements. As discussed above under *Existing Conditions*, these land uses would not involve the use or storage of significant quantities of hazardous materials. Neither the proposed project nor the Approved Entitlements would 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 or emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school. In comparison to approved entitlements, operational impacts would be less than significant.

## Mitigation Measures

The proposed project would be required to comply with Mitigation Measures MM-HAZ-1 through MM-HAZ-7 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). These mitigation measures include the same requirements as those contained in the 9900 Wilshire Specific Plan 2016 SEIR, with the exception of a mitigation measure for mold intrusion within the Robinsons-May Building, which has since been demolished and is no longer applicable (City of Beverly Hills 2016a). In addition, the project would comply with new Mitigation Measure MM-HAZ-8. These mitigation measures are outlined below:

- MM-HAZ-1** Any suspect lead-based paint shall be sampled prior to any renovations or demolition activities. Any identified lead-based paint located within buildings scheduled for renovation or demolition, or noted to be damaged, shall be abated by a licensed lead-based paint abatement contractor, and disposed of according to all state and local regulations.
- MM-HAZ-2** Construction activities shall comply with SCAQMD Rule 1403- Asbestos Emissions from Demolition/Renovation Activities. This rule is intended to limit asbestos emissions from demolition or renovation of structures and the associated disturbance of asbestos-containing materials (ACMs) generated or handled during these activities. The rule requires that SCAQMD be notified before demolition or renovation activity occurs. This notification includes a description of structures and

methods utilized to determine the presence of or absence of asbestos. All ACMs found on the site shall be removed prior to demolition or renovation in accordance with the requirements of Rule 1403.

- MM-HAZ-3** Prior to demolition activities, the sampling of suspect materials for lead content shall be conducted. If these surfaces are determined to contain concentrations of lead at or above regulatory limits, their removal by a licensed abatement contractor in accordance with applicable regulations shall be necessary prior to demolition or renovation activities.
- MM-HAZ-4** During demolition or renovation activities, the airborne lead concentration shall not exceed the Permissible Exposure Level (PEL), as required by the California Occupational Health and Safety Administration (Cal/OSHA), Title 8, California Code of Regulations (CCR), Construction Safety Orders for Lead, Section 1532.1.
- MM-HAZ-5** The demolition debris waste stream shall be analyzed for lead content during materials separation to ensure compliance with USEPA regulations related to transportation and disposal of hazardous materials.
- MM-HAZ-6** All personnel workers potentially exposed to lead-containing materials shall be trained and protected in accordance with federal OSHA regulations.
- MM-HAZ-7** Fluorescent light ballast labels shall be inspected prior to demolition. If the ballast labels do not include the statement “No PCBs”, the ballast(s) shall be properly removed by a licensed PCB removal contractor and disposed of as PCB-containing waste prior to demolition.
- MM-HAZ-8** The project shall comply with the closure conditions as directed in the Closure Permit to be issued by LADWP EPD and shall meet, at a minimum, the applicable requirements of California Health and Safety Code Division 20, Chapter 6.7, Section 25298, California Code of Regulations Title 23, Division 3, Chapter 16, Sections 2670 through 2672, and the Los Angeles County Code. Additionally, the project applicant shall provide noticing to Beverly Hills Unified School District and to the administrative office of El Rodeo School at the time of the UST removal and upon receipt of approval of a UST Closure Permit from the LACDPW EPD.

### **Significance After Mitigation**

With the site-wide implementation of Mitigation Measures MM-HAZ-1 through MM-HAZ-7 from the Beverly Hilton Specific Plan 2008 EIR and Mitigation Measure MM-HAZ-8, outlined above, impacts related to creating a significant hazard to the public or the environment through reasonably foreseeable upset and/or accident conditions involving the release of hazardous materials into the environment or hazardous emissions within 0.25 mile of an existing school would be reduced to less than significant levels.

### **4.6.3 Cumulative Impacts**

Cumulative development in Beverly Hills, as discussed in Section 3, *Environmental Setting*, could have the potential to place people in areas with risk of accidents involving hazardous materials and health hazards associated with hazardous materials by developing and/or redeveloping areas that may have previously been contaminated. However, as analyzed in this section of the SEIR, implementation of the proposed project would not result in significant impacts related to human exposure to hazardous materials. Demolition activities involving structure that may contain lead, asbestos, and/or PCBs would be required to comply with mitigation measures that would ensure the

proposed project would not accidentally release these hazardous materials to the environment. Likewise, the proposed project would comply with mitigation that requires proper removal and closure activities for the USTs associated with the gas station site, limiting the possibility of groundwater and soil contamination. In addition, operation of the proposed project would not involve the use, storage, emissions, or generation of significant quantities of hazardous materials and hazardous waste, and would not subject nearby residents, workers, and students to risk from accidents involving hazardous materials.

In addition, the projects listed in Table 3-1 of Section 3, *Environmental Setting*, do not include any nearby projects that would have the potential to produce significant hazards or hazardous materials impacts that would directly interact with those of the proposed project in a way that would produce a cumulatively significant impact. As shown in Section 3, *Environmental Setting*, planned and pending projects in the vicinity of the project site consist of residential, retail, office, institutional, and commercial projects, and do not include industrial, manufacturing, automotive repair, or other uses that are typically associated with hazardous materials. Therefore, operation of the proposed project and other planned and pending projects in the vicinity is not anticipated to involve the use, storage, generation, and or emissions of significant quantities of hazardous materials that could impact the environment and pose a safety risk to people.

As with the proposed project, hazard evaluations for construction of other projects in the vicinity of the project site would need to be completed on a case-by-case basis. Similar to the proposed project, if soil and groundwater contamination or lead or asbestos are found to be present on sites of planned and future development, these conditions would require appropriate mitigation and compliance with existing applicable local, state, and federal regulations. Compliance with applicable regulations and implementation of appropriate project-level remedial action on contaminated sites would reduce potential cumulative impacts associated with project construction to a less than significant level.

## 4.7 Land Use and Planning

---

This section includes a discussion of the existing environmental setting and regulatory setting and analyzes the proposed project's consistency with relevant policies of applicable local and regional plans, including the City of Beverly Hills' General Plan (General Plan) and the Beverly Hills Municipal Code (BHMC).

### 4.7.1 Setting

#### **Project Site**

As illustrated in Figure 2-1 in Section 2, *Project Description*, the 17.4-acre project site is located just west of the intersection of Wilshire Boulevard and North Santa Monica Boulevard at the western edge of the City of Beverly Hills. The site is regionally accessible from I-405 and I-10, and locally accessible from North Santa Monica Boulevard and Wilshire Boulevard.

The project site is located at the western edge of the City and is bounded on the north by Wilshire Boulevard, the intersection of Wilshire and North Santa Monica Boulevards on the east, North Santa Monica Boulevard on the south, and the Los Angeles Country Club golf course on the west. 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 ("Beverly Hilton site"), a gas station with convenience store at 9988 Wilshire Boulevard ("gas station site"), and a vacant, partially excavated property at 9900 Wilshire Boulevard ("9900 Wilshire Boulevard site"). 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.

The Beverly Hilton site has a General Plan land use designation of Beverly Hilton Specific Plan; the 9900 Wilshire Boulevard site has a General Plan land use designation of 9900 Wilshire Specific Plan; and the gas station site has a General Plan land use designation of General Commercial, Low Density. The Beverly Hilton site is zoned Beverly Hilton Specific Plan, the 9900 Wilshire Boulevard site is zoned 9900 Wilshire Specific Plan, and gas station site is zoned C-3 (Commercial). Uses permitted in the Existing Specific Plans include hotel, residential, and retail uses, while those permitted in the C-3 zone include a wide range of Low- to High-Intensity primarily Commercial uses, such as restaurants, offices, and retail shops. The Beverly Hilton Specific Plan (adopted in 2008) and the 9900 Wilshire Specific Plan (adopted in 2008, amended in 2016) serve as the primary land use regulatory documents for the majority of the project site.

#### **Surrounding Land Uses**

As illustrated in Figure 4.7-1 and discussed in Section 2, *Project Description*, land uses surrounding the project site include single-family residential, commercial, and public school uses. 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. The intersection of Wilshire and North 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. Located to the south of the

project site, immediately across North Santa Monica Boulevard, are commercial uses and South Santa Monica Boulevard. The commercial uses include surface parking lots, 1- and 2-story retail shops, restaurants, high-rise office buildings and The Peninsula Hotel. Directly west of the project site is the Los Angeles Country Club (a golf course and country club), and farther to the west, the community of Century City in the City of Los Angeles. 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.

Figure 4.7-2 illustrates the zoning designations for the project site vicinity. Table 4.7-1 lists the existing land uses surrounding the project site and provides the zoning designations along with the permitted uses by each designation.

## **Regulatory Setting**

The City of Beverly Hills regulates land use through its General Plan, specific plans, and Municipal Code.

### *General Plan*

California requires every city and county to prepare a comprehensive general plan that guides decision-making and implementation related to land use, zoning, redevelopment, environmental justice, planning, and general decision-making for the jurisdiction for a specified period of time. The Beverly Hills General Plan, amended and adopted in 2010, consists of the seven required elements: Land Use, Open Space, Circulation, Conservation, Noise, Safety, and Housing (amended and adopted in December 2013, certified by the State in February 2014). In addition, the City's General Plan includes three optional elements: Historic Preservation, Economic Sustainability, and Public Services (City of Beverly Hills 2010g). The City's General Plan elements are summarized below, while specific goals and policies that apply to the proposed project are discussed under Impact LU-1 below.

### **LAND USE**

The goals and policies of this element are intended to maintain the overall land use pattern in the city, ensure that in areas where land use change occurs, it will be in a manner that is consistent with the objectives of the community, resolve transitional conflicts with abrupt changes in land use and development intensity within the city and between the city and neighboring jurisdictions, and maintain and enhance the desirability of the residential and nonresidential areas of Beverly Hills. The Land Use Element also links the other elements of the General Plan together because it dictates the long-range use of the land (City of Beverly Hills 2010g).

### **HISTORIC PRESERVATION**

The Historic Preservation Element was added to the General Plan in 2010. This element is the principal guide for preservation of the City's historic resources. It identifies known historic resources in the city, describes State and federal laws pertaining to historic resources, and includes policies aimed to preserving known and newly identified resources (City of Beverly Hills 2010g).

**Table 4.7-1 Existing Land Uses and Zoning**

Direction	Existing Land Use(s)	Existing Zoning	Permitted Use(s)
North	Beverly Gardens Park	Parks, Reservoirs, Government [Unzoned] <sup>1</sup>	Public open spaces
	Single-family residences	R-1X (One-Family Residential)	Private one-family residence, small family daycare home, small community care facility, or transitional or supportive housing. Additional uses permitted, such as museums, schools, and public utility uses, if authorized by a conditional use permit
	El Rodeo School	S (School)	Public educational purposes
East	The City's "Business Triangle," commercial retail, offices, restaurants, and medical facilities	T-1 (Transportation), T-O overlay (Transportation Overlay Zone), C-3 (Commercial)	T-1 (Transportation) and T-O overlay (Transportation Overlay Zone) designations allow railway lines, stations, affiliated structures, and surface parking lots for such transportation uses. C-3 (Commercial) zoning designation allows development of, but is not limited to: café, carpenter shop, cinema, conservatory, dancing academy, dressmaking or millinery store, exercise club, library, lunchroom, office (excluding medical use), paint, paperhanger or decorating shop, photography gallery, plumbing shop, private training center, roofing or plastering store, shop for conducting of wholesale or retail business, store, studio, and upholsterer. Additional uses are also permitted, such as hotels, educational uses, parking facilities, car washes, museums, public utility uses, and more if authorized by a conditional use permit
South	Surface parking lots, commercial retail shops, restaurants, and office buildings	T-1 (Transportation), <sup>3</sup> C-3 (Commercial), M-PD-5 overlay (Mixed Use Planned Development Overlay Zone)	M-PD-5 (Mixed Use Planned Development Overlay Zone) designation allows for mixed use multifamily residential and commercial development, as well as permitted uses and conditionally permitted uses of the underlying C-3A zone, with additional restrictions (no nightclubs or cabarets). See above for T-1 and C-3 zone permitted uses.
West <sup>3</sup>	Los Angeles Country Club	A1-1XL (Agriculture)	A1 (Agriculture) zoning designation allows development of, but is not limited to: one-family dwellings, parks, playgrounds or community centers owned and operated by the government agency, golf courses, farming, nurseries, aviaries and apiaries, and other enterprises customarily carried on in the field of general agriculture

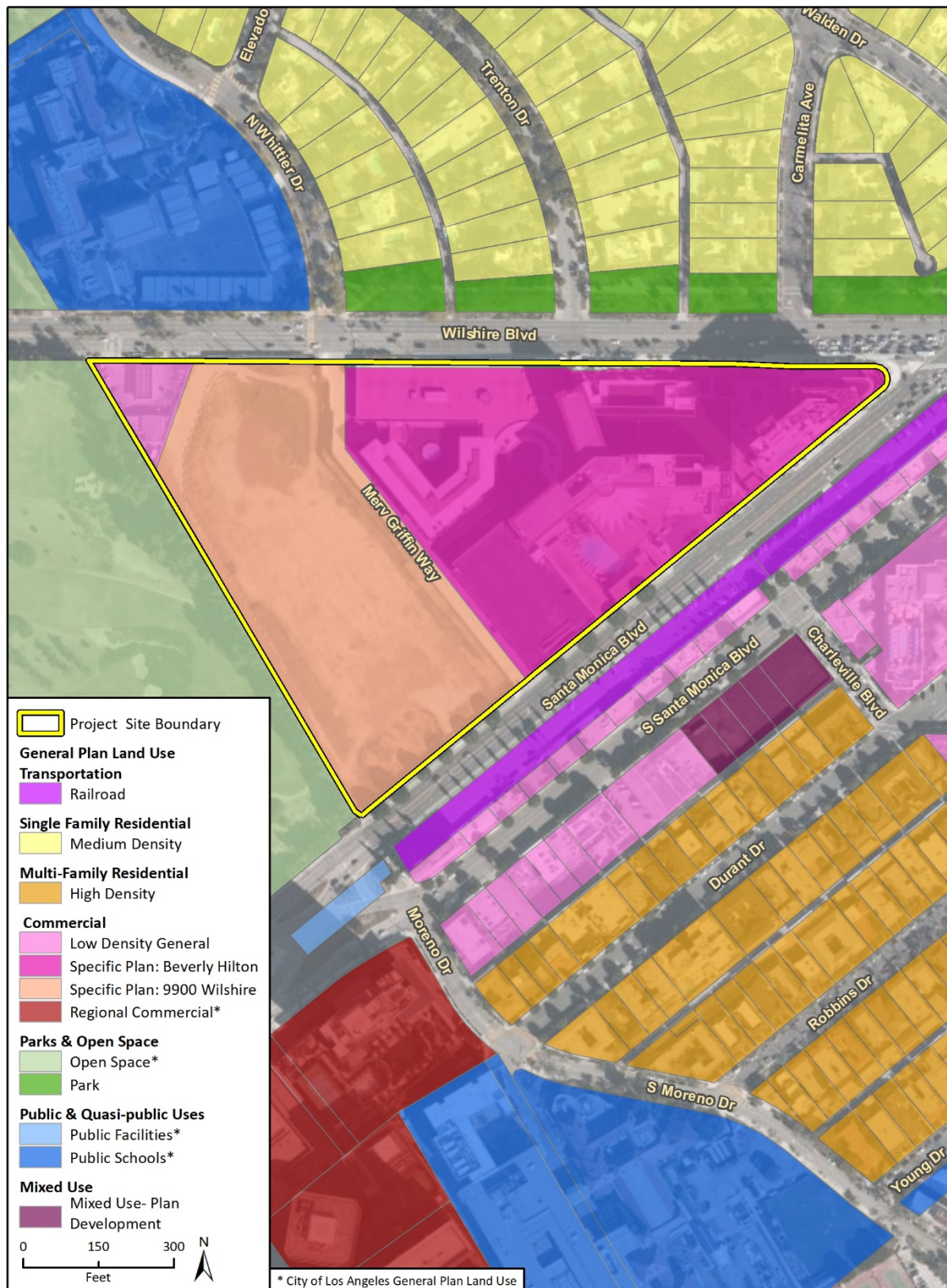
<sup>1</sup> The "Unzoned" category is not a zoning classification but includes the City's total parkland acreage (76.6) as well as approximately 1.2 acres of additional unzoned land in the city (City of Beverly Hills 2005c).

<sup>2</sup> There is an opportunity to enact the T-O, Transportation Overlay Zone, on T-1 zoned properties; however, properties to the south of the site have not enacted the T-O overlay zone at this time.

<sup>3</sup> The property to the west of the project site is within the City of Los Angeles and subject to City of Los Angeles Zoning (City of Los Angeles 2020)

Sources: Beverly Hills 2008b, City of Beverly Hills 2008d, City of Los Angeles 2020

**Figure 4.7-1 General Plan Land Use Designations**

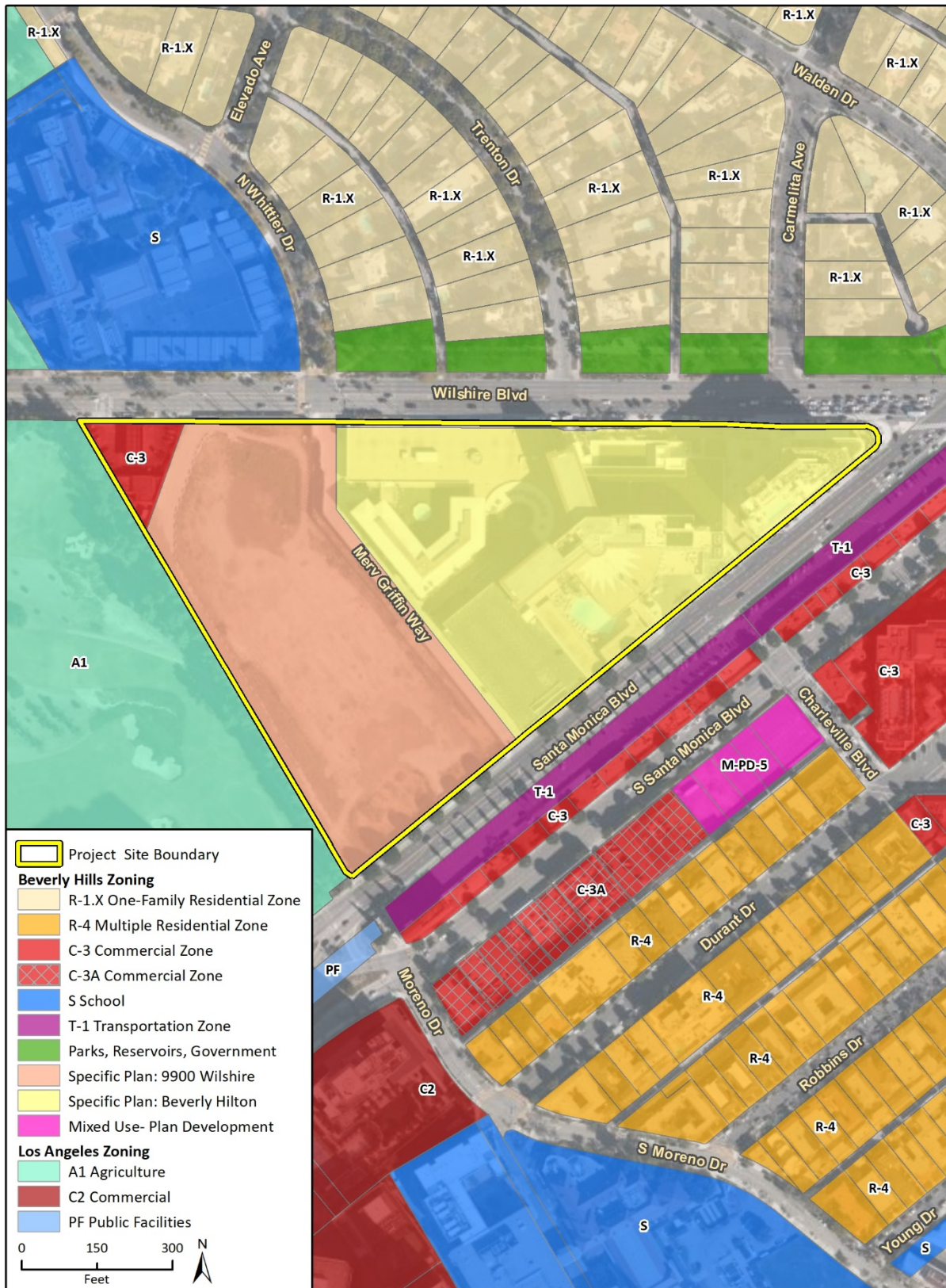


Imagery provided by Microsoft Bing and its licensors © 2020.  
 Additional data provided by Southern California Association of Governments, 2020.

Fig. 4.7-1. GP Land Use



**Figure 4.7-2 Zoning Designations**



Imagery provided by Microsoft Bing and its licensors © 2020.

Additional data provided by Southern California Association of Governments, 2020; Los Angeles County, 2020.

Fig. 4.7-2 Zoning



## **ECONOMIC SUSTAINABILITY**

The Economic Sustainability Element is the principal guide that encourages and sustains a resilient business community in the city. Policies relate to the maintenance of a sustainable economic base for the City, maintaining the City's market position, and enhancing local commercial corridors (City of Beverly Hills 2010g).

## **OPEN SPACE**

The Open Space Element is the principal guide for the maintenance and conservation of natural resources, open space, and recreation and park lands in the City of Beverly Hills. This element serves two main purposes: first, to guide the City in policy issues concerning the acquisition, control, development, and use of space; second, to maintain an inventory of the type, location, and use patterns of the City's open space and recreation resources for future planning purposes (City of Beverly Hills 2010g).

## **CIRCULATION**

The goals and policies of the Circulation Element are intended to limit negative effects caused by vehicles, and to circulate vehicles through the city as expeditiously as possible. The Circulation Element has two overarching objectives: first, the neighborhoods of Beverly Hills should be preserved and enhanced, including limiting negative effects caused by vehicles. Second, vehicles should move into, out of, or through Beverly Hills as expeditiously as possible (City of Beverly Hills 2010g).

## **CONSERVATION**

The Conservation Element is the principal guide for the conservation and use of natural resources in the city. The Element addresses such topics as water supply, storm drainage/runoff, solid waste, energy, and telecommunications. The City is committed to meeting the future needs of residents and businesses by ensuring high-quality water, wastewater, storm drainage, solid waste, energy, and telecommunications systems (City of Beverly Hills 2010g).

## **NOISE**

The purpose of the Noise Element is to ensure that Beverly Hills residents will be protected from excessive noise. The information contained in this Element provides a framework to achieve compatible land uses and provides baseline noise levels and sources of noise to aide in enforcement of noise controls (City of Beverly Hills 2010g).

## **SAFETY**

The primary purpose of the Safety Element is to reduce the potential risk of death, injuries, property damage, and economic and social dislocation resulting from earthquakes, urban and wildland fires, terrorism, floods, earthquakes, landslides, public health emergencies, and other natural and man-made disasters. This Element specifically addresses fire, flood, geologic and seismic hazards, hazardous materials, noise, and natural and man-made disaster preparedness (City of Beverly Hills 2010g).

## **PUBLIC SERVICES**

The Public Services Element provides goals and policies related to the provision of coordinated police, fire, and emergency medical services; quality cultural services; quality human services, including the three major functional components of information, referral, and access to service; development of new programs to address unmet service needs; support for the enhancement and development of library facilities, services, collections, and programs in relation to changing community needs and industry trends. It also addresses the local educational system (City of Beverly Hills 2010g).

## **HOUSING**

The goal of the Housing Element is to achieve the necessary supply of safe, affordable housing for all Beverly Hills community members. One aspect of the Housing Element is to identify adequately zoned sites and establishes local housing programs to meet the City's "fair share" of future housing needs for all income groups. To that end, the Housing Element identifies strategies and programs for housing maintenance and conservation, housing supply and diversity, fair housing and special needs residents, and removing governmental constraints (City of Beverly Hills 2014).

### *Specific Plans*

The Beverly Hilton Specific Plan and 9900 Wilshire Specific Plan apply to the project site, with the exception of the gas station site. A specific plan is a planning document for a defined area in the City and is intended to guide proposed development in a manner that would adhere to and implement various goals and policies of the City's General Plan. A specific plan defines development standards, including, but not limited to, density requirements, building heights, setback requirements, and parking plans. Allowed land use types are also defined and attributed to particular portions of a specific plan area. A specific plan supersedes other development regulations and standards set forth in the Beverly Hills Planning and Zoning Ordinance for a specific plan area. Except where provisions of a specific plan provide otherwise, policies and standards in a specific plan are applied in lieu of provisions in Zoning Ordinance. Notwithstanding anything to the contrary in a specific plan, the following applies: (a) development in accordance with a specific plan is not governed by any other regulations in the Municipal Code governing development, including without limitation those regulations governing development in residential and commercial zones, and (b) wherever a specific plan contains provisions that establish regulations (including, but not limited to, standards such as density, height, use, parking, signage, open space, and landscape requirements) that are different from, or more restrictive or more permissive than what would be allowed pursuant to the provisions contained in the Municipal Code, a specific plan will prevail and supersede the applicable provisions of the Municipal Code. The land use planning documents applicable to the project site are discussed below.

### *Beverly Hilton Specific Plan*

The Beverly Hilton Specific Plan was created to provide a framework for the redevelopment of the 8.97-acre Beverly Hilton site (see Figure 2-2 in Section 2, *Project Description*). The actions accommodated by the Beverly Hilton Specific Plan include (City of Beverly Hills 2008a)<sup>1</sup>:

---

<sup>1</sup> When adopted, some aspects of the Beverly Hilton Specific Plan were changed from what was studied in the Beverly Hilton Specific Plan 2008 EIR. These changes included reducing the number of residential units from 120 to 110, increasing the new Beverly Hilton conference center from 21,000 sf to 22,000 sf, and increasing the number of marked parking spaces from 1,422 to 1,572.

- Demolition of portions of the existing Beverly Hilton buildings, including the Palm/Oasis Court Hotel
- Demolition of the above-ground and below-ground parking structure
- Construction of a new 12-story luxury hotel containing 170 hotel rooms (Waldorf-Astoria Beverly Hills) at the eastern portion of the specific plan area
- Construction of poolside cabanas
- Construction of a 2-story (29-foot)<sup>2</sup>, 22,000-sf conference center
- Construction of an up to eight-story (97-foot) residential building containing 108,153 sf and 36 units
- Construction of an up to 18-story (200-foot) residential building containing 263,300 sf and 74 units
- Construction of approximately 142,799 sf (3.3 acres) of landscaped gardens and pedestrian areas

The Beverly Hilton Specific Plan is designed to achieve the following goals and objectives (City of Beverly Hills 2008a):

- To allow the Beverly Hilton to remain competitive in the hotel industry and local and regional marketplaces
- To create a new luxury hotel for the site with facilities, services and amenities on par with a five star or five diamond hotels
- To develop an environmentally sensitive and sustainable project
- To maintain the integrity of the existing Welton Becket-designed Wilshire Tower
- To enhance the city's western gateway and views from Wilshire Boulevard and North Santa Monica Boulevard
- To develop the site in a manner that capitalizes on its physical, social, and economic potential without adversely impacting neighboring residential and institutional uses
- To expand the variety of high-quality housing options available in close proximity to office and commercial centers, without displacing existing housing or residents.
- To provide high-quality housing for local and area residents to meet market demand and provide a variety of housing options.
- To maximize open space and accommodate on-site gardens and landscaped common space that complements the garden character of the site and city
- To promote pedestrian activity in and around the specific plan area
- To place parking and ancillary uses below grade to accommodate at-grade gardens and landscaped common space and create a more pleasant visual environment
- To improve vehicular circulation on the site and in the vicinity by providing multiple points of access to the site, increasing on-site accommodations for event parking, and implementing off-site roadway improvements
- To maintain and enhance the sources and amount of transient occupancy tax for the City
- To provide affordable housing consistent with the objectives of the City's adopted or amended Housing Element by providing a contribution to the City's affordable housing trust fund

---

<sup>2</sup> Building heights specified in the Beverly Hilton Specific Plan are measured from a +285 datum.

- To create a landmark luxury hotel in Beverly Hills that continues the Beverly Hills tradition of such uses

In addition, since adoption of the Beverly Hilton Specific Plan, the Waldorf-Astoria Beverly Hills has been constructed and opened in 2017.

#### *9900 Wilshire Specific Plan*

The City adopted the 9900 Wilshire Specific Plan in 2008 for the 9900 Wilshire Boulevard site (see Figure 2-2 of Section 2, *Project Description*). In November 2016, the City amended the 9900 Wilshire Specific Plan and adopted a revised set of land use and development standards for the site (see Figure 2-5 in Section 2, *Project Description*). The 9900 Wilshire Specific Plan allows for the construction of two residential buildings (South Building and North Building), with approximately 900,500 square feet of building area near the western property line. The South Building would be 15 stories (185 feet) in height, while the North Building would be 13 stories (161 feet). The residential buildings would contain up to 193 condominium units. The 9900 Wilshire Specific Plan also allows development of 205,000 square feet of hotel uses on, four floors within the South Building, which would contain 134 rooms. Approximately 1,140 parking spaces would be accommodated in a below-grade structure. In addition, the 9900 Wilshire Specific Plan would include ancillary uses such as 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 amenities including landscaped gardens (City of Beverly Hills 2016a).

The original 2008 9900 Wilshire Specific Plan was designed to achieve the following goals and objectives:

- To create a world-class architectural landmark with a visual presence at the dual gateway to the city at Wilshire Boulevard and North Santa Monica Boulevard that will enhance the beauty and image of Beverly Hills
- To develop an environmentally sensitive and sustainable project
- To develop a significant portion of the specific plan area as landscaped gardens and other open space to enhance the visual character of the neighborhood and the city
- To provide Public Gardens along Wilshire Boulevard, Merv Griffin Way and at the corner of Merv Griffin Way and North Santa Monica Boulevard for the use and enjoyment of the public during certain hours that enhances the garden qualities of the city
- To redevelop the specific plan area in a manner that does not substantially increase the traffic impacts and related operational air quality and noise impacts associated with the existing building
- To improve the utilization and visual appearance of the specific plan area by eliminating the existing above-ground parking structure and constructing subterranean parking for the specific plan area
- To provide high-quality housing for local and area residents to provide a variety of housing to meet the City's housing needs
- To provide new housing within the city without having to tear down existing rental units or otherwise displace existing housing
- To provide full-service luxury residential condominiums with vista views

- To provide retail space along North Santa Monica Boulevard and restaurant space on Merv Griffin Way to (i) serve project residents and other and (ii) enhance pedestrian activity and street life
- To improve traffic circulation in and around the specific plan area by providing additional vehicular access points on Wilshire Boulevard and North Santa Monica Boulevard for project residents in order to reduce the amount of traffic on Merv Griffin Way
- To provide housing in close proximity to the office and retail uses in Beverly Hills
- To provide revenue to the City to offset the loss of commercial uses on the site
- To provide affordable housing consistent with the City's Housing Element by providing a contribution to the City's affordable housing fund

In addition to the above-listed objectives, the amended 2016 9900 Wilshire Specific Plan includes the following summarized objectives (City of Beverly Hills 2016a):

- Promote fiscal benefits to, and economic development and job creation in, the City of Beverly Hills
- Provide a set of mixed-uses that takes maximum advantage of the physical, social and economic potential of the project site
- Create a unified, environmentally sensitive hotel and residential development

The 9900 Wilshire Boulevard site was previously occupied by a 228,000-square foot retail store. The retail store has been demolished and the area is currently vacant and partially excavated (City of Beverly Hills 2016a).

#### *Municipal Code*

The BHMC organizes regulations that implement the City's General Plan. Title 10, *Planning and Zoning*, divides the City into zoning districts and provides development standards for each district, including permitted uses, density and intensity of uses, building height, and other standards for development and activity. The gas station site is zoned C-3 and currently subject to the development standards provided for in BHMC Section 10-3-1601 et seq.

### 4.7.2 Previous Environmental Review

The Beverly Hilton Specific Plan 2008 EIR evaluated the Beverly Hilton Specific Plan's consistency with the previous 1977 General Plan, as the current (2010) General Plan had not yet been adopted by the City. The Beverly Hilton Specific Plan 2008 EIR determined that increased development intensity and building heights and the introduction of residential land uses where none had existed would 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. Although the Beverly Hilton Specific Plan included project design features to improve the transition between the Beverly Hilton site and surrounding land uses, the Specific Plan was found to conflict with some portions of the Land Use Element, and the Beverly Hilton Specific Plan 2008 EIR concluded that this would be a significant and unavoidable impact. The 2008 EIR also determined that the Beverly Hilton Specific Plan would result in a cumulatively considerable contribution to land use impacts, when considered together with related projects, because of inconsistency with Objectives 3 and 4 of the Land Use Element (City of Beverly Hills 2008a).

The 9900 Wilshire Specific Plan 2016 SEIR evaluated the 9900 Wilshire Specific Plan's consistency with the current 2010 General Plan. The 2016 SEIR found the 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 SEIR (Mitigation Measures MM-NOISE-1 through MM-NOISE-3 and MM-TRAF-1 through MM-TRAF-8), the 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 2016a). The SEIR also determined that the amended 9900 Wilshire Specific Plan would incrementally modify land use patterns and the general setting of the area, as well as development intensity in the area, but that the Specific Plan would be consistent with the City's vision for the area and would not contribute to a cumulatively considerable land use impact (City of Beverly Hills 2016a).

### 4.7.3 Impact Analysis

#### Methodology and Significance Thresholds

The following are the thresholds for determining the significance of impacts related to land use and planning, and the proposed project's impacts are assessed to determine whether the project would:

1. Physically divide an established community.
2. Conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

As discussed in the proposed project's Initial Study (Appendix A), the project would have no impact related to division of an established community. As such, Threshold 1 is not discussed further in this SEIR. The following section focuses on Threshold 2, related to a project's consistency with applicable land use policies and regulations. The proposed project entails creation of an Overlay Specific Plan which, to the extent that it is implemented, will supersede the Existing Specific Plans. Nonetheless, this analysis includes a comparison of the proposed project to both existing conditions and the Approved Entitlements in order to assess consistency with land use plans, policies, and regulations adopted for the purpose of avoiding or mitigating environmental effects.

#### Project Impacts and Mitigation Measures

**Threshold 2:** 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?

**Impact LU-1** THE PROPOSED PROJECT WOULD ADHERE TO THE APPROVED LAND USES AND OVERALL APPROVED FLOOR AREA RATIO OF THE EXISTING SPECIFIC PLANS, BUT WOULD EXCEED THE PERMITTED FAR FOR C-3 USES AND WOULD ALLOW FOR INCREASED BUILDING HEIGHTS ON THE 9900 WILSHIRE BOULEVARD SITE AND GAS STATION SITE IN ORDER TO ACCOMMODATE THE CREATION OF APPROXIMATELY 13.4 ACRES OF OPEN SPACE. REGARDLESS OF WHETHER THE PROJECT IS COMPARED TO EXISTING CONDITIONS OR APPROVED ENTITLEMENTS, THE PROPOSED PROJECT WOULD BE CONSISTENT WITH APPLICABLE LOCAL AND REGIONAL PLANNING POLICIES, REGULATIONS, AND STANDARDS WITH IMPLEMENTATION OF MITIGATION MEASURES FROM OTHER ISSUE AREAS THROUGHOUT THIS SEIR. THEREFORE, THE PROPOSED PROJECT'S IMPACTS RELATED TO LAND USE AND PLANNING WOULD BE LESS THAN SIGNIFICANT.

The following analysis discusses the proposed project's consistency with applicable land use policies and regulations in comparison to existing conditions and Approved Entitlements. Consistency of the

proposed project with the 2010 General Plan, Beverly Hilton Specific Plan, and 9900 Wilshire Specific Plan policies was determined on a policy-by-policy basis. Final General Plan consistency is determined by City decision makers and approval of the One Beverly Hills Specific Plan Overlay General Plan designation and the Overlay Specific Plan by the City Council would be required for the proposed project to be consistent with land use policies. The analysis also considers the project's consistency with applicable regional land use plans, including Southern California Association of Government's (SCAG) 2020 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS).

## **Existing Conditions**

### *Construction Impacts*

As discussed in the Initial Study (see Appendix A) and in individual impact analysis sections of this SEIR, project construction would have less than significant impacts or less than significant impacts with incorporation of mitigation measures with respect to the majority of issue areas, with the exception of historic resources. Although buildout of the proposed project would have significant and unavoidable impacts to historic resources currently present on the project site, mitigation measures are proposed that align with the General Plan goals and policies and would reduce impacts to the extent feasible. Overall project consistency, including construction, with applicable policies contained in the General Plan are discussed below in Table 4.7-2 under *Operation*.

### *Operational Impacts*

Under existing conditions, hotel and restaurant uses are currently present on the project site. The proposed project would add new residential and retail uses. Table 2-3 in Section 2, *Project Description*, provides a comparison of the existing conditions to the proposed entitlements. As shown therein, the maximum building height on the Beverly Hilton site under the proposed project would remain the same as current conditions, while the maximum building heights on the 9900 Wilshire Boulevard and gas station sites would be 410 feet and 102 feet taller, respectively, than currently exist.<sup>3</sup> In addition, the proposed project would include 340 residential units, 30 accessory spaces (which could be used as rooms for storage space, staff living quarters, or other ancillary storage), 117,232 sf of shared amenity space, and 35,236 sf of retail not currently present on the project site. The proposed project would reduce the number of hotel rooms by 139 as compared to current conditions. Though the proposed project would add new uses and increase development intensity on the project site compared to existing conditions, these changes would not conflict with the relevant goals and policies, as further discussed below.

## **GENERAL PLAN CONSISTENCY**

The nine elements of the Beverly Hills General Plan contain a number of goals, objectives, recommendations, and programs for land development. These goals, objectives, recommendations, and programs are general in nature and subject to interpretation. As noted above, the final authority for interpretation of these components rests with the City Council. Consistency of the project with each General Plan Element and their corresponding goals and policies is analyzed in Table 4.7-2. This analysis includes only the goals and policies that are related to environmental impacts and that are applicable to the proposed project.

---

<sup>3</sup> Measured from a +301 datum

**Table 4.7-2 Project Consistency with General Plan Goals and Policies**

Goal/Policy	Proposed Project Consistency
<b>Land Use Element</b>	
<p><b>LU 1.1 The Scale of the City.</b> Although implicit in any discussion of the future of the City, the importance of scale must be underscored. As long as the City is able to regenerate itself within the general framework of the existing scale, it will offer an environment which is becoming increasingly unique in the Westside.</p>	<p><b>Consistent</b></p> <p>The proposed project would occur on sites designated for residential, commercial, and hotel uses, and within the City's existing framework. The scale and massing of the proposed project would be compatible with other urban development on Santa Monica Boulevard in Century City, where buildings of similar scale are located. The proposed 124-foot tall Wilshire Building would be similar in height to the existing 124-foot tall Waldorf-Astoria Beverly Hills building (when measured from a +301 datum). However, the proposed 369-foot tall Garden Residences and 410-foot tall Santa Monica Residences would exceed the height of the existing Beverly Hilton (95 feet) and Waldorf-Astoria Beverly Hills, and the maximum building heights allowed in the Existing Specific Plans. Although the proposed project would involve construction of taller buildings than envisioned in the Existing Specific Plans, it would contribute to a gradual west-to-east transition in building height along North Santa Monica Boulevard beginning with the 12-story Waldorf-Astoria Beverly Hills on the eastern portion of the project site and moving west to the existing high-rise development in Century City, including Ten Thousand, a 40-story residential building located at 10000 Santa Monica Boulevard, approximately 320 feet southwest of the project site. In addition, the project would be consistent with Policy LU 9.3, which allows higher-intensity development at anchor locations, including the project site.</p>
<p><b>LU 2 Community Character and Quality.</b> A built environment that is distinguished by its high level of site planning, architecture, landscape design, and sensitivity to its natural setting and history.</p>	<p><b>Consistent</b></p> <p>The proposed project would consolidate the land use and FAR of the Existing Specific Plans and C-3 gas station site into a comprehensive and coordinated redevelopment of the entire project site. The proposed project would provide for a unified and comprehensive redevelopment that would focus building massing and the tallest heights to the west/southwest of the project site, nearest to existing high-intensity development in Century City and away from sensitive residential and school uses to the north of the project site. This would locate building massing and the tallest heights near the Los Angeles Country Club (LACC) South Course; however, buildings would be similar in scale to those currently adjacent to the LACC South Course in Century City. The proposed unified design would allow for the redistribution of land uses envisioned in the Existing Specific Plans, such that additional open space can be accommodated on the project site. The proposed new buildings would reflect modern architecture design principles and, similar to the Existing Specific Plans, would honor the original Welton Becket architecture of the Wilshire Tower by incorporating nods to mid-century modern design elements such as gently curving building forms, concrete, steel, and glass construction materials, and landscaped plazas and plantings throughout the</p>



Goal/Policy	Proposed Project Consistency
	<p>ground floor of the project site. In addition, the proposed project's 13.4 acres of open space including an 8-acre botanical garden, 4.5 acres of which would be publicly accessible, would enhance visual quality of the project site and would be designed to enhance the garden quality of the City. Therefore, the proposed project would be consistent in visual character and quality with existing on-site development and with the intent of Policy LU 2.</p>
<p><b>LU 2.1 City Places: Neighborhoods, Districts, and Corridors.</b> Maintain and enhance the character, distribution, built form, scale, and aesthetic qualities of the City's distinctive residential neighborhoods, business districts, corridors, and open spaces.</p>	<p><b>Consistent</b></p> <p>As discussed above, the proposed project would consolidate the land use and FAR of the Existing Specific Plans and C-3 gas station site into a comprehensive and coordinated redevelopment of the entire project site. The proposed project would provide for a unified and comprehensive redevelopment that would focus building massing to the west/southwest of the project site, nearest to existing high-intensity development in Century City and away from sensitive residential and school uses to the north of the project site. The proposed unified design would allow for the redistribution of land uses envisioned in the Existing Specific Plans, such that additional open space can be accommodated on the project site. The proposed new residential and residential/hotel towers on the 9900 Wilshire Boulevard and gas station sites would be constructed such that the narrowest portions of the buildings would be oriented towards the residential uses to the northeast to reduce visual impacts.</p> <p>The project would increase open space in the area by creating 13.4-acres of open space, including an 8-acre botanical garden and sculpture garden. The proposed public gardens would complement the existing Beverly Gardens Park to the north of Wilshire Boulevard. As stated in the discussion of Policy LU 1.1, the proposed project would concentrate higher-intensity development along the North Santa Monica Boulevard corridor and would contribute to a gradual transition in building height along the North Santa Monica Boulevard corridor towards the high intensity uses present in Century City.</p>
<p><b>LU 2.2 Public Streetscapes and Landscape.</b> Maintain and enhance the quality and health of the "green infrastructure" that contributes to the City's identity and quality of life, including its street trees, landscaped medians and parkways, parks, and open spaces, while seeking to conserve water resources.</p>	<p><b>Consistent</b></p> <p>The proposed project would include 13.4 acres of open space, including a 4.5 acre publicly accessible botanical garden and sculpture garden with one mile of public pathways and one mile of private pathways. The proposed project would add 5.42 acres of open space compared to development under the Existing Specific Plans (City of Beverly Hills 2008a and 2016a). As discussed in Section 2, <i>Project Description</i>, the proposed project would comply with applicable water conservation requirements, use water efficiency installations, plant drought tolerant landscaping, and be designed to achieve a LEED rating of Gold and WELL Certification.</p>

Goal/Policy	Proposed Project Consistency
<p><b>LU 2.4 Architectural and Site Design.</b> Require that new construction and renovation of existing buildings and properties exhibit a high level of excellence in site planning, architectural design, building materials, use of sustainable design and construction practices, landscaping, and amenities that contribute to the City’s distinctive image and complement existing development.</p>	<p><b>Consistent</b></p> <p>Although the proposed project would result in taller buildings on the project site compared to existing conditions and Approved Entitlements, the proposed project provides a unified concept and integrated design across the project site with the benefits of creating additional open space and landscaping throughout the site. The project’s innovative site plan allows for the capture of usable space above Merv Griffin Way and throughout the site to create distinctive landscaping throughout a raised platform, vertical landscaping integrated into buildings, and green roofs. The proposed new buildings would reflect modern architectural design principles and would complement the original Welton Becket architecture of the Wilshire Tower by incorporating elements of mid-century modern architecture. In addition, the proposed project’s 8-acre botanical garden would enhance visual quality of the project site and would be designed to enhance the garden quality of the City. As discussed in Section 2, <i>Project Description</i>, the proposed project would comply with applicable water conservation requirements, use water efficiency installations, and be designed to achieve a LEED rating of Gold and WELL Certification. See discussion under Goal LU 2 for site planning considerations.</p>
<p><b>LU 2.5 Design Review.</b> Consider design review for new construction and renovation projects that focuses on achieving appropriate form, function, and use of materials to promote creativity, innovation, and design quality.</p>	<p><b>Consistent</b></p> <p>The proposed project would provide an innovative and unified plan for an aesthetically cohesive project site characterized by expansive gardens, modern architecture, and sustainable/green buildings. Garden and landscaping features throughout the project site would provide a benefit to the public and would serve as a unifying feature across the site. The proposed new buildings would reflect modern architecture design principles but would honor the original Welton Becket architecture of the Wilshire Tower by incorporating elements that reflect mid-century modern design characteristics.</p>
<p><b>LU 2.6 City History.</b> Acknowledge the City’s history of places and buildings, preserving historic sites, buildings, and districts that contribute to the City’s identity while accommodating renovations of existing buildings to maintain their economic viability, provided the new construction contextually “fits” and complements the site or building.</p>	<p><b>Consistent</b></p> <p>The proposed project would be designed with modern architectural principles that reflect the original Welton Becket design of the Wilshire Tower by incorporating nods to the mid-century modern style. As discussed in Section 4.3, <i>Cultural Resources</i>, changes to the project site under both the Approved Entitlements and the proposed project would alter the setting of the Beverly Hilton Property and the Wilshire Tower, which are considered historic resources. Though the proposed project would not directly alter the Wilshire Tower and would incorporate nods to mid-century design, the project would alter views of the project site and views experienced from within the Wilshire Tower. These impacts to the setting of the Beverly Hilton Property and Wilshire Tower would be significant and unavoidable, as would the impacts of the Approved Entitlements (City of Beverly Hills 2008a and 2016). The proposed project would acknowledge and honor the</p>

Goal/Policy	Proposed Project Consistency
	<p>history of the Beverly Hilton Property and Wilshire Tower by recording interviews with individuals with valuable institutional knowledge of the property and providing the interview materials to local organizations and by including an interpretive plaque in a publicly accessible location of the site that discusses the history of the property and its features and significance. Therefore, to the extent feasible, the proposed project would honor the project site's history, while allowing for redevelopment that would maintain the economic viability of the hotels on the project site, create new public open space and art, and provide new housing options within the City.</p>
<p><b>LU 2.7 City Gateways.</b> Explore opportunities for public improvements and private development to work together to enhance the sense and quality of entry at key gateways into the City.</p>	<p><b>Consistent</b></p> <p>The proposed project would provide an iconic visual element near the western gateway to Beverly Hills by developing modern towers that create a gradual height transition in the project area and establishing publicly accessible gardens throughout the project site. The project would implement an innovative site design complete with high-quality, modern architecture and an elevated garden feature that would provide public open space and walking paths linking the buildings throughout the project site. Furthermore, the proposed project would contribute to a gradual decrease in building heights along Santa Monica Boulevard beginning with high-rise development within Century City, including the 40-story residential building located at 10000 Santa Monica Boulevard, and moving east to the 12-story Waldorf-Astoria Beverly Hills and other mid-rise development near the intersection of Wilshire Boulevard and North Santa Monica Boulevard. This transition of building heights would be consistent with the sense and quality of entry at the North Santa Monica Boulevard gateway to the City.</p>
<p><b>LU 2.10 Development Transitions and Compatibility.</b> Require that sites and buildings be planned, located, and designed to assure functional and visual transitions between areas of differing uses and densities by addressing property and height setbacks, window and entry placement, lighting, landscape buffers, and service access.</p>	<p><b>Consistent</b></p> <p>See discussion under Policy LU 1.1. As discussed therein, the proposed project would provide for a visual transition between the high density, high-rise towers located west of the project site in Century City and the lower density, mid-rise buildings located east and north of the project site in Beverly Hills. In addition, the project would include landscaping along the project's Wilshire Boulevard and North Santa Monica Boulevard frontages, including vertical landscaping on building facades to enhance the pedestrian environment and provide privacy screening. Service access would be provided through a centralized loading dock area within the belowground parking structure, and would not be visible to the public.</p>

Goal/Policy	Proposed Project Consistency
<p><b>LU 5.7 Neighborhood Transitions.</b> Regulate the setback, rear elevation design of buildings, and landscaping of backyards where neighborhoods of differing housing type and density abut to assure smooth transitions in scale, form, and character.</p>	<p><b>Consistent</b></p> <p>See discussion under Policy LU 1.1 and LU 2.1. As discussed therein, the project would orient the new residential towers such that building facades would be narrowest facing residential uses to the north and taller towers would be placed towards the southwest of the project, near existing high-rise development in Century City. In addition, the buildings would be designed with consistent architecture along all building facades, such that there would be no rear elevations. The proposed project design orients vehicular entrances and loading areas toward the southern and western boundaries of the project site, away from residential neighborhoods to the north of the site across Wilshire Boulevard (see Figure 2-12 of Section 2, <i>Project Description</i>).</p>
<p><b>LU 7 Multi-Family Residential Neighborhoods.</b> Multi-family residential neighborhoods providing ownership and rental units that are well-designed, exhibit architectural characteristics and qualities representative of the City, and that provide amenities for their residents.</p>	<p><b>Consistent</b></p> <p>The proposed project would redevelop the project site with an innovative, modern design that would incorporate gardens and landscaping as unifying features across the site. The architectural characteristics of the proposed new buildings would be representative of the City by incorporating mid-century modern elements that complement the original Welton Becket architecture of the Wilshire Tower and the indoor/outdoor lifestyle through extensive transparency, open balconies, and a high degree of connectivity between interior and exterior landscaped spaces. On-site amenities would include the landscaped promenade, walking paths, botanical and sculpture gardens, as well as features such as health spas, screening rooms, small-scale retail and restaurants, meeting rooms, pools, recreational facilities and gardens, common and private outdoor living areas, and parking.</p>
<p><b>LU 7.1 Character and Design.</b> Require that multi-family dwellings and properties be designed to reflect the high level of architectural and landscape quality that distinguishes existing neighborhoods.</p> <p>These may provide for:</p> <ul style="list-style-type: none"> <li>(a) building facades and entrances that directly address the street, including the use of stoops, porches, and recessed entries;</li> <li>(b) modulation of building volume and masses, avoiding the effect of blank continuous walls; and</li> <li>(c) setback of the ground floor from the sidewalk to provide privacy, a sense of security, and to leave room for landscaping while being open and contributing to a quality pedestrian environment.</li> </ul>	<p><b>Consistent</b></p> <p>The proposed project would be constructed in an innovative, modern architectural style with substantial landscaping throughout the site. The proposed project would create a cohesive, mixed-use neighborhood across the project site with a high level of architecture and landscaping. The proposed buildings include vertical landscaping and landscaped terraces and balconies, which avoid the effect of blank continuous walls. The proposed project would improve the North Santa Monica and Wilshire Boulevard streetscapes by providing new landscaping and would represent an improvement over the Approved Entitlements by eliminating the planned hotel motor court adjacent to North Santa Monica Boulevard. The proposed project design would provide for privacy through setbacks with strategic landscaping and would contribute to the pedestrian environment with sidewalks and public gardens that would invite pedestrian activity along Wilshire Boulevard, North Santa Monica Boulevard, and Merv Griffin Way for those accessing the project site and public gardens.</p>

Goal/Policy	Proposed Project Consistency
<p><b>LU 7.2 Amenities.</b> Encourage new multi-family development to provide amenities for residents such as on-site recreational facilities, community meeting spaces, and require useable private open space, public open space, or both.</p>	<p><b>Consistent</b></p> <p>On-site amenities of the proposed project include health spas, screening rooms, resident-serving retail uses, meeting rooms, pools, recreational facilities and gardens, common and private outdoor living areas, and parking. An increase of approximately 5.42 acres in total (public and private) open space on the project site would be included in the proposed project, as compared to development considered under the Approved Entitlements.</p>
<p><b>LU 9 Diverse Districts and Corridors.</b> A diversity of vital and active business and commercial districts providing a choice of uses and activities for the City's residents and visitors.</p>	<p><b>Consistent</b></p> <p>The proposed project is in a commercial and residential area that provides a diversity of uses and activities. The proposed project includes a mix of businesses (hotel, retail, restaurant, bar) as well as residences that would provide a diversity of choices and uses for patrons.</p>
<p><b>LU 9.1 Uses for Diverse Customers.</b> Accommodate retail, office, entertainment, dining, hotel, and visitor-serving uses that support the needs of local residents, attract customers from the region, and provide a quality experience for national and international tourists.</p>	<p><b>Consistent</b></p> <p>The proposed project includes hotel, restaurant, bar, and public gardens, as well as a spa and commercial retail uses, that would attract national and international tourists and also serve local residents.</p>
<p><b>LU 9.3 Anchor Locations.</b> It is also recommended that certain anchor locations be set aside to permit development of a higher intensity type of development which is not otherwise provided in the community. These areas should be located so as to be accessible from the City's major shopping areas and close to the City's major streets. These anchor locations should include those large parcels that are located at the gateways to the City, such as the site at Beverly Hilton where additional building height is appropriate. A variety of land uses such as commercial, residential, and mixed use should be considered for the gateway locations. A change of use from commercial to residential or mixed use should be allowed only if such change provides an adequate transition to adjacent single family neighborhoods.</p>	<p><b>Consistent</b></p> <p>The proposed project would provide a mix of uses, including residences, retail, hotel buildings, restaurants and bars, and a conference center at a gateway location and at a higher intensity than is present in most of Beverly Hills. Although the proposed project would include two residential buildings with greater heights than development under the Existing Specific Plans, Policy LU 9.3 specifically notes that the project site is appropriate for additional building height. The proposed project would result in a gradual transition in development intensity from the low-density, mid-rise residential areas north of Wilshire Boulevard and would locate the high-density residential development on the southwestern portion of the project site. The proposed project would contribute to a gradual transition in building heights from east-to-west, beginning with the 12-story Waldorf-Astoria Beverly Hills on the eastern portion of the project site and moving west to the existing high-rise development within Century City, including the 40-story residential building located at 10000 Santa Monica Boulevard. Furthermore, the proposed project would contain the same uses as the Existing Specific Plans and would not create any compatibility conflicts with nearby residential neighborhoods.</p>
<p><b>LU 9.4 Anchor Location Design Criteria.</b> The anchor location should encourage unified development oriented towards and along Wilshire Boulevard planned to complement the scale and character of adjacent residential areas. In addition, development of the anchor locations should incorporate measures to enhance streets, sidewalks, and roadways in order to encourage pedestrian circulation between these areas and the Business Triangle.</p>	<p><b>Consistent</b></p> <p>The proposed project would create a unified development along the Wilshire Boulevard and North Santa Monica Boulevard gateways into the city. The site layout and building heights would be configured to maximize open space on the project site, allowing for creation of an 8-acre botanical garden and sculpture garden with two miles of walking/running paths, which would complement the existing Beverly Gardens Park located to the north of the</p>

Goal/Policy	Proposed Project Consistency
	<p>project site. In addition, on-site development in the northern portion of the project site, across from residences, would be shorter than development allowed under the Approved Entitlements by approximately 60 feet. The proposed project would create a new pedestrian amenity through incorporation of the 4.5-acre public botanical and sculpture gardens and would include enhanced sidewalks and landscaping along Wilshire Boulevard and North Santa Monica Boulevard. The project would also maintain Merv Griffin Roadway as a publicly accessible roadway and would create additional pedestrian and vehicular access points to the project site from Wilshire Boulevard and North Santa Monica Boulevard. Furthermore, the Beverly Hilton Enhancement would add new retail and restaurant uses along the project's North Santa Monica Boulevard frontage. These aspects would invite pedestrian activity along Wilshire Boulevard, North Santa Monica Boulevard, and Merv Griffin Way. In addition, the proposed project is within walking distance of existing commercial business and transit facilities.</p>
<p><b>LU 9.5 Commercial/ Residential Mixed Uses.</b> The feasibility of allowing mixed commercial/residential uses should be analyzed in order to expand the variety of housing types available and in certain areas, to improve commercial/residential transitions.</p>	<p><b>Consistent</b></p> <p>The proposed project provides a mix of uses, including residences, retail, hotels, restaurants, and bars. The mix of housing and commercial uses is similar to what is allowed under the Approved Entitlements. The proposed hotel, restaurant, retail, and bar components would provide an appropriate transition between the business district south of Wilshire Boulevard and residential neighborhoods to the north. Also, as discussed in Section 4.8, <i>Noise and Vibration</i>, the proposed project would not create any significant noise impacts. See the project consistency analysis under Policy LU 9.3 for a discussion of the commercial/residential transition.</p>
<p><b>LU 12 Business Districts Adjoining Residential Neighborhoods.</b> Compatible relationships between commercial districts and corridors and adjoining residential neighborhoods, assuring that the integrity, character, and quality of both commercial and residential areas are protected and public safety and quality of life are maintained.</p>	<p><b>Consistent</b></p> <p>The proposed project design orients vehicular entrances and loading areas toward the southern and western boundaries, away from residential neighborhoods located to the north of the site across Wilshire Boulevard. The proposed project would not create public safety or quality of life issues for the residential neighborhoods to the north. The proposed project would provide minimum building setbacks of 28 feet-5 inches along Wilshire Boulevard and would include privacy landscaping along Wilshire Boulevard, which would increase protection of the integrity, character, and quality of nearby residential neighborhoods by locating higher-intensity development along North Santa Monica Boulevard near other mid-rise buildings to the south and east, and high-rise development to the west in Century City.</p>

Goal/Policy	Proposed Project Consistency
<p><b>LU 12.1 Functional and Operational Compatibility.</b>            Require that retail, office, entertainment, and other businesses abutting residential neighborhoods be managed to assure that businesses do not create an unreasonable and detrimental impact on neighborhoods with respect to safety, privacy, noise, and quality of life by regulating hours of operation, truck deliveries, internal noise, staff parking and on-site loitering, trash storage and pick-up and other similar business activities.</p>	<p><b>Consistent</b>            See discussion under Goal LU 12. The proposed project design orients vehicular entrances and loading areas toward the southern and western boundaries, away from residential neighborhoods located to the north across Wilshire Boulevard. The proposed project would not change the hours of operation or trash storage and pick-up at the Beverly Hilton. As discussed in Section 4.8, <i>Noise and Vibration</i>, delivery truck noise would not be substantially altered by the proposed project and noise impacts from the proposed new buildings to sensitive receptors would be less than significant. As discussed in Section 2, <i>Project Description</i>, the proposed subterranean parking garage would include adequate parking spaces for staff, residents, and visitors.</p>
<p><b>LU 12.2 Building, Parking Structure, and Site Design.</b>            Require that buildings, parking structures, and properties in commercial and office districts be designed to assure compatibility with abutting residential neighborhoods, incorporating such elements as setbacks, transitional building heights and bulk, architectural treatment of all elevations, landscape buffers, enclosure of storage facilities, air conditioning, and other utilities, walls and fences, and non-glare external lighting.</p>	<p><b>Consistent</b>            See discussions under Policy LU 9.4 and Goal LU 12. No residential neighborhoods immediately abut the project site, but there is a residential neighborhood approximately 160 feet north of the project site, across Wilshire Boulevard. The project would orient the new residential towers such that building facades would be narrowest facing residential uses to the north and taller towers would be placed towards the southwest of the project, near existing high-rise development in Century City. As discussed in the Initial Study (Appendix A), the proposed project would be required to implement Mitigation Measure MM-LG-1 from the Beverly Hilton Specific Plan 2008 EIR and 9900 Wilshire Specific Plan 2016 SEIR (City of Beverly Hills 2008a and 2016a), which requires light sources to be shielded, directed downward to the maximum extent possible, and focused on the project site. In addition, the proposed project would be required to comply with BHMC Section 5-6-1101, which prohibits any lighting that creates an intensity of light on residential property that is greater than one foot-candle above ambient light level. As discussed in Section 4.8, <i>Noise and Vibration</i>, operation of the proposed project would not result in on-site noise from HVAC equipment and outdoor activities, or off-site noise due to increased vehicle traffic that would result in significant impacts to sensitive receptors in the nearby residential neighborhood or at the El Rodeo School.</p>
<p><b>LU 13 Public and Quasi-Public Uses Supporting Resident Needs.</b> Governmental, utility, institutional, educational, recreational, cultural, religious, and social facilities and services that are located and designed to complement the City's neighborhoods, centers, and corridors.</p>	<p><b>Consistent</b>            The proposed project is a private residential/commercial development. However, the proposed project would include a total of 13.4-acres of open space, approximately 9.4 acres of which would be publicly accessible open space, including a botanical garden, sculpture garden, and walking paths. The gardens and open space would complement existing development along Wilshire Boulevard, including the Beverly Gardens Park, and residential development to the north.</p>

Goal/Policy	Proposed Project Consistency
<b>LU 13.10 Parks and Open Spaces.</b> Seek to expand the City's parklands, greenways, and open spaces as land becomes available or as existing buildings are demolished. Consider alternative prototypes and standards for park development in urban areas where available land is limited.	<b>Consistent</b> The proposed project is not a park or open space project. However, it would provide open plazas, walking paths, and 4.5 acres of public gardens to increase public gathering space and provide recreational opportunities for site residents and hotel patrons.
<b>LU 14 Environmental Sustainability and Carbon Footprint.</b> Land uses and built urban form that are environmentally sustainable by minimizing consumption of scarce resources, pollution, greenhouse gas emissions, wastes, and exposure of residents and visitors to toxics and hazards.	<b>Consistent</b> The proposed project involves mixed use infill development in an urbanized area. As such, it is generally consistent with statewide goals related to reducing greenhouse gas (GHG) emissions by minimizing vehicle miles traveled (VMT). The proposed project would be subject to the Green Building Standards Code. It would also be designed to meet a LEED rating of Gold and WELL Certification; therefore, it would achieve greater efficiency than the buildings proposed in the Existing Specific Plans and would not expose residents or visitors to toxic or hazardous materials. Sustainability features include, but are not limited to, a greywater system for landscape irrigation, and energy-efficient heating and cooling systems, lighting and appliances. As discussed in Section 4.5, <i>Greenhouse Gas Emissions</i> , GHG emissions would not exceed the locally-applicable, project-specific efficiency threshold.
<b>LU 14.2 Site Development.</b> Require that sites and buildings be planned and designed to meet applicable environmental sustainability objectives by: (a) facilitating pedestrian access between properties and access to public transit; (b) providing solar access; (c) assuring natural ventilation; (d) enabling capture and re-use of stormwater and graywater on-site while reducing discharge into the stormwater system; and (e) using techniques consistent with the City's sustainability programs such as the City's Green Building Ordinance.	<b>Consistent</b> The proposed project would be located in an area that is well-served by public transit and would comply with the Green Building Standards Code, which requires solar access, natural ventilation, and stormwater capture. The proposed project would also include a graywater capture system to provide irrigation for project landscaping. In addition, the proposed project would facilitate pedestrian activity on-site with pathways connecting Wilshire Boulevard, North Santa Monica Boulevard, and Merv Griffin Way, as well as 8-acres of botanical gardens throughout the site. Also, see the discussion under Goal LU 14.
<b>LU 14.4 New Construction of Private Buildings.</b> Require that new and substantially renovated buildings be designed and constructed in accordance with the City's sustainability programs such as the City's Green Building Ordinance or comparable criteria to reduce energy, water, and natural resource consumption, minimize construction wastes, use recycled materials, and avoid the use of toxics and hazardous materials.	<b>Consistent</b> See the discussions under Goal LU 14 and Policy LU 14.2. As discussed therein, the proposed project would be designed to achieve LEED Gold and WELL certifications for sustainability.
<b>LU 14.8 Private Development Landscaping Material and Irrigation.</b> Require the use of landscaping materials and irrigation systems that minimize water use and runoff onto public streets and drainage systems.	<b>Consistent</b> The proposed project would be subject to applicable water conservation requirements contained in the Water Efficient Landscape Ordinance (BHMC Title 9, Chapter 4, Article 4) and the latest Green Building Standards Code. It would also be designed to meet LEED Gold and WELL Certification standards. Also, see the discussions under Goal LU 14 and Policy LU 14.2.



Goal/Policy	Proposed Project Consistency
<p><b>LU 15 Economic Sustainability.</b> Vital and successful businesses that contribute to the City's identity and culture, provide high-paying jobs, and contribute revenue that sustains the level and quality of services in the City.</p>	<p><b>Consistent</b></p> <p>The proposed project is intended to allow the Beverly Hilton and Waldorf-Astoria Beverly Hills to remain competitive in the local and regional marketplaces by adapting to changing demands for residential and mixed-use development. The proposed project would allow the hotels to continue to generate revenue and provide quality services in the community.</p>
<p><b>LU 15.1 Economic Vitality and Business Revenue.</b> Sustain a vigorous economy by supporting businesses that contribute revenue, quality services and high-paying jobs.</p>	<p><b>Consistent</b></p> <p>See the discussion under Goal LU 15. As discussed therein, the proposed project would allow the existing hotels on site to remain competitive in the market and would include new retail and restaurant businesses on the project site.</p>
<p><b>LU 15.2 Priority Businesses.</b> Retain and build upon the key business sectors contributing to the City's identity, economy, and revenue for resident services, such as entertainment-related Class-A offices, high end retail and fashion, restaurant, hotel, technology, and supporting uses.</p>	<p><b>Consistent</b></p> <p>The proposed project would include a conference center that meets the needs of business travelers, hotel guests, and meeting attendees. In addition, the proposed project would supply 42 new luxury hotel rooms in the Wilshire Building and would update key hotel amenities such as the Beverly Hilton Pool in order to maintain the competitiveness and attractiveness of the Beverly Hilton and Waldorf-Astoria Beverly Hills hotels. Also, see the discussion under Goal LU 15.</p>
<p><b>LU 16.4 Public Places.</b> Provide plazas, open spaces, and other outdoor improvements that are accessible to and used for public gatherings and activities, either through capital improvement or as a development requirement.</p>	<p><b>Consistent</b></p> <p>The proposed project would develop a substantial portion of the site as landscaped gardens and other open space and would provide 4.5 acres of public gardens for the use and enjoyment of the public. Compared to the Approved Entitlements, the proposed project would provide approximately 3.6-acres of additional public open space (City of Beverly Hills 2008a and 2016a).</p>
<p><b>Economic Sustainability Element</b></p>	
<p><b>ES 1 Sustainable Economic Base.</b> A fiscally sustainable base to maintain the level of service currently provided to residents, recognizing the City is highly dependent upon the symbiosis between a vibrant business community and the residential quality of life, which is the one of the City's defining characteristics, and which this General Plan aims to protect and enhance. It is the intent of these goals and policies to insure the City's continued financial health in a manner that is consistent with the goals and policies set forth in the Land Use Element (LU), including but not limited to Community Character and Quality (LU 2).</p>	<p><b>Consistent</b></p> <p>The proposed project would enhance hotel operations and create new commercial and residential opportunities, in a manner that meets the City's residential and business goals. The project site is recognized as an anchor location in Policies LU 9.3 and 9.4, and the proposed project would contribute to the vibrant business community at this anchor location by introducing residential uses in close proximity to commercial uses. Also, see the discussion under Goal LU 15.</p>
<p><b>ES 1.3 Tax Base.</b> Consistent with future economic sustainability plans, identify opportunities to enable the expansion of the City's tax base.</p>	<p><b>Consistent</b></p> <p>One of the proposed project's objectives is to allow the Beverly Hilton and Waldorf-Astoria Beverly Hills to remain competitive in the hotel industry and local and regional marketplaces, which supports the City's tax base and economic sustainability goals. Also, see the discussion under Goal LU 15.</p>

Goal/Policy	Proposed Project Consistency
<b>ES 1.4 Retain Existing Industries.</b> Consistent with future economic sustainability plans, encourage existing industries such as luxury retail, tourism, hoteling, finance, entertainment and media businesses and services to remain and expand within the City.	<b>Consistent</b> The proposed project would not remove any existing businesses, but rather would allow the Beverly Hilton and Waldorf-Astoria Beverly Hills to remain competitive in the local and regional marketplaces by responding to changing demands for luxury hotel development. Also, see the discussion under Goal LU 15.
<b>Open Space Element</b>	
<b>OS 6 Visual Resource Preservation.</b> Maintenance and protection of significant visual resources and aesthetics that define the City.	<b>Consistent</b> As discussed in the Initial Study (Appendix A), the proposed project would have less than significant impacts to visual resources within the city. The proposed project would create a visual transition from low-density, mid-rise residential use north of the project site to high-intensity, high-rise commercial uses along North Santa Monica Boulevard. The proposed project would also be consistent with Policy LU 9.3, which allows higher-intensity development at anchor locations, including the project site. The architectural characteristics of the proposed new buildings would provide for a unified, innovative development at the Wilshire Boulevard and North Santa Monica Boulevard gateways to the city. As discussed in Section 4.3, <i>Cultural Resources</i> , the proposed project would alter views of the project site and of the Wilshire Tower, a visual and cultural resource within the city. However, the proposed project would not result in greater visual impacts than the Approved Entitlements, and would locate the proposed residential towers in the western portion of the project site at a greater distance from Wilshire Tower than under the Beverly Hilton Specific Plan. Furthermore, the proposed project would increase public open space and pedestrian infrastructure and would enhance the site's visual character by allowing for the comprehensive and coordinated redevelopment of the three properties that make up the project site.
<b>OS 6.3 Landscaping.</b> Require that new development be located and designed to visually complement the urban setting by providing accessible, landscaped entries, courtyards, and plazas.	<b>Consistent</b> The proposed project would develop a substantial portion of the site as landscaped gardens and other open space available for the use and enjoyment of the public during permitted hours. Compared to the Approved Entitlements, the proposed project would provide approximately 3.6 acres more of public open space and pedestrian areas.
<b>OS 6.5 Standards for New Development.</b> Seek to ensure that new development does not adversely impact the City's unique urban landscape.	<b>Consistent</b> The Existing Specific Plans describe the site as an architectural landmark at the Wilshire Boulevard and North Santa Monica Boulevard gateways to Beverly Hills. The proposed project would include publicly accessible gardens throughout that would complement the Beverly Gardens Park on the north side of Wilshire Boulevard and would provide for landscaped setbacks along Wilshire Boulevard and North Santa Monica Boulevard. As discussed under Policy LU 9.3, the proposed project would concentrate higher-intensity development along the North Santa

Goal/Policy	Proposed Project Consistency
	<p>Monica Boulevard corridor and would contribute to a visual transition in building heights from east-to-west moving towards Century City. Therefore, the proposed project would not adversely impact the City’s unique urban landscape.</p>
Circulation Element	
<p><b>CIR 1 Circulation System.</b> Provide a safe and efficient roadway circulation system within the City.</p>	<p><b>Consistent</b></p> <p>The proposed project involves the installation of new traffic signals at the Merv Griffin Way/North Santa Monica Boulevard intersection, the new residential access road/Wilshire Boulevard intersection, and on Merv Griffin Way at the entrance to the belowground parking structure. In addition, the project involves adding new site access points throughout the project site to improve circulation. This traffic signals and additional access points would ensure that the roadway circulation system near the project site continues to operate in a safe and efficient manner. In addition, as discussed in Section 4.9, <i>Transportation and Traffic</i>, vehicle trips generated by the proposed project would have less than significant impacts to local circulation and therefore would not conflict with this goal. Further, the project would maintain Merv Griffin Way as a private street that is open to public use, allowing the roadway to continue serving as an important connection in the circulation system in this area of the City.</p>
<p><b>CIR 1.1 Roadway Improvements.</b> Study and implement opportunities for improving traffic flow on City roadways during Peak hours. Work collaboratively with regional agencies and adjacent jurisdictions to coordinate interface of adjacent roadways.</p>	<p><b>Consistent</b></p> <p>See discussion under Goal CIR 1. As discussed therein, the project would add additional access roads and driveways, and maintain existing roadways within the project site to improve site access and vehicle circulation. In addition, the project would add new traffic signals to the intersections of Merv Griffin Way/North Santa Monica Boulevard, the new residential access road/Wilshire Boulevard, and Merv Griffin Way/parking structure to manage circulation on and around the site. The City regularly works with regional agencies and adjacent jurisdictions to coordinate interface of adjacent roadways. Particular to the proposed project, the City would coordinate as needed with the City of Los Angeles to ensure roadways and intersections in the project vicinity continue to operate appropriately.</p>
<p><b>CIR 1.2 Intersection Improvements.</b> Study and implement opportunities for capacity improvements at City intersections, such as the intersection of Wilshire Boulevard and North Santa Monica Boulevard, to improve traffic flows along major roadways. Work collaboratively with regional agencies and adjacent jurisdictions to help improve the capacity at these intersections.</p>	<p><b>Consistent</b></p> <p>See discussion under Goal CIR 1. As discussed therein, the proposed project would add a traffic signal to the intersection of Merv Griffin Way/North Santa Monica Boulevard to improve circulation on North Santa Monica Boulevard. The City regularly works with regional agencies and adjacent jurisdictions to coordinate interface of adjacent roadways. Particular to the proposed project, the City would coordinate as needed with the City of Los Angeles to ensure impacts to the intersection of Wilshire Boulevard and North Santa Monica Boulevard are minimized and that intersections in the project vicinity continue to operate appropriately.</p>

Goal/Policy	Proposed Project Consistency
<b>CIR 1.3 Advanced Signal Technologies.</b> Implement advanced signal and intersection technologies that improve traffic flow and optimize traffic signal timing and coordination to reduce travel time and delay along major corridors.	<b>Consistent</b> See discussion under Goal CIR 1. In addition as discussed in the Initial Study (Appendix A), the proposed project would implement Mitigation Measure MM-FIRE-1 from the Beverly Hilton Specific Plan 2008 EIR and 9900 Wilshire Specific Plan 2016 SEIR, which requires the installation of an Opticom device (a traffic signal preemption) at the proposed signal at the intersection of North Santa Monica Boulevard and Merv Griffin Way and the new residential access road and Wilshire Boulevard to allow the Beverly Hills Fire Department to decrease emergency response times.
<b>CIR 6 Transportation Demand Management (TDM).</b> A reduction in single-occupant motor vehicle travel in the City through Transportation Demand Management (TDM) that ensures efficiency of the existing transportation network and promotes the movement of people instead of personal automobiles.	<b>Consistent</b> The proposed project is a mixed-use infill development on a site that is well served by transit and is within a pedestrian-oriented environment. As discussed in Section 4.9, <i>Transportation and Traffic</i> , the proposed project would result in reduced vehicle trips and VMT compared to buildout of the Approved Entitlements and would meet the City's VMT screening criteria regardless of whether the project is compared to existing conditions or Approved Entitlements. Therefore, the proposed project would be consistent with Goal CIR 6.
<b>CIR 6.7 Multi-Modal Design.</b> Require proposed development projects to implement site designs and on-site amenities that support alternative modes of transportation, and consider TDM programs with achievable trip reduction goals as partial mitigation for project traffic impacts.	<b>Consistent</b> The proposed project does not include a specific TDM program, but the project site includes various pedestrian facilities (see discussion under Goal CIR 7) and is located within a Transit Priority Area in close proximity to various transit facilities. These factors would partially mitigate traffic impacts, which have been determined to be less than significant based on City criteria (see Section 4.9, <i>Transportation and Traffic</i> ).
<b>CIR 6.8 Transportation Management Associations.</b> Encourage commercial, retail, and residential developments to participate in or create Transportation Management Associations.	<b>Consistent</b> The project applicant is not proposing a Transportation Management Association (TMA) under either the Approved Entitlements or the proposed project but would be expected to participate in any TMA that is formed. Also, see the discussion under Policy CIR 6.7.
<b>CIR 7 Pedestrians.</b> A safe and comfortable pedestrian environment that results in walking as a desirable travel choice, particularly for short trips, within the City.	<b>Consistent</b> The proposed project would enhance the pedestrian character along Wilshire Boulevard, Merv Griffin Way, and North Santa Monica Boulevard by providing landscaping along the project boundaries of these roadways and landscaped walking paths connecting these roadways. The expanded public gardens and sculpture garden also would invite pedestrian activity along these roadways. The proposed project would include a mix of residential, hotel, retail, and restaurant uses, which would allow residents and visitors to take advantage of onsite amenities rather than driving to offsite locations. In addition, the project site is within walking distance of existing commercial business and transit facilities.

Goal/Policy	Proposed Project Consistency
<b>CIR 7.7 Pedestrian Network—Private.</b> Design access to new developments and buildings to encourage walking.	<b>Consistent</b> See the discussion under Goal CIR 7.
<b>CIR 8 Bikeways.</b> An integrated, complete, and safe bicycle system to encourage bicycling within the City.	<b>Consistent</b> The proposed project would include connections to existing bicycle lanes along North Santa Monica Boulevard. The project would also include short- and long-term bicycle parking for residents, visitors, and employees.
<b>CIR 8.5 Bikeway Amenities.</b> Require that new development projects (e.g., employment centers, educational institutions, and commercial centers) provide bicycle racks, personal lockers, showers, and other bicycle support facilities.	<b>Consistent</b> See the response under Policy CIR 8.
<b>CIR 8.8 Bicycle Access.</b> Require new development projects on existing and potential bicycle routes to facilitate bicycle and pedestrian access to and through the project, through designated pathways.	<b>Consistent</b> See the response under Policy CIR 8. In addition, new pedestrian access points and pathways would be provided throughout the project site to encourage pedestrian activity.
<b>CIR 10 Funding.</b> Develop sufficient funding sources to construct and maintain the transportation facilities needed to achieve the City’s mobility goals.	<b>Consistent</b> The proposed project does not involve the development of transportation facility funding sources, but the applicant would pay applicable transportation mitigation fees and costs associated with public right-of-way improvements adjacent to the project site.
<b>CIR 10.3 Fair Share Costs.</b> Assess fees on new development for all transportation modes and ensure that payment is collected for the fair share of the costs of new and enhanced facilities.	<b>Consistent</b> Under either the Approved Entitlements or the proposed project, the project applicant would pay applicable transportation mitigation fees and complete or pay for right-of-way improvements associated with the project.
<b>Conservation Element</b>	
<b>CON 1 Water Supply System.</b> High-quality reliable water supply, treatment, distribution, pumping and storage systems that provide water as affordably as possible and meet current and future daily and peak water demands of the City, considering the sustainability goals and policies in this general plan.	<b>Consistent</b> The proposed project is a private development project; however, as discussed in Section 2, <i>Project Description</i> , the project would include a rainwater capture and graywater system to reduce overall project water demands, and specifically, limit the demand for irrigation water.
<b>CON 1.6 Development Requirements—Water Service.</b> Require new development to be served from an approved domestic water supply.	<b>Consistent</b> The proposed project would be served by the City of Beverly Hills and, as discussed in Section 4.11, <i>Utilities and Service Systems</i> , sufficient water would be available to meet project demand.
<b>CON 1.7 Development Requirements—Groundwater.</b> Require engineering design and construction practices to ensure that existing and new development does not degrade the City’s groundwater supplies.	<b>Consistent</b> The proposed project would include excavation activity, but such activity would comply with appropriate engineering and construction practices and would not degrade groundwater.
<b>CON 4 Water Supply Costs.</b> A system where the costs of improvements to the water supply, transmission, distribution, storage and treatment systems are borne by those who benefit.	<b>Consistent</b> Under either the Approved Entitlements or the proposed project, the project applicant would pay for water system improvements needed to serve the proposed development.

Goal/Policy	Proposed Project Consistency
<b>CON 2 Water Conservation through System Improvements.</b> Provision of a system that minimizes water consumption through conservation methods and other techniques.	<b>Consistent</b> The proposed project is a private development project, not a water system improvement; however, as discussed in Section 2, <i>Project Description</i> , the project would include a graywater system to reduce overall project water demands, and specifically, limit the demand for irrigation water.
<b>CON 2.4 Water Conservation Measures for Private Projects.</b> Continue providing incentives, and where practical, require the installation of water conserving measures, devices and practices for new private construction projects and major alterations to existing private buildings, including requirements for using reclaimed water for construction watering and for pumping subterranean water back into the ground rather than into the storm drain system.	<b>Consistent</b> The proposed project would be subject to applicable water conservation requirements contained in the Water Efficient Landscape Ordinance (BHMC Title 9, Chapter 4, Article 4) and the most recent Green Building Standards Code. As discussed in Section 2, <i>Project Description</i> , it would also be designed to meet LEED Gold and WELL standards and would incorporate such features as high-efficiency toilets; no-flush or waterless urinals in all non-residential restrooms; non-residential restroom faucets with a maximum flow rate of 0.5 gallons per minute and non-residential kitchen faucets (except restaurant kitchens) with a maximum flow rate of 1.5 gallons per minute; individual metering and billing for water use of all residential uses and exploration of such metering for commercial spaces; and a leak detection system for any swimming pool, jacuzzi, or other comparable spa equipment introduced on-site; and use of drought-tolerant plants. In addition, the proposed project would include a graywater system for landscape irrigation.
<b>CON 2.5 Water Efficient Landscaping.</b> Where feasible, encourage installation of drought tolerant landscaping or water-efficient irrigation systems for all private and city landscaping and parkways. Identify and implement minimum design and installation efficiency criteria for landscape irrigation systems.	<b>Consistent</b> See discussion under Policy CON 2.4. As discussed therein, the project would include drought-tolerant landscaping and a gray water system to recycle and reuse water for landscaping irrigation on the project site.
<b>CON 3 Water Conservation through Reduced Consumption.</b> Conservation programs that limit water consumption through site design, the use of water conservation systems and other techniques.	<b>Consistent</b> See discussion under Policy CON 2.4. As discussed therein, the proposed new buildings would be designed to achieve LEED Gold Certification and would include low-flow water fixtures and a gray water system for recycling and reusing water for landscaping irrigation.
<b>CON 3.8 Water Conservation Measures for Private Projects.</b> Require the installation of water conserving measures, devices and practices that meet “green building” standards for new private construction projects and major alterations to existing private buildings.	<b>Consistent</b> See discussion under Policy CON 2.4. As discussed therein, the proposed new buildings would be designed to meet LEED Gold Certification, which includes installation of water conserving measures such as low-flow faucets and the gray water system.
<b>CON 3.9 Water-Efficient Landscaping.</b> Encourage and promote drought-tolerant landscaping or water efficient irrigation systems for all private and city landscaping and parkways	<b>Consistent</b> See discussion under Policy CON 2.4. As discussed therein, the proposed project would include drought-tolerant landscaping and a gray water irrigation system to conserve water.

Goal/Policy	Proposed Project Consistency
<p><b>CON 4.1 Developer Fees.</b> Require the costs of improvements to the existing water supply, transmission, distribution, pumping, storage and treatment facilities necessitated by new development be borne by those benefiting from the improvements, either through the payment of fees, or by the actual construction of improvements.</p>	<p><b>Consistent</b>  The project applicant would pay for water system improvements needed to serve the proposed development.</p>
<p><b>CON 7 Wastewater Treatment System.</b> A wastewater collection and treatment system that supports existing and planned development.</p>	<p><b>Consistent</b>  The proposed project is not a wastewater collection/treatment system improvement project. As discussed in the Initial Study (Appendix A), the proposed project would be adequately accommodated by the existing capacity at the Hyperion Wastewater Treatment Plan and would not adversely affect the wastewater system or otherwise conflict with this goal.</p>
<p><b>CON 7.2 Municipal Connections &amp; Capacity.</b> Require that development be connected to the municipal sewer system, and ensure that adequate capacity is available for the treatment of generated wastewater flows and the safe disposal of generated sludge.</p>	<p><b>Consistent</b>  The proposed project would connect to the municipal sewer system. As discussed in the Initial Study (Appendix A), the proposed project would be adequately accommodated by the existing capacity at the Hyperion Wastewater Treatment Plant and would not adversely affect system operation.</p>
<p><b>CON 7.3 Sewer Analysis for New Development.</b> Require that new development and major renovation projects submit a sewer analysis outlining capacity and improvement needs to the satisfaction of the City prior to the issuance of building permits.</p>	<p><b>Consistent</b>  The project applicant has provided the required sewer analysis to the for City for review. Approval of this study is required prior to issuance of building permits.</p>
<p><b>CON 7.4 Water Conservation.</b> Require that wastewater flows be minimized in existing and future developments through water conservation and recycling efforts.</p>	<p><b>Consistent</b>  As discussed in Section 4.11, <i>Utilities and Service Systems</i>, the proposed project would comply with applicable water conservation efforts and a graywater system would be provided on-site.</p>
<p><b>CON 10 Storm Drainage System.</b> Provision of a fiscally sustaining storm drainage system that reduces pollutants entering the ocean.</p>	<p><b>Consistent</b>  As discussed in the Initial Study (Appendix A), the on-site storm drain system would comply with current local, state, and federal requirements pertaining to storm water quality.</p>
<p><b>CON 10.3 Storm Runoff Impacts.</b> Require new development to prepare hydrologic studies to assess storm runoff impacts on the local and sub-regional storm drainage systems, and, if warranted, require new development to provide adequate drainage facilities and mitigate increases in stormwater flows and/or cumulative increases in regional flows. Require final drainage plans be submitted for review and approval.</p>	<p><b>Consistent</b>  The project applicant would prepare the required hydrologic studies and design on-site facilities that comply with applicable local, state, and federal requirements as part of the final review and approval of project building plans.</p>

Goal/Policy	Proposed Project Consistency
<b>CON 11 Storm Drainage System that Preserves Water Quality.</b> Provision of a storm drainage system that does not degrade the quality of the City's surface waters, groundwater system, and other sensitive environmental areas.	<b>Consistent</b> The proposed project would comply with applicable local, state, and federal requirements pertaining to surface runoff, both during construction and long-term project operation. As discussed in the Initial Study (Appendix A), the proposed project would not significantly affect surface water quality.
<b>CON 11.1 Development Mitigation.</b> Require that new development does not degrade surface waters or the groundwater system.	<b>Consistent</b> See the discussion under Goal CON 11. As discussed therein, the proposed project would comply with all requirements pertaining to surface and groundwater quality during construction and operation and would have a less than significant impact on water quality.
<b>CON 11.3 National Pollutant Discharge Elimination System (NPDES) Permit.</b> Require developers to obtain and comply with a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board (SWRCB).	<b>Consistent</b> The proposed project would comply with NPDES General Construction Permit requirements, as discussed in the Initial Study (Appendix A).
<b>CON 11.4 Drainage Technology.</b> Require that new developments employ the most efficient drainage technology to control drainage and minimize damage to environmentally sensitive areas.	<b>Consistent</b> The proposed project would comply with NPDES General Construction Permit requirements, as discussed in the Initial Study (Appendix A). The project site is in an urbanized area and is not adjacent to any environmentally sensitive areas.
<b>CON 12 Storm Drainage Toxicity.</b> A system that minimizes the amount and toxicity of discharge into the storm drain system.	<b>Consistent</b> The proposed project would comply with applicable local, state, and federal requirements pertaining to surface runoff, both during construction and long-term project operation.
<b>CON 12.2 Permeable Surfaces.</b> Require the use of landscaping and permeable service treatments in new developments as alternatives to nonpermeable surfaces, and explore the feasibility of retrofitting existing large asphalt surfaces in the community such as alleys, parking lots, and driveways into more permeable alternatives.	<b>Consistent</b> The proposed project includes landscaping and public gardens that would capture site runoff. As discussed in the Initial Study (Appendix A), implementation of the proposed project would not result in changes in absorption rates that would increase the amount of stormwater runoff from the site compared to buildout of the Approved Entitlements or existing conditions because the proposed project would incorporate a series of rainwater management features, including collection, storage, filtration, distribution, and reuse of rainwater on the project site. In addition, on-site development would comply with all requirements of the City's National Pollution Discharge Elimination System Permit (NPDES) and the City's stormwater and urban runoff management ordinance (Article 5, Chapter 4, Title 9 of the Beverly Hills Municipal Code).
<b>CON 13 Solid Waste Collection and Disposal Operations and Costs.</b> Solid waste services that operate in accordance with the California Integrated Waste Management Act of 1989 (AB 939), and are funded in a manner that reduces the cost of collection and disposal.	<b>Consistent</b> The project applicant would participate in City solid waste recycling programs, which comply with AB 939 waste diversion requirements.



Goal/Policy	Proposed Project Consistency
<b>CON 13.1 Waste Collection.</b> Provide an adequate and orderly system for collection and disposal of solid waste for new and existing development in the City.	<b>Consistent</b> Solid waste bins under the proposed project would comply with applicable BHMC requirements.
<b>CON 16 Waste Reduction.</b> An efficient and innovative waste management program that reduces the amount of waste material entering regional landfills.	<b>Consistent</b> The proposed project would comply with AB 939 waste diversion requirements and would participate in the City's solid waste recycling programs.
<b>CON 16.6 Recycled Building Materials.</b> Encourage the use of recycled building materials wherever possible for new or renovated public and private development.	<b>Consistent</b> The proposed project would be built to LEED Gold and WELL standards. This would include the use of recycled materials as feasible.
<b>CON 16.7 Demolition Waste.</b> Require the recycling of demolition waste for new construction and renovation projects.	<b>Consistent</b> The project applicant would comply with the City's waste management plan, which mandates recycling of construction waste.
<b>CON 17 Natural Gas System.</b> Provision of an adequate, safe, and dependable supply of natural gas energy to support existing and future land uses within the City.	<b>Consistent</b> The proposed project does not involve the development of natural gas supplies. Adequate supplies would be available to serve the proposed project, as discussed in the Initial Study (Appendix A).
<b>CON 17.1 New Development Requirements.</b> Require that new development is approved contingent upon its ability to be served with adequate natural gas facilities and infrastructure.	<b>Consistent</b> As discussed in the Initial Study (Appendix A), adequate natural gas supplies would be available to the proposed project.
<b>CON 18 Electrical Energy System.</b> Provision of an adequate, safe, and dependable supply of electrical energy to support existing and future land uses within the City.	<b>Consistent</b> The proposed project does not involve the development of electrical energy. As discussed in the Initial Study (Appendix A), adequate electrical energy capacity would be available to serve the proposed project.
<b>CON 18.1 New Development Requirements.</b> Require that new development is approved contingent upon the ability to be served with adequate electrical facilities and service.	<b>Consistent</b> As discussed in the Initial Study (Appendix A), adequate electrical energy capacity would be available to the proposed project.
<b>CON 20 Telecommunication System.</b> The provision of an adequate, safe, and dependable telecommunication infrastructure to support existing and future land uses within the City.	<b>Consistent</b> Adequate telecommunication system infrastructure is available to serve the proposed project, as discussed in the Initial Study (Appendix A).
<b>CON 20.1 Development Requirements.</b> Require that all new construction intended to be used for professional offices be wired to link with cable, fiber optic systems, or other modern communication systems.	<b>Consistent</b> The proposed project does not involve professional offices, although modern communication systems are available to serve the proposed project.
<b>CON 20.6 Undergrounding of Utilities.</b> Continue to require that utilities be undergrounded in all new development and establish criteria or standards for undergrounding in rehabilitation projects.	<b>Consistent</b> Utilities for the proposed project would be undergrounded.

Goal/Policy	Proposed Project Consistency
<b>Noise Element</b>	
<b>N 1 Land Use Conflicts.</b> Minimize land use conflicts between various noise sources and other human activities.	<p><b>Consistent</b></p> <p>As discussed in Section 4.8, <i>Noise and Vibration</i>, construction noise impacts would be reduced to a less than significant level through implementation of Mitigation Measure MM-NOISE-1, which requires the use of mufflers and provides hour-of-day restrictions on construction. Furthermore, construction noise would be temporary and would not represent a land use conflict. Furthermore, because Mitigation Measure MM-NOISE-1 is more stringent than the measures included in the previous environmental documentation, construction noise impacts of the proposed project would be reduced compared to those of the Approved Entitlements. In addition, operational noise impacts to nearby sensitive receptors such as the residential neighborhood and El Rodeo School to the north of the project site would be less than significant.</p> <p>Residents, visitors, and employees of the proposed project would be exposed to noise from roadways and other sources. However, as discussed in Section 4.8, <i>Noise and Vibration</i>, acceptable interior and exterior noise levels can be achieved on-site with Mitigation Measures MM-NOISE-2* and MM-NOISE-3*<sup>4</sup>, adapted from the previous environmental documentation.</p>
<b>N 1.2 Noise between Adjacent Uses.</b> Consider developing standards for new high-density residential development that adequately minimize noise between adjacent units within the development and between the development and adjacent buildings through the use of design features and building materials such as orientation, window insulation, common wall separation, common floor/ceilings separation.	<p><b>Consistent</b></p> <p>As discussed in Section 4.8, <i>Noise and Vibration</i>, compliance with Mitigation Measures MM-NOISE-2* and MM-NOISE-3* would ensure that acceptable interior noise levels are achieved, and the proposed project would not significantly affect adjacent buildings.</p>
<b>N 1.4 Limit Hours of Truck Deliveries.</b> Limit the hours of truck deliveries to commercial uses abutting residential neighborhoods and other noise-sensitive receptors in order to minimize exposure to excessive noise, unless there is no feasible alternative or there are overriding transportation benefits by scheduling deliveries at other hours.	<p><b>Consistent</b></p> <p>As discussed in Section 4.8, <i>Noise and Vibration</i>, delivery truck noise would not be substantially altered by the proposed project compared to the Approved Entitlements. The proposed project would include three subterranean loading docks, which would be accessed from North Santa Monica Boulevard via a driveway that would proceed below the Beverly Hilton Enhancement. All loading dock operations would occur within the enclosed loading dock service areas below grade. Due to the configuration of the loading dock access driveway, there would be no direct line-of-sight between the loading docks and sensitive receivers. In addition, the project involves development of an infill site surrounded by residential, commercial, and institutional land uses, which currently require similar trash hauling services and delivery trips. Moreover, when operational, the existing gas station site also generates delivery truck traffic. Because the gas station would be demolished, the project would replace these existing</p>

<sup>4</sup> \* These mitigation measures are required for the Existing Specific Plans and therefore are carried forward and required for the proposed project.

Goal/Policy	Proposed Project Consistency
	<p>delivery truck trips with deliveries to the proposed uses. Therefore, trash hauling activities and loading dock operations would not result in a perceptible permanent increase in ambient noise levels.</p>
<p><b>N 2 Motor Vehicles.</b> Minimized motor vehicle traffic noise impacts on sensitive noise receptors.</p>	<p><b>Consistent</b></p> <p>As discussed in Section 4.8, <i>Noise and Vibration</i>, similar to the Approved Entitlements, the proposed project would be exposed to ambient traffic noise levels from Wilshire Boulevard, Merv Griffin Way, and North Santa Monica Boulevard, which are the primary sources of noise near the project site. However, the proposed project would not expose noise-sensitive receptors to new sources of ambient noise compared to the Approved Entitlements. In addition, project-related traffic would not significantly increase ambient noise levels at nearby sensitive receptors (i.e., El Rodeo School and residential neighborhoods to the north). The proposed project would result in reduced vehicle trips and traffic in the vicinity of the project site compared to buildout of the Approved Entitlements. Therefore, vehicular traffic associated with the proposed project would not create new or worsened noise impacts in the project vicinity.</p>
<p><b>N 2.1 Sensitive Land Uses Adjacent to Heavy Arterials.</b> Require that the design of new residential or other new noise sensitive land uses within the 60 dBA and 65 dBA CNEL (and higher) roadway contours demonstrate that the project will meet interior and exterior noise standards. Require the use of interior noise insulation, double paned windows, or other noise mitigation measures, as appropriate, to achieve required standards.</p>	<p><b>Consistent</b></p> <p>The proposed project would be exposed to noise from roadways and other sources. As discussed in Section 4.8, <i>Noise and Vibration</i>, implementation of Mitigation Measures MM-NOISE-2* and MM-NOISE-3* would ensure that acceptable interior noise levels are achieved, and the proposed project would not significantly affect neighboring properties.</p>
<b>Safety Element</b>	
<p><b>S 3 Existing and New Development and Redevelopment.</b> All existing and new development and redevelopment address the provision of fire protection in a proactive and preventative manner.</p>	<p><b>Consistent</b></p> <p>The proposed project would incorporate code requirements pertaining to fire safety. As discussed in the Initial Study (Appendix A) and Section 4.11, <i>Utilities and Service Systems</i>, the proposed project would not create the need for new or expanded fire protection facilities.</p>
<p><b>S 3.2 Impacts of New Development.</b> Assess the impacts of significant increases in development density and intensity, and subsequent impacts on traffic congestion, water infrastructure capacity, fire hazards, and emergency response times.</p>	<p><b>Consistent</b></p> <p>As discussed in the Initial Study (Appendix A), the proposed project would not create the need for new or expanded fire protection facilities, or otherwise adversely affect fire protection service. Specifically, the increased height of the residential buildings under the proposed project compared to the Approved Entitlements would not adversely affect the Beverly Hills Fire Department's (BHFD) ability to provide adequate fire protections services to the project site and the rest of the City.</p>

Goal/Policy	Proposed Project Consistency
<b>S 3.3 Fire Protection Services.</b> Require that new development and re-development of structures provide adequate fire safety features and responder access so as not to cause a reduction of fire protection services below acceptable, safe levels.	<b>Consistent</b> See the discussions under Goal S 3 and Policy S 3.2. As discussed therein, the proposed project would comply with code requirements for fire safety. In addition, the project would add traffic signals equipped with Opticom Devices to the intersections of Merv Griffin Way/North Santa Monica Boulevard and the new residential access road/Wilshire Boulevard to ensure that emergency responders are not impacted by traffic at this intersection.
<b>S 3.4 Fire Department Access.</b> Design private and public access drives and roadways to preserve and maintain Fire Department access to properties.	<b>Consistent</b> The proposed project would not result in modifications to roadways or driveways that would adversely affect the BHFD's ability to provide adequate fire protections services to the project site and the rest of the City. Existing site access points would be maintained, and new access points would be added by the proposed project. The new traffic signals at the intersections of Merv Griffin Way/North Santa Monica Boulevard and the new residential access road/Wilshire Boulevard would be equipped with Opticom Devices to ensure that emergency vehicles are able to preempt the traffic signals for quicker responses. Therefore, the project would maintain and enhance Fire Department access throughout the project site.
<b>S 3.5 Fire Protection for New and Existing Buildings.</b> Require all new residential and commercial buildings, all substantial renovations, and all existing buildings having five-stories or exceeding a height of 55-feet, to be equipped with an automatic fire extinguishing system.	<b>Consistent</b> Both the Approved Entitlements and proposed project would incorporate an automatic fire extinguishing system. Also, see the discussions under Goal S 3 and Policy S 3.2.
<b>S 4 Protection from Flood Hazards.</b> To reduce the potential risk of flood hazards to human life and public and private property.	<b>Consistent</b> As discussed in the Initial Study (Appendix A), the project site is not subject to significant flood hazards. The proposed project would be subject to applicable local, State, and federal storm water runoff requirements, which limit runoff to pre-project levels during peak runoff events.
<b>S 4.1 Flood Mitigation Design.</b> Require that new development incorporate sufficient measures to mitigate flood hazards, including the design of onsite drainage systems linking with citywide storm drainage, gradation of the site so that runoff does not impact adjacent properties or structures on the site, and elevation of the structures above any flooding elevation.	<b>Consistent</b> See above discussion under Goal S 4. As discussed therein, the proposed project would comply with all requirements related to storm water runoff. In addition, 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 2008).
<b>S 4.2 Permeable Surface Area.</b> Require the use of permeable surfaces for new development and redevelopment, including alleys and driveways for residential, commercial, and City properties.	<b>Consistent</b> As discussed in the Initial Study (Appendix A), the proposed project would comply with applicable regulations limiting site runoff. As appropriate, the use of permeable surfaces to reduce runoff is one of the approaches that may be used to achieve stormwater runoff requirements. The proposed project would incorporate permeable open space areas on top of a portion of the proposed parking garage. While the parking garage is not permeable, a series of rainwater management features would collect, store, filter, distribute, and reuse rainwater on the project site, which

Goal/Policy	Proposed Project Consistency
	achieves the goal of permeable surfaces to capture rainwater within a site and reduce stormwater runoff. In addition, the project would include permeable, green roofs and landscaping on newly constructed buildings.
<p><b>S 5 Protection from Geologic Hazards.</b> To reduce the known level of risk to loss of life, personal injury, public and private property damage, economic and social dislocation, and disruption of vital community services that would result from earthquake damage or other geologic disturbance.</p>	<p><b>Consistent</b></p> <p>As discussed in Section 4.4, <i>Geology and Soils</i>, the proposed project would comply with a modified Mitigation Measure MM-GEO-1 from the Beverly Hilton Specific Plan 2008 EIR and 9900 Wilshire Specific Plan 2016 SEIR, a final geotechnical investigation specific to the proposed project shall be completed by completed by a registered civil engineers and certified engineering geologist. The proposed project would be designed and constructed in accordance with the recommendations to be provided in the final geotechnical investigation and in accordance with applicable local, State, and federal regulations, such as the Uniform Building Code (UBC) and Title 9 of the Beverly Hills Municipal Code.</p>
<p><b>S 5.1 Safety Standards.</b> Require new development and redevelopment to be in compliance with seismic and geologic hazard safety standards, including design and construction standards that regulate land use in areas known to have or to potentially have, significant seismic and/or other geologic hazards.</p>	<p><b>Consistent</b></p> <p>See discussion under Goal S 5.</p>
<b>Public Services Element</b>	
<p><b>PS 3 Cultural Resources.</b> The provision of cultural resources that meet the needs of the community.</p>	<p><b>Consistent</b></p> <p>The proposed project would include public gardens as well as restaurants and bars that would help meet community demand.</p>
<p><b>PS 3.4 Public Art in New Development.</b> Encourage private commercial development to include public art in new buildings.</p>	<p><b>Consistent</b></p> <p>The public gardens proposed by the proposed project would include a sculpture garden and other decorative elements. In addition, the project would be required to comply with the City's Fine art obligation for new development and either install art valued at the required obligation value or pay the required in lieu fee.</p>
<b>Housing Element</b>	
<p><b>H2 Housing Supply and Diversity.</b> Provide a variety of housing types and adequate affordable housing supply to meet the existing and future needs of the community.</p>	<p><b>Consistent</b></p> <p>The proposed project would further increase housing supply in the city, when compared to the Approved Entitlements, by allowing the development of up to 37 additional residential units, and potentially an additional 30 staff housing units. The proposed project would allow the City to maintain its existing stock of housing, including existing affordable housing, and preserve the character and stability of existing residential neighborhoods. The proposed project's use of mixed commercial/residential uses would expand the variety of housing types available and improve commercial/residential transitions in the area by creating residential and retail uses on the north side of North Santa Monica Boulevard and a public green space adjacent to the single family residential uses located north</p>

Goal/Policy	Proposed Project Consistency
	of Wilshire Boulevard. Similar to the Approved Entitlements, the proposed project would not add rental housing, although implementation of the proposed project would not prevent the development of rental housing in other areas of the City.
<b>H 2.7 Environmentally Sustainable Housing.</b> Promote conservation of water and energy, use of sustainable building materials and drought resistant landscaping to reduce the operating costs and carbon emissions associated with housing.	<b>Consistent</b> The proposed project would be subject to applicable water conservation requirements contained in the Water Efficient Landscape Ordinance (BHMC Title 9, Chapter 4, Article 4) and the latest Green Building Standards Code. It would also be designed to meet LEED Gold and WELL standards and would incorporate the sustainability features described in Section 2, <i>Project Description</i> .

Note: All Elements of the General Plan were last updated in 2010, except for the Housing Element, which was updated in 2014.

Source: City of Beverly Hills 2010g and 2014

## SCAG 2020 REGIONAL TRANSPORTATION PLAN/SUSTAINABLE COMMUNITIES STRATEGY

The 2020 RTP/SCS promotes growth in areas near destinations with existing public transit infrastructure (SCAG 2020). The proposed project would create new housing, employment, and retail opportunities on an infill site within close proximity to existing commercial and residential destinations, as well as high quality public transit. Consistency with SCAG's 2020 RTP/SCS is discussed in detail in Section 4.5, *Greenhouse Gas Emissions*. As illustrated in Table 4.5-7 in Section 4.5, *Greenhouse Gas Emissions*, the proposed project would not conflict with GHG reduction strategies set forth by SCAG's 2020 RTP/SCS. Therefore, the proposed project would be consistent with SCAG's 2020 RTP/SCS.

## Approved Entitlements

### *Construction Impacts*

As discussed in the Initial Study (see Appendix A) and in individual impact analysis sections of this SEIR, project construction would have less than significant impacts or less than significant impacts with incorporation of mitigation measures with respect to the majority of issue areas, with the exception of historic resources. Though buildout of the proposed project would have significant and unavoidable impacts to historic resources currently present on the project site, mitigation measures are proposed that align with the General Plan goals and policies and would reduce impacts to the extent feasible. In comparison to the proposed project, construction of the Approved Entitlements would also have significant and unavoidable impacts to historic resources but would additionally have significant and unavoidable impacts to air quality and noise impacts (City of Beverly Hills 2008a and 2016a). Overall project consistency, including construction, with applicable policies contained in the General Plan are discussed above in Table 4.7-2 under *Operation*.

### *Operational Impacts*

The proposed project would include land uses described in the Existing Specific Plans but would allow for increased building heights in order to accommodate approximately 13.4 acres of open space on the project site, 4.5 acres of which would be publicly accessible botanical gardens and a sculpture garden. The project would also include development on the gas station site, which is not

currently subject to the Existing Specific Plans. The proposed project would have a floor area ratio (FAR) of 2.55:1, which is the same FAR as permitted under the Existing Specific Plans but exceeds the maximum FAR of 2.0:1 for the C-3 zone that currently applies to the gas station site. The proposed project would construct the 410-foot tall Santa Monica Residences and 369-foot tall Garden Residences buildings on the southwest portion of the 9900 Wilshire Boulevard site, the 124-foot tall Wilshire Building in the northwest portion of the 9900 Wilshire Boulevard and gas station site, the approximately 20-foot tall Beverly Hilton enhancement in the southern portion of the Beverly Hilton site, and the 31-foot tall Beverly Hilton Conference Center in the northern portion of the Beverly Hilton site (all heights measured from the project's datum).

Table 2-2 in Section 2, *Project Description*, provides a comparison of the Approved Entitlements to the proposed project. As shown therein, the maximum building height on the Beverly Hilton site under the proposed project would be 60 feet less than building heights allowed under the Beverly Hilton Specific Plan, while the maximum building heights on the 9900 Wilshire Boulevard and gas station sites would be 236 feet and 79 feet taller, respectively, than currently Approved Entitlements.<sup>5</sup> In addition, the proposed project would include 37 additional residential units, 30 additional accessory spaces (which could be used as rooms for storage space, staff living quarters, or other ancillary storage), and 117,232 sf of shared amenity space not included in the Existing Specific Plans. The proposed project would reduce the number of hotel rooms by 56, as compared to Approved Entitlements. A new general plan overlay designation, the "One Beverly Hills Specific Plan Overlay," is proposed to be applied to the project site, which would allow for the implementation of either the Approved Entitlements (e.g., the Beverly Hilton Specific Plan, 9900 Wilshire Specific Plan, and the C-3 zoning of the gas station site) or the proposed One Beverly Hills Specific Plan. In addition, the project proposes a new overlay zone, the "One Beverly Hills Specific Plan Overlay" zoning designation, which would provide the development standards for the site upon collective approval of the property owners. The proposed One Beverly Hills Specific Plan Overlay would accommodate the proposed changes to the Existing Specific Plans.

## **GENERAL PLAN**

As illustrated in Table 4.7-2, the proposed project would be consistent with the applicable General Plan policies.

## **SCAG 2020 REGIONAL TRANSPORTATION PLAN/SUSTAINABLE COMMUNITIES PLAN**

As discussed above, the proposed project would create new housing, employment, and retail opportunities on an infill site within close proximity to existing commercial and residential destinations, as well as high quality public transit, which is consistent with the strategies described in the 2020 RTP/SCS (SCAG 2020). Consistency with SCAG's 2020 RTP/SCS is discussed in detail in Table 4.5-7 of Section 4.5, *Greenhouse Gas Emissions*.

## **EXISTING SPECIFIC PLANS AND LAND USE AND ZONING DESIGNATIONS**

As discussed in Section 2, *Project Description*, the proposed project is 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 Beverly Hilton Specific Plan, 9900 Wilshire Specific Plan, or the current C-3 zoning on the portion of the project site located at the gas station site. However, development on the project site would only be allowed to proceed consistent with either the proposed Overlay Specific Plan or the Approved

---

<sup>5</sup> Height difference measures physical difference (adjusted for datum difference)

Entitlements, but not both. Upon collective action of all property owners, the One Beverly Hills Overlay Specific Plan would supersede the existing land use and zoning designations on the project site, including the Existing Specific Plans, and would govern development on the project site.

### ***Beverly Hilton Specific Plan***

The Introduction section of the Beverly Hilton Specific Plan provides goals and objectives, as listed in Section 4.7.1, *Regulatory Setting*. The proposed project would adhere to these goals and objectives by providing the following: structures that would enhance the beauty of the project site; environmentally sustainable project design features; subterranean parking and landscaped public and private gardens to enhance the visual character of the site as well as the city's western gateway and views from Wilshire Boulevard and North Santa Monica Boulevard; high-quality housing to help meet market demand without displacing existing or future retail and housing; vista views from the residential and hotel units; housing in close proximity to office and retail uses; vehicular access points on Wilshire Boulevard and North Santa Monica Boulevard; and revenue to the City.

The following discusses the proposed project's compliance with applicable regulations and standards under Chapter 4.0 of the Specific Plan:

- **4.2 Permitted Uses.** The Beverly Hilton Specific Plan states that uses allowed in the specific plan area include hotel and residential uses, as well as ancillary uses. Ancillary uses for the hotels include, without limitation, lobbies, lounges, function and pre-function spaces, retail, restaurants and open air dining, bars, health and day spas, fitness center, pools, roof-top uses including pools, recreational facilities and gardens, parking, storage, laundry and dry cleaning facilities, and central power, heating and air conditioning facilities. Ancillary uses for the residential use include accessory spaces (rooms for offices, staff, wine storage, or other ancillary storage) health spas, private fitness centers, pools, private screening rooms, resident-serving retail uses, meeting rooms, roof-top uses, including pools, recreational facilities and gardens, common and private outdoor living areas, parking, storage, central power, heating and air conditioning facilities, and other amenities associated with luxury residential units. The foregoing notwithstanding, uses that must be permitted pursuant to federal law shall be deemed permitted uses, and shall comply with any and all provisions of the Municipal Code regarding such uses.

The proposed uses for the Overlay Specific Plan would be consistent with the uses allowed in the Beverly Hilton Specific Plan and therefore would comply with this standard.

- **4.3 Parking.** The Beverly Hilton Specific Plan requires parking to be planned pursuant to Beverly Hills Municipal Code parking standards.

According to the Parking Needs Analysis prepared for the proposed project, the project site requires 1,768 parking stalls during the weekday and 1,832 stalls during the weekend. The proposed project would include 2,179 parking spaces between the new underground parking structure and the existing Waldorf-Astoria Beverly Hills parking, which would remain on the project site. Therefore, the proposed project would comply with the BHMC parking standards and would provide a surplus of parking spaces above those required by BHMC.

- **4.4 Street Improvements.** The Beverly Hilton Plan specifies street improvement requirements for North Santa Monica Boulevard and Merv Griffin Way/Whittier Drive, including installation of a new traffic signal at the intersection of Merv Griffin Way and North Santa Monica Boulevard. A traffic signal with an Opticom device would be installed at the Merv Griffin Way/North Santa Monica Boulevard intersection as part of the proposed project. This traffic signal would be



consistent with the North Santa Monica Boulevard and Merv Griffin Way/Whittier Drive Improvements requirements.

- **4.5 Floor Area Ratio.** The Beverly Hilton Specific Plan specifies that the FAR of the specific plan area in its entirety shall not exceed 2.5:1, notwithstanding the specific lot configurations of the site, at the completion of the implementation of the Specific Plan. Individual parcels or lots may exceed the permitted FAR, provided the FAR for the Specific Plan Area when calculated as a whole shall not exceed the maximum permitted FAR of 2.5:1.

The Existing Specific Plans have a combined FAR of 2.55:1. The proposed project would exceed the maximum permitted FAR of 2.5:1 on the Beverly Hilton Site, but would adhere to the overall approved FAR for the combined Existing Specific Plans of 2.55:1.

- **4.6 Building Height.** The Beverly Hilton Specific Plan specifies that the height of the Conference Center Replacement shall not exceed 41 feet in height from the adjacent grade or two stories. In addition, the Specific Plan requires that new residential buildings on the project site would not exceed 101 feet in height from the adjacent grade and 8 stories at the tallest point (Residence A) and 218 feet from the adjacent grade and 18 stories at the tallest point (Residence B).

In accordance with the Beverly Hilton Specific Plan, the heights of the proposed new Conference Center (31 feet in height) and Beverly Hilton Enhancement (nearly 20 feet in height) would not exceed 41 feet or two stories. No residential buildings would be added to the Beverly Hilton site under the proposed project; therefore, the proposed project would not conflict with the residential building height specifications of the Beverly Hilton Specific Plan.

- **4.7 Sign Standards.** The Beverly Hilton Specific Plan requires a Unified Sign Plan to be submitted to the Director of Community Development.

The proposed project would submit a Unified Sign Plan to the Director of Community Development for approval and would therefore comply with this standard.

- **4.8 Outdoor Lighting.** The Beverly Hilton Specific Plan requires the City's Architectural Commission to review and approve, subject to any required conditions, an outdoor lighting plan for the specific plan area (the "Outdoor Lighting Plan") that encompasses all exterior lighting fixtures.

The project applicant would submit an Outdoor Lighting Plan to the City's Architectural Commission for approval and would therefore comply with this standard.

- **4.9 Architecture and Design.** The Beverly Hilton Specific Plan requires that, prior to the issuance of building permits, project plans will be submitted to the City's Architectural Commission.

The proposed project plans would be submitted to the City's Architectural Commission for approval and would therefore comply with this standard.

- **4.10 Green Building Standards.** The Beverly Hilton Specific Plan requires the incorporation of green construction standards.

The applicant proposes to design the building to meet Gold standards under the LEED Green Building Rating System and WELL requirements. Therefore, the project would comply with this standard.

### **9900 Wilshire Specific Plan**

The 9900 Wilshire Specific Plan provides Goals and Objectives listed in Section 4.7.1, *Regulatory Setting*. The proposed project would adhere to these goals and objectives by providing the following: structures that would enhance the beauty of the project site; an environmentally

sustainable project; subterranean parking and landscaped public and private gardens to enhance the visual character of the site; high-quality housing that would include a variety of options by providing one to six bedroom units; vista views from the residential and hotel units; housing in close proximity to office and retail uses; vehicular access points on Wilshire Boulevard and North Santa Monica Boulevard; and revenue to the City. The 9900 Wilshire Specific Plan also includes a goal requiring that the project would not create substantial impacts associated with air quality, noise and traffic.

As discussed in Section 4.1, *Air Quality*, the proposed project would have a less than significant impact on air quality during construction with implementation of Mitigation Measures MM-AQ-1 through MM-AQ-17\*<sup>6</sup>, whereas the Approved Entitlements were found to have significant and unavoidable temporary air quality impacts during construction. Likewise, operation of the proposed project would not result in criteria pollutant emissions that would exceed the SCAQMD thresholds and impacts to air quality during operation would be less than significant. As discussed in Section 4.8, *Noise and Vibration*, with implementation of Mitigation Measures MM-NOISE-1 through MM-NOISE-4, impacts related to noise and vibration during construction and operation of the proposed project would be reduced to less than significant levels. Likewise, as described in Section 4.9, *Transportation and Traffic*, mitigation measures modified from the previous environmental documentation would reduce impacts associated with both the Approved Entitlements and the proposed project to a less than significant level. Therefore, with implementation of mitigation, the project would not create substantial permanent impacts related to air quality, noise or traffic. Therefore, with implementation of the recommended mitigation measures, the proposed project would not conflict with the goals and objectives set forth by the 9900 Wilshire Specific Plan.

The following discusses the project's compliance with applicable regulations and standards under Chapter 4.0 of the 9900 Wilshire Specific Plan:

- **4.2 Permitted Uses.** The amended 9900 Wilshire Specific Plan states that uses allowed in the Specific Plan area include hotel, commercial, and residential uses, as well as related ancillary uses such as pools, amenities, and public gardens. Commercial uses permitted include establishments such as restaurants, retail, art galleries, and banks.

The proposed project would include residential, hotel, and ancillary uses on the 9900 Wilshire Boulevard site, in accordance with the 9900 Wilshire Specific Plan.

- **4.3 Parking.** The 9900 Wilshire Specific Plan requires parking to be planned pursuant to Beverly Hills Municipal Code parking standards.

According to the Parking Needs Analysis prepared for the proposed project, the project site requires 1,768 parking stalls during the weekday and 1,832 stalls during the weekend. The proposed project would include 2,179 parking spaces between the new underground parking structure and the existing Waldorf-Astoria Beverly Hills parking which would remain on the project site. Therefore, the proposed project would comply with the BHMC parking standards and would provide a surplus of parking spaces above those required by BHMC.

- **4.4 Building Height.** The 9900 Wilshire Specific Plan states that the maximum building permitted height for the buildings on the site are 205 feet for the South Building and 161 feet for the North Building.

The proposed project would consolidate the residential and residential/hotel towers permitted under the Existing Specific Plans into three structures located on the 9900 Wilshire Boulevard

---

<sup>6</sup> \* indicates mitigation measures are required for the Existing Specific Plans and therefore are carried forward and required for the proposed project.

site, with the Wilshire Building being partially located within both the 9900 Wilshire Boulevard site and the gas station site. The Santa Monica Residences, located in the southwestern-most portion of the project site nearest to Century City, would be 410 feet tall. The Garden Residences, also located in the southwestern portion of the project site, would be 369 feet tall. The Wilshire Building, a mixed-use residential and luxury hotel building, would be 124 feet tall. The Santa Monica Residences and Garden Residences would exceed the maximum building heights permitted under the 9900 Wilshire Specific Plan. With approval of the One Beverly Hills Overlay Specific Plan, the additional height added to the 9900 Wilshire Boulevard site would comply with height standards for the project site.

- **4.5 Residential Outdoor Living Space.** The 9900 Wilshire Specific Plan requires that residential units in the specific plan area shall include a minimum of 200 square feet of usable outdoor space per unit. The usable outdoor living space can be provided through a combination of private balconies in the individual units and common access to the residential landscaped gardens and pool areas.

Each residence in the proposed project would be designed to include private terraces and balconies. Each residence would also have access to the 3.5 acres of private botanical gardens and one mile of private walking paths, as well as the 4.5 acres of public gardens and one mile of public walking paths throughout the project site. A total of approximately 512 sf of open space would be provided for each residential unit.<sup>7</sup> Therefore, the proposed project would comply with this standard.

- **4.6 Sign Standards.** The 9900 Wilshire Specific Plan requires submittal of a Unified Sign Plan to the Director of Community Development.

The proposed project would submit a Unified Sign Plan to the Director of Community Development. Upon approval of this plan, the proposed project would comply with the standards for signage.

- **4.7 Architecture and Design.** The 9900 Wilshire Specific Plan requires project plans to be submitted to the City's Architectural Commission prior to the issuance of building permits. The proposed project would be submitted to the City's Architectural Commission for approval. Upon approval, the proposed project would comply with the architectural standards.

- **4.8 Green Building Standards.** The 9900 Wilshire Specific Plan requires that buildings incorporate green construction standards.

The project applicant proposes to design the building to meet Gold standards under the LEED Green Building Rating System and WELL Certification. Therefore, the proposed project would comply with this standard.

### ***Gas Station Site***

The gas station site has a current land use designation of General Commercial, Low Density and is zoned C-3 (Commercial). Land uses permitted on the gas station site include, but are not limited to, hotels, churches, cafes, libraries, art galleries, playgrounds, and studios. As previously discussed, the proposed project would place a small portion of the 124-foot tall<sup>8</sup>, 213,966-sf residential and hotel Wilshire Building within the gas station site, as well as roadway infrastructure associated with the new residential access road. The current land use designation and zoning of the gas station site would permit hotel uses, but not residential uses. In addition, the maximum FAR permitted in C-3

<sup>7</sup> The proposed project includes four acres (174,240 sf) of private open space. 174,240 sf of private open space per 340 residences is 512.5 sf of private open space per residence.

<sup>8</sup> Measured from +301 datum

zones in 2.0:1. The overall FAR across the project site under the proposed project would be 2.55:1, which would exceed the permitted FAR in the C-3 zone. In addition, the current C-3 zoning designation for the gas station site would allow for construction of buildings up to 45-feet in height. The Wilshire Building would exceed this height by 79 feet. Upon City approval of the Overlay Specific Plan and collective action by all property owners on the project site, the gas station site would no longer be subject to the General Commercial, Low Density land use and C-3 zoning designations and the proposed uses on the gas station site would be consistent with the One Beverly Hills Overlay Specific Plan.

## **Summary**

The proposed project would require approvals by the Architectural Commission, City Council, and Planning Commission. Upon adoption of the Overlay Specific Plan and with the required approvals, the proposed project would comply with the land use requirements set forth by the Overlay Specific Plan, and therefore, would not result in adverse physical land use impacts.

As discussed throughout the Initial Study (Appendix A) and this SEIR, notably in Section 1, *Aesthetics*, of the Initial Study and Section 4.1, *Air Quality*, Section 4.5, *Greenhouse Gas Emissions*, Section 4.8, *Noise and Vibration*, and Section 4.9, *Transportation and Traffic*, of the SEIR, the proposed project would not result in significant environmental effects with implementation of mitigation.

## **Mitigation Measures**

With approval of the proposed Overlay Specific Plan, along with adherence to existing regulations and implementation of mitigation measures identified in other sections of this SEIR (specifically, Mitigation Measures MM-AQ-1 through MM-AQ-17\*; MM-BIO-1 and MM-BIO-2; MM-CR-3a through MM-CR-6; MM-GEO-1; MM-HAZ-1 through MM-HAZ-8; MM-NOISE-1 through MM-NOISE-4; and MM-TRAF 1 through MM-TRAF-10; MM-TCR-1 through MM-TCR-6; and MM-UTIL-1), would be consistent with applicable policies of the City's General Plan and the Existing Specific Plans.

## **Significance After Mitigation**

As discussed above, the proposed project would be consistent with the 2010 General Plan, the Beverly Hilton Specific Plan, and the 9900 Wilshire Specific Plan. With adherence to existing regulations and the proposed Overlay Specific Plan, as well as the mitigation measures identified in this SEIR, land use and planning impacts would be less than significant.

### **4.7.4 Cumulative Impacts**

Cumulative development would incrementally modify land use patterns and the general setting of the area. There are 42 planned and pending developments in the cities of Beverly Hills, Los Angeles, and West Hollywood within the vicinity of the project site. These developments include multi-family dwelling units, hotels, office, a museum, and commercial/retail development (refer to Table 3-1 in Section 3, *Environmental Setting*). Two pending projects would be in the immediate vicinity of the project site (9900-9908 South Santa Monica Boulevard and 140 South Lasky Drive). The 9900-9908 South Santa Monica Boulevard project, located approximately 300 feet southwest of the project site across North Santa Monica Boulevard, would include infill development of a mixed-use multi-family residential and commercial project on a currently vacant lot. This would not conflict with the land use pattern or general setting of the area as it includes infill, compatible development. The 140 S. Lasky Drive project, located approximately 580 feet southwest of the proposed project, would

replace an existing three-story hotel with a four-story hotel including belowground parking and a restaurant. This project would not substantially change the character or uses in the immediate area, as it would replace an existing hotel use. Because cumulative development would not substantially modify the land use patterns and general setting of the area, land use-related cumulative impacts would be less than significant.

Planned cumulative development, including the proposed project, would incrementally increase overall development density and intensity throughout the area. The proposed project would be located on, and result in the redevelopment of, an infill site and would not reduce the amount of open space or undeveloped land within the city. Similar to the Approved Entitlements, land use and policy consistency impacts associated with future individual projects such as those contained in the cumulative projects list provided in Section 3, *Environmental Setting*, would be addressed on a case-by-case basis to determine consistency with applicable plans and policies. Because projects are required to be consistent with City plans and policies, cumulative land use impacts are less than significant. Moreover, because the proposed project's impacts related to land use compatibility and consistency with local plans, goals, and policies would be less than significant with mitigation (as discussed above), the proposed project's contribution to the less than significant cumulative land use impact would not be cumulatively considerable.

## 4.8 Noise

---

This section discusses regulatory setting, and existing environmental setting, and analyzes the potential noise and vibration impacts of the project during both construction and operational phases, respectively. Mitigation measures are proposed in an effort to reduce significant impacts, as needed. The traffic volumes used to model traffic noise impacts are based on information included in the Transportation Impact Report and Local Transportation Assessment prepared by Fehr & Peers (2020; see Appendix G).

### 4.8.1 Setting

#### Overview of Environmental Noise

Sound is a vibratory disturbance created by a moving or vibrating source, which is capable of being detected by the hearing organs (e.g., the human ear). Noise is defined as sound that is loud, unpleasant, unexpected, or undesired and may therefore be classified as a more specific group of sounds. The effects of noise on people can include general annoyance, interference with speech communication, sleep disturbance, and, in the extreme, hearing impairment (California Department of Transportation [Caltrans] 2013).

Noise levels are commonly measured in decibels (dB) using the A-weighted sound pressure level (dBA). The A-weighting scale is an adjustment to the actual sound pressure levels so that they are consistent with the human hearing response, which is most sensitive to frequencies around 4,000 Hertz and less sensitive to frequencies around and below 100 Hertz (Kinsler et. al. 1999). Decibels are measured on a logarithmic scale that quantifies sound intensity in a manner similar to the Richter scale used to measure earthquake magnitudes. A doubling of the energy of a noise source, such as a doubling of traffic volume, would increase the noise level by 3 dB; similarly, dividing the energy in half would result in a decrease of 3 dB (Crocker 2007).

Human perception of noise has no simple correlation with sound energy: the perception of sound is not linear in terms of dBA or in terms of sound energy. Two sources do not “sound twice as loud” as one source. It is widely accepted that the average healthy ear can barely perceive an increase (or decrease) of up to 3 dBA in noise levels (i.e., twice [or half] the sound energy); that a change of 5 dBA is readily perceptible (8 times the sound energy); and that an increase (or decrease) of 10 dBA sounds twice (or half) as loud (10.5 times the sound energy) (Crocker 2007).

Sound changes in both level and frequency spectrum as it travels from the source to the receiver. The most obvious change is the decrease in sound level as the distance from the source increases. The manner by which noise reduces with distance depends on factors such as the type of sources (e.g., point or line), the path the sound will travel, site conditions, and obstructions. Noise levels from a point source (e.g., construction, industrial machinery, ventilation units) typically attenuate, or drop off, at a rate of 6 dBA per doubling of distance. Noise from a line source (e.g., roadway, pipeline, railroad) typically attenuates at about 3 dBA per doubling of distance (Caltrans 2013). The propagation of noise is also affected by the intervening ground, known as ground absorption. A hard site, such as a parking lot or smooth body of water, receives no additional ground attenuation and the changes in noise levels with distance (i.e., the drop-off rate) result simply from the geometric spreading of the source. An additional ground attenuation value of 1.5 dBA per doubling of distance applies to a soft site (e.g., soft dirt, grass, or scattered bushes and trees) (Caltrans 2013). Noise levels may also be reduced by intervening structures; the amount of attenuation provided by this

“shielding” depends on the size of the object and the frequencies of the noise levels. Natural terrain features, such as hills and dense woods, and man-made features, such as buildings and walls, can significantly alter noise levels. Generally, any large structure blocking the line of sight will provide at least a 5-dBA reduction in source noise levels at the receiver (Federal Highway Administration [FHWA] 2011). Structures can substantially reduce occupants’ exposure to noise as well. The FHWA’s guidelines indicate that modern building construction generally provides an exterior-to-interior noise level reduction of 20 to 35 dBA with closed windows.

The impact of noise is not a function of sound level alone. The time of day when noise occurs and the duration of the noise are also important. Most noise that lasts for more than a few seconds is variable in its intensity. Consequently, a variety of noise descriptors have been developed. One of the most frequently used noise metrics is the equivalent noise level ( $L_{eq}$ ); it considers both duration and sound power level. The  $L_{eq}$  is defined as the single steady A-weighted level equivalent to the same amount of energy as that contained in the actual fluctuating levels over a period of time. Typically, the  $L_{eq}$  is summed over a one-hour period. The  $L_{max}$  is the highest root mean squared (RMS) sound pressure level within the sampling period, and the  $L_{min}$  is the lowest RMS sound pressure level within the measuring period (Crocker 2007). Normal conversational levels are in the 60 to 65 dBA  $L_{eq}$  range; ambient noise levels greater than 65 dBA  $L_{eq}$  can interrupt conversations (Federal Transit Administration [FTA] 2018). Figure 4.8-1 provides examples of A-weighted noise levels from common sounds.

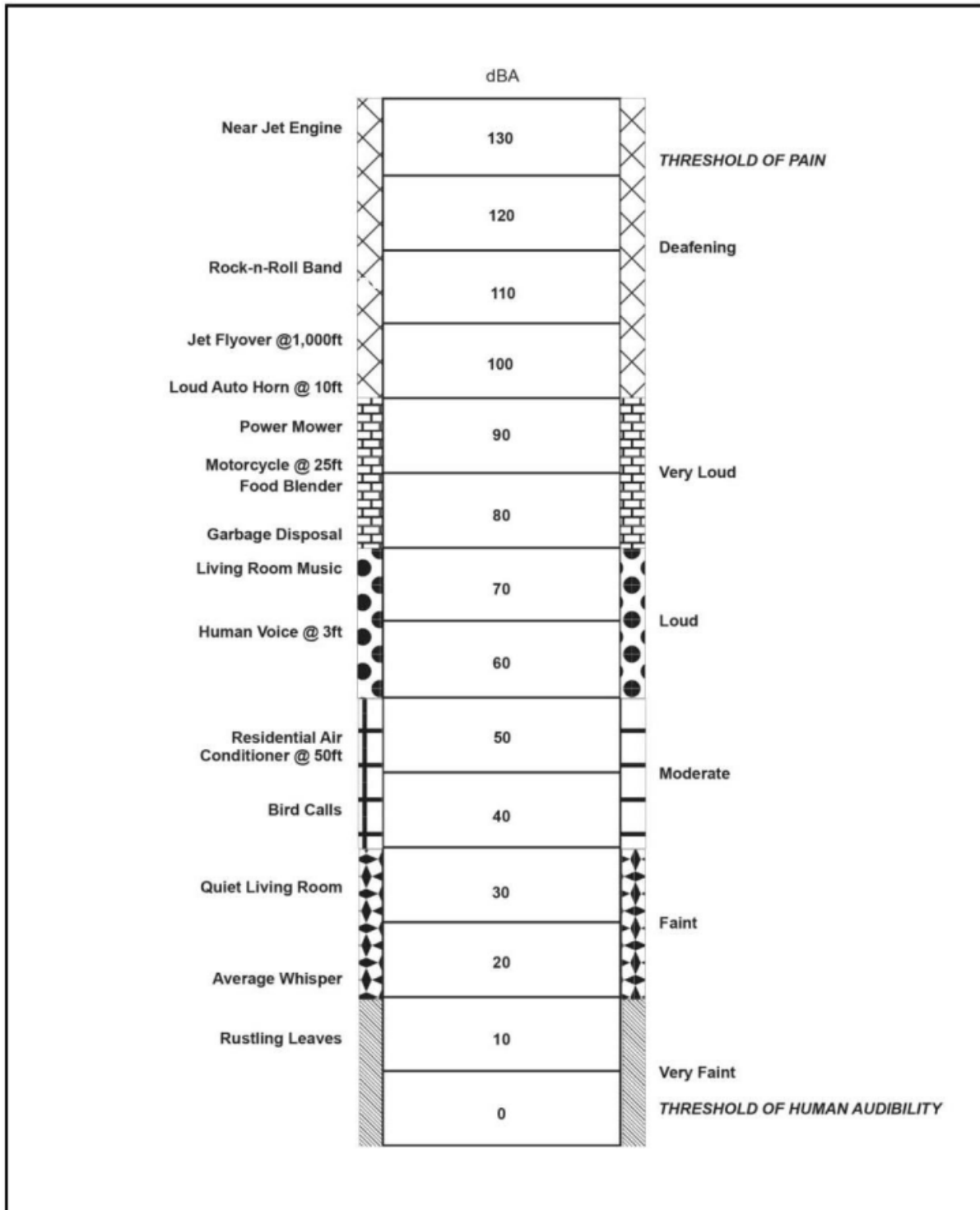
Noise that occurs at night tends to be more disturbing than that occurring during the day. Community noise is usually measured using Day-Night Average Level (DNL), which is the 24-hour average noise level with a +10 dBA penalty for noise occurring during nighttime hours (10:00 p.m. to 7:00 a.m.). Community noise can also be measured using Community Noise Equivalent Level (CNEL), which is the 24-hour average noise level with a +5 dBA penalty for noise occurring from 7:00 p.m. to 10:00 p.m. and a +10 dBA penalty for noise occurring from 10:00 p.m. to 7:00 a.m. (Caltrans 2013). Noise levels described by DNL and CNEL usually differ by about 1 dBA. Quiet suburban areas typically have CNEL noise levels in the range of 40 to 50 CNEL, while areas near arterial streets are in the 50 to 60+ CNEL range. There is no precise way to convert a peak hour  $L_{eq}$  to DNL or CNEL - the relationship between the peak hour  $L_{eq}$  value and the DNL/CNEL value depends on the distribution of traffic volumes during the day, evening, and night.

## **Overview of Groundborne Vibration**

Groundborne vibration of concern in environmental analysis consists of the oscillatory waves that move from a source through the ground to adjacent structures. The number of cycles per second of oscillation makes up the vibration frequency, described in terms of Hertz. The frequency of a vibrating object describes how rapidly it oscillates. The normal frequency range of most groundborne vibration that can be felt by the human body is from a low of less than 1 Hertz up to a high of about 200 Hertz (Crocker 2007). Typically, groundborne vibration generated by human activities attenuates rapidly with distance from the source of the vibration.

While people have varying sensitivities to vibrations at different frequencies, in general they are most sensitive to low-frequency vibration. Vibration in buildings, such as from nearby construction activities, may cause windows, items on shelves, and pictures on walls to rattle. Vibration of building components can also take the form of an audible low-frequency rumbling noise, referred to as groundborne noise. Groundborne noise is usually only a problem when the originating vibration spectrum is dominated by frequencies in the upper end of the range (60 to 200 Hertz), or when foundations or utilities, such as sewer and water pipes, physically connect the structure and the

Figure 4.8-1 A-Weighted Decibel Scale



Source: City of Beverly Hills 2020d.



vibration source (FTA 2018). Although groundborne vibration is sometimes noticeable in outdoor environments, it is almost never annoying to people who are outdoors. The primary concern from vibration is that it can be intrusive and annoying to building occupants and vibration-sensitive land uses.

Vibration energy spreads out as it travels through the ground, causing the vibration level to diminish with distance away from the source. High-frequency vibrations diminish much more rapidly than low frequencies, so low frequencies tend to dominate the spectrum at large distances from the source. Discontinuities in the soil strata can also cause diffractions or channeling effects that affect the propagation of vibration over long distances (Caltrans 2020a). When a building is impacted by vibration, a ground-to-foundation coupling loss will usually reduce the overall vibration level. However, under rare circumstances, the ground-to-foundation coupling may actually amplify the vibration level due to structural resonances of the floors and walls.

Vibration amplitudes are usually expressed in peak particle velocity (PPV) or RMS vibration velocity. The PPV and RMS velocity are normally described in inches per second (in/sec). PPV is defined as the maximum instantaneous positive or negative peak of a vibration signal. PPV is often used in monitoring of blasting vibration because it is related to the stresses that are experienced by buildings (Caltrans 2020a). Table 4.8-1 summarizes the vibration damage threshold criteria recommended by Caltrans for structural damage to buildings.

**Table 4.8-1 Vibration Damage Potential Threshold Criteria**

Structure and Condition	Vibration Level (in/sec PPV)	
	Transient Sources	Continuous/Frequent Intermittent Sources
Extremely fragile historic buildings, ruins, ancient monuments	0.120	0.080
Fragile buildings	0.200	0.100
Historic and some old buildings	0.500	0.250
Older residential structures	0.500	0.300
New residential structures	1.000	0.500
Modern industrial/commercial buildings	2.000	0.500

in/sec = inches per second; PPV = peak particle velocity  
Source: Caltrans 2020a

In addition to the potential for building damage, the human body responds to vibration signals. However, unlike buildings, which are rigid, it takes some time for the human body to respond to vibration. In a sense, a building responds to the instantaneous movement while the human body responds to average vibration amplitude, which is measured as RMS. The averaging of the particle generally results in the RMS conservatively being equivalent to 71 percent of the PPV. Thus, human annoyance usually results in a more restrictive vibration limit than structural damage limits.

Numerous studies have been conducted to characterize the human response to vibration. The vibration annoyance potential criteria recommended for use by Caltrans, which are based on the general human response to different levels of groundborne vibration velocity levels, are described in Table 4.8-2.

**Table 4.8-2 Vibration Annoyance Potential Criteria**

Human Response	Vibration Level (in/sec PPV)	
	Transient Sources	Continuous/Frequent Intermittent Sources
Severe	2.000	0.400
Strongly perceptible	0.900	0.100
Distinctly perceptible	0.250	0.040
Barely perceptible	0.040	0.010

Source: Caltrans 2020a

## Sensitive Receivers

Noise exposure goals for various types of land uses reflect the varying noise sensitivities associated with those uses. The Beverly Hills General Plan Noise Element identifies noise-sensitive land uses as those uses that have associated human activities that may be subject to stress or significant interference from noise, such as residences (including residences for the elderly), schools, churches, and libraries (City of Beverly Hills 2010).

The project area contains existing major noise sources, including vehicular traffic on Wilshire Boulevard, North Santa Monica Boulevard, and South Santa Monica Boulevard. The nearest noise-sensitive receivers to the project site include El Rodeo Elementary School located approximately 95 feet to the north and single family residences located approximately 160 feet to the north. Beverly Hills High School is also a noise-sensitive receiver, but it is located approximately 650 feet to the south of the project site, farther away than other sensitive receivers analyzed herein. In addition, the proposed project would include construction of residential units, which would add more sensitive receivers to the project site. The nearest vibration-sensitive receivers include these noise-sensitive receivers in addition to the on-site Beverly Hilton, which includes historic-era buildings, some of which would be demolished by the project (e.g., Oasis /Palm Court hotel rooms, parking garage, and others) and some of which would remain, such as the Wilshire Tower (see Section 4.3, *Cultural Resources*).

Vibration-sensitive receivers, which are similar to noise-sensitive receivers, include residences and institutional uses, such as schools, churches, and hospitals. However, vibration-sensitive receivers also include fragile/historic-era buildings and buildings where vibrations may interfere with vibration-sensitive equipment that is affected by vibration levels that may be well below those associated with human annoyance (e.g., recording studios or medical facilities with sensitive equipment).

## Existing Noise Environment

To characterize ambient sound levels on and near the project site, eight 15-minute sound level measurements and two 24-hour sound level measurements were conducted on September 3 and September 4, 2020. An Extech, Model 407780A, ANSI Type 2 integrating sound level meter was used to conduct the measurements. Figure 4.8-2 shows the noise measurement locations, and Table 4.8-3 and Table 4.8-4 summarize the results of the short-term and long-term sound level measurements, respectively. Detailed sound level measurement data are included in Appendix F. The primary expected effect of the ongoing COVID-19 pandemic on ambient noise levels is associated with reduced traffic volumes. A reduction in traffic volumes can result either in reduced noise levels due to fewer total vehicles on local roadways or increased noise levels due to reduced congestion that allows vehicles to travel on area roadways at higher speeds, which creates more

noise. However, as indicated in Table 4.8-3 and Table 4.8-4, ambient noise levels measured in September 2020 are substantially similar to those measured in 2016, 2018, and February 2020; therefore, regardless of the effects of the ongoing COVID-19 pandemic, baseline ambient noise levels as measured in September 2020 are adequately representative of normal conditions.

**Table 4.8-3 Project Site Sound Level Monitoring Results – Short-Term**

#	Measurement Location	Sample Dates and Times	Approximate Distance to Primary Noise Source	L <sub>eq</sub> (dBA)	L <sub>max</sub> (dBA)
ST-1	9876 Wilshire Boulevard (northern boundary of project site)	September 3, 2020 11:14 – 11:28 a.m.	35 feet to the centerline of Wilshire Boulevard	75 <sup>1</sup>	91
ST-2	El Rodeo School (west of Whittier Drive)	September 3, 2020 11:34 – 11:49 a.m.	30 feet to the centerline of Whittier Drive	67 <sup>2</sup>	86
ST-3	South of intersection of Wilshire Boulevard and unnamed alley (northern boundary of project site, near conference center)	September 3, 2020 11:56 a.m. – 12:10 p.m.	40 feet to the centerline of Wilshire Boulevard	72 <sup>3</sup>	83
ST-4	605 Trenton Drive (residential neighborhood to the north)	September 3, 2020 12:22 p.m. – 12:36 p.m.	30 feet to the centerline of Trenton Drive	58 <sup>4</sup>	76
ST-5	Beverly Gardens Park (north of intersection of North Santa Monica Boulevard and Walden Drive)	September 3, 2020 12:44 p.m. – 12:59 p.m.	95 feet to the centerline of North Santa Monica Boulevard	64 <sup>5</sup>	77
ST-6	Charleville Boulevard (residential multi-family neighborhood to the south)	September 3, 2020 1:12 p.m. – 1:27 p.m.	20 feet to the centerline of Charleville Boulevard	61 <sup>6</sup>	83
ST-7	East of intersection of North Santa Monica Boulevard and Merv Griffin Way (southern boundary of project site near pool)	September 4, 2020 1:39 p.m. – 1:54 p.m.	45 feet to the centerline of North Santa Monica Boulevard	74 <sup>7</sup>	96
ST-8	South corner of project site on North Santa Monica Boulevard	September 4, 2020 2:00 p.m. – 2:15 p.m.	30 feet to the centerline of North Santa Monica Boulevard	77 <sup>8</sup>	99

L<sub>eq</sub> = equivalent noise level; dBA = A-weighted decibel; L<sub>max</sub> = maximum instantaneous noise level

<sup>1</sup> Noise levels measured at similar locations along Wilshire Boulevard in 2016 and 2018 indicated ambient noise levels ranging from approximately 70 to 77 dBA L<sub>eq</sub> (City of Beverly Hills 2016a and 2018). In addition, 15-minute short-term measurements at a similar location in February 2020 indicated ambient noise levels of 71 to 74 dBA L<sub>eq</sub> (ARUP 2020).\*

<sup>2</sup> Noise levels measured at El Rodeo School at a similar location west of Whittier Drive in 2018 indicated an ambient noise level of approximately 65 dBA L<sub>eq</sub> (City of Beverly Hills 2018). In addition, 15-minute short-term measurements at a similar location in February 2020 indicated ambient noise levels of 67 to 68 dBA L<sub>eq</sub> (ARUP 2020).\*

<sup>3</sup> Noise levels measured at a similar location along Wilshire Boulevard in 2018 indicated an ambient noise level of approximately 70 dBA L<sub>eq</sub> (City of Beverly Hills 2018).\*

<sup>4</sup> Noise levels measured at a similar location along Trenton Drive in 2018 indicated an ambient noise level of approximately 63 dBA L<sub>eq</sub> (City of Beverly Hills 2018).\*

<sup>5</sup> Noise levels measured at a similar location at the Beverly Gardens Park in 2018 indicated an ambient noise level of approximately 67 dBA L<sub>eq</sub> (City of Beverly Hills 2018).\*

<sup>6</sup> Noise levels measured at a similar location on Charleville Boulevard in 2018 indicated an ambient noise level of approximately 60 dBA L<sub>eq</sub> (City of Beverly Hills 2018).\*

<sup>7</sup> Noise levels measured at similar locations along North Santa Monica Boulevard in 2016 and 2018 indicated ambient noise levels ranging from approximately 73 to 80 dBA L<sub>eq</sub> (City of Beverly Hills 2016a and 2018).\*

<sup>8</sup> Noise levels measured at similar locations along North Santa Monica Boulevard in 2016 and 2018 indicated ambient noise levels ranging from approximately 70 to 73 dBA  $L_{eq}$  (City of Beverly Hills 2016a and 2018). In addition, 15-minute short-term measurements at a similar location in February 2020 indicated ambient noise levels of 72 to 74 dBA  $L_{eq}$  (ARUP 2020).\*

\*Therefore, the baseline ambient noise level measured in September 2020 is representative of normal conditions regardless of the ongoing COVID-19 pandemic.

See Appendix F for noise monitoring data. See Figure 4.8-2 for noise measurement locations.

**Table 4.8-4 Project Site Noise Monitoring Results – Long Term**

Sample Date	Sample Time	$L_{eq}$ [1h] (dBA) <sup>1</sup>
<b>LT-1 Northern Boundary of Project Site (West of Merv Griffin Way)<sup>1</sup></b>		
September 3, 2020	11:00 a.m.	75
September 3, 2020	12:00 p.m.	73
September 3, 2020	1:00 p.m.	83
September 3, 2020	2:00 p.m.	75
September 3, 2020	3:00 p.m.	74
September 3, 2020	4:00 p.m.	73
September 3, 2020	5:00 p.m.	74
September 3, 2020	6:00 p.m.	74
September 3, 2020	7:00 p.m.	75
September 3, 2020	8:00 p.m.	75
September 3, 2020	9:00 p.m.	77
September 3, 2020	10:00 p.m.	74
September 3, 2020	11:00 p.m.	71
September 4, 2020	12:00 a.m.	65
September 4, 2020	1:00 a.m.	71
September 4, 2020	2:00 a.m.	65
September 4, 2020	3:00 a.m.	59
September 4, 2020	4:00 a.m.	72
September 4, 2020	5:00 a.m.	73
September 4, 2020	6:00 a.m.	76
September 4, 2020	7:00 a.m.	79
September 4, 2020	8:00 a.m.	76
September 4, 2020	9:00 a.m.	75
September 4, 2020	10:00 a.m.	77
<b>24-hour <math>L_{eq}</math></b>		<b>76</b>
<b>CNEL</b>		<b>80</b>

City of Beverly Hills  
**One Beverly Hills Overlay Specific Plan**

Sample Date	Sample Time	L <sub>eq</sub> [1h] (dBA) <sup>1</sup>
<b>LT-2 Southern Boundary of Project Site (near Parking Structure)<sup>2</sup></b>		
September 3, 2020	1:00 p.m.	74
September 3, 2020	2:00 p.m.	75
September 3, 2020	3:00 p.m.	73
September 3, 2020	4:00 p.m.	74
September 3, 2020	5:00 p.m.	75
September 3, 2020	6:00 p.m.	75
September 3, 2020	7:00 p.m.	74
September 3, 2020	8:00 p.m.	70
September 3, 2020	9:00 p.m.	72
September 3, 2020	10:00 p.m.	71
September 3, 2020	11:00 p.m.	73
September 4, 2020	12:00 a.m.	70
September 4, 2020	1:00 a.m.	68
September 4, 2020	2:00 a.m.	66
September 4, 2020	3:00 a.m.	61
September 4, 2020	4:00 a.m.	74
September 4, 2020	5:00 a.m.	74
September 4, 2020	6:00 a.m.	71
September 4, 2020	7:00 a.m.	75
September 4, 2020	8:00 a.m.	72
September 4, 2020	9:00 a.m.	73
September 4, 2020	10:00 a.m.	73
September 4, 2020	11:00 a.m.	72
September 4, 2020	12:00 p.m.	73
<b>24-hour L<sub>eq</sub></b>		<b>73</b>
<b>CNEL</b>		<b>78</b>

L<sub>eq</sub> = average noise level equivalent; dBA = A-weighted decibel; CNEL = Community Noise Equivalent Level

<sup>1</sup> Noise levels measured at similar locations along Wilshire Boulevard in 2016 and 2018 indicated ambient noise levels ranging from approximately 80 to 82 CNEL (City of Beverly Hills 2016a and 2018).\*

<sup>2</sup> Noise levels measured at similar locations along Wilshire Boulevard in 2016 and 2018 indicated ambient noise levels of approximately 82 CNEL (City of Beverly Hills 2016a and 2018).\*

\*Therefore, the baseline ambient noise level measured in September 2020 is representative of normal conditions regardless of the ongoing COVID-19 pandemic.

See Appendix F for noise monitoring data. See Figure 4.8-2 for noise measurement locations.

Figure 4.8-2 Noise Measurement Locations



Fig. 4.8-1 Noise Measurement Locations



Assuming a standard distance attenuation rate of 3 dBA per doubling of distance for roadway traffic (i.e., a line source), existing ambient noise levels are approximately equivalent to those measured at the project site at El Rodeo School (located at the same distance from the centerline of Wilshire Boulevard as the project site) and 4 dBA lower at the nearest residences north of Wilshire Boulevard (located approximately 65 feet further from the centerline of Wilshire Boulevard than the project site).

## **Regulatory Setting**

### *State Regulations*

California Government Code Section 65302(f) provides that each local government entity shall implement a noise element as part of its general plan. In addition, the Office of Planning and Research has developed guidelines for preparing noise elements, which include recommendations for evaluating the compatibility of various land uses as a function of community noise exposure. In addition, California Code of Regulations (CCR) Title 24, Part 2, Volume 1, Chapter 12, Section 1206.4, requires that interior noise levels attributable to exterior sources shall not exceed 45 dBA CNEL in any habitable room.

### *Local Regulations*

#### **BEVERLY HILLS GENERAL PLAN**

The City's General Plan Noise Element (2010) contains noise policies that address unnecessary, excessive, and annoying noise levels and sources, such as vehicles, construction, special sources (e.g., radios, musical instrument, animals) and stationary sources (e.g., heating and cooling systems, mechanical rooms). Goals and policies of the Noise Element that would be applicable to the proposed are as follows:

**Goal N 1 Land Use Conflicts.** Minimize land use conflicts between various noise sources and other human activities.

**Policy N 1.3 Limit Hours of Commercial and Entertainment Operations.** Limit hours of commercial and entertainment operations adjacent to residential neighborhoods and other noise-sensitive receptors in order to minimize exposure to excessive noise.

**Policy N 1.4 Limit Hours of Truck Deliveries.** Limit the hours of truck deliveries to commercial uses abutting residential neighborhoods and other noise-sensitive receptors in order to minimize exposure to excessive noise, unless there is no feasible alternative or there are overriding transportation benefits by scheduling deliveries at other hours.

**Policy N 1.5 Noise Mitigation Measures.** Require noise mitigation measures for noise-sensitive receptors when a significant noise impact is identified. A significant noise impact occurs when there is an increase in CNEL, as shown in Table 4.8-5.

**Table 4.8-5 Significance of Changes in Operational Noise Exposure**

Existing Noise Exposure (CNEL)	Significant Noise Increase (dBA)
55	3
60	2
65	1
70	1
Over 75	1

CNEL = Community Noise Exposure Level; dBA = A-weighted decibel  
Source: City of Beverly Hills 2010

**Policy N 1.6 Construction.** In Beverly Hills, it is against the law to operate equipment or perform any outside construction or repair work on any building, structure, pneumatic hammer, derrick, steam or electric hoist, or other construction type devices, between the hours of 6:00 p.m. of one day and 8:00 a.m. of the next day, or at any time on any public holiday so as to cause discomfort or annoyance in a residential zone, unless beforehand a permit therefore has been obtained.

**Goal N 2 Motor Vehicles.** Minimize motor vehicle traffic noise impacts on sensitive noise receptors.

**Policy N 2.1 Sensitive Land Uses Adjacent to Heavy Arterials.** Require that the design of new residential or other new noise sensitive land uses within the 60 dBA and 65 dBA CNEL (and higher) roadway contours demonstrate that the project will meet interior and exterior noise standards. Require the use of interior noise insulation, double paned windows, or other noise mitigation measures, as appropriate, to achieve requires standards.

**Goal N 3 Non-Transportation Noise.** Minimize non-transportation related noise impacts on sensitive noise receptors.

**Policy N 3.1 Protection from Stationary Noise Sources.** Continue to enforce interior and exterior noise standards to ensure that sensitive noise receptors are not exposed to excessive noise levels from stationary noise sources such as machinery, equipment, fans, and air conditioning equipment.

**Policy N 3.2 Regulation of Sound-amplifying Equipment.** Continue to regulate the use of sound-amplifying equipment.

**Goal N 4 Construction Noise.** Minimize excessive construction-related noise.

**Policy N 4.1 Enforce Hours of Construction Activity.** Continue to enforce restrictions on hours of construction activity to minimize the impact of noise and vibration from trucks, heavy drilling equipment, and other heavy machinery on adjacent noise-sensitive receptors, particularly in and near residential areas.

The General Plan includes noise/land use compatibility guidelines for various land use categories in the City, as shown in Table 4.8-6.



**Table 4.8-6 Land Use Noise Compatibility Matrix**

Land Use Categories	Exterior Noise Levels - Community Noise Equivalent Level (CNEL)			
	Normally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable
Residential (Low-Density, Single-Family, Duplex, Mobile Homes)	50-60	55-70	70-75	75-85
Residential (Multiple-Family)	50-65	60-70	70-75	70-85
Transient Lodging (Hotel, Motel)	50-65	60-70	70-80	80-85
Schools, Libraries, Churches, Hospitals, Nursing Homes	50-70	60-70	70-80	80-85
Auditoriums, Concert Halls, Amphitheaters	N/A	50-70	N/A	65-85
Sports Arenas, Outdoor Spectator Sports	N/A	50-75	N/A	70-85
Playgrounds, Neighborhood Parks	50-70	N/A	67.5-75	72.5-85
Golf Courses, Riding Stables, Water Recreation, Cemeteries	50-70	N/A	70-80	80-85
Office Buildings, Business Commercial and Professional	50-75	67.5-77.5	75-85	N/A
Industrial, Manufacturing, Utilities, Agriculture	50-75	70-80	75-85	N/A
N/A = Not Applicable				
Source: City of Beverly Hills 2010				

## BEVERLY HILLS MUNICIPAL CODE

The City's Noise Ordinance (Beverly Hills Municipal Code [BHMC] Sections 5-1-101 through 5-1-210) includes noise standards and regulations. Title 5, Chapter 1, *Noise Regulations*, of the BHMC contains the following that would apply to the proposed project:

### 5-1-201: Sound Amplifying Equipment

It shall be unlawful for any person within any residential zone of the city to use or operate any sound amplifying equipment between the hours of 10:00 p.m. and 8:00 a.m. of the following day in such a manner as to be distinctly audible at or beyond the property line of the property on which the equipment is located (Ord. 11-O-2613, eff. 10-31-2011).

### 5-1-202: Machinery, Equipment, Fans, and Air Conditioning

It shall be unlawful for any person to operate any machinery, equipment, pump, fan, air conditioning apparatus, or similar mechanical device in any manner so as to create any noise which would cause the noise level at the property line of any property to exceed the ambient noise level by more than five decibels based on a reference sound pressure of 0.0002 microbars, as measured in any octave band center frequency, in cycles per second, as follows: 63, 125, 250, 500, 1,000,

2,000, 4,000, and 8,000 and for the combined frequency bands (all pass) (Ord. 11-O-2613, eff. 10-31-2011).

#### **5-1-205: Restrictions on Construction Activity**

A. No person shall engage in construction, maintenance or repair work which requires a city permit between the hours of 6:00 p.m. and 8:00 a.m. of any day, or at any time on a Sunday or public holiday unless such person has been issued an after hours construction permit issued pursuant to subsection C of this section. In addition, no person shall engage in such work within a residential zone, or within 500 feet of a residential zone, at any time on a Saturday unless such person has been issued an after hours construction permit issued pursuant to subsection C of this section. For the purpose of this section, "public holiday" shall mean:

1. New Year's Day
2. Memorial Day
3. Independence Day
4. Labor Day
5. Thanksgiving Day
6. Christmas Day

Nothing in this section shall restrict the performance of "emergency work" as that term is defined in section 5-1-102 of this chapter.

- B. No person employed for the purposes of construction, maintenance, or repair work which requires a City permit shall enter a site on which such work will be done prior to 8:00 a.m. Any violation of this subsection shall be deemed to be an infraction.
- C. The City building official, after consultation with appropriate City officials, may issue an after hours construction permit authorizing work and/or entrance to a work site otherwise prohibited by this section if the City building official determines that the public interest will be served by such a permit. Situations in which the public interest may be served by the issuance of such an after hours construction permit includes, but are not limited to, construction near school grounds, and construction that may interfere with vehicular or pedestrian traffic in heavily traveled public rights-of-way.
- D. Applications for an after-hours construction permit issued pursuant to subsection C of this section shall be in writing and shall set forth how the public interest will be served by issuing the permit. An after-hours construction permit may be revoked or suspended by the city building official if the city building official determines that activity conducted pursuant to the permit detrimentally affects the public health, safety or welfare (Ord. 11-O-2613, eff. 10-31-2011).

#### **5-1-206: Noise in Proximity of Schools, Hospitals, and Churches**

It shall be unlawful for any person to create any noise on any street, sidewalk, or public place adjacent to any school, institution of learning, or church while the same is in use, or adjacent to any hospital; which noise substantially and unreasonably interferes with the workings of such institutions or which disturbs or unduly annoys patients in the hospital, provided that conspicuous signs are displayed on such street, sidewalk, or public place indicating the presence of a school, church, or hospital (Ord. 11-O-2613, eff. 10-31-2011).

#### **5-1-209: Portable Gasoline Engine Powered Blowers**

It shall be unlawful for any person within the City to use or operate any portable machine powered with a gasoline engine used to blow leaves, dirt, and other debris off sidewalks, driveways, lawns, or other surfaces (Ord. 11-O-2613, eff. 10-31-2011).

### **4.8.2 Previous Environmental Review**

The Beverly Hilton Specific Plan 2008 EIR and 9900 Wilshire Specific Plan 2016 SEIR (hereafter referred to collectively as “previous environmental documentation”) conclude that the Existing Specific Plans would result in less than significant impacts related to on-site operational noise and off-site traffic noise (City of Beverly Hills 2008a and 2016a). Previous environmental documentation also identifies construction noise and vibration impacts associated with the Existing Specific Plans as significant and unavoidable impacts due to activities outside the City’s allowed hours of construction of 8:00 a.m. to 6:00 p.m. (excluding Sundays and public holidays, and excluding Saturdays if within 500 feet of a residential zone) that would generate an increase in noise levels of more than 5 dBA.<sup>1</sup> Previous environmental documentation includes Mitigation Measures MM NOISE-1 and MM NOISE-4 for the Beverly Hilton Specific Plan and Mitigation Measures MM NOISE-1 and MM NOISE-4 for 9900 Wilshire Specific Plan to reduce noise and vibration impacts associated with construction of the Existing Specific Plans (City of Beverly Hills 2008a and 2016a).<sup>2</sup> However, the previous environmental documents conclude that potential impacts associated with the short-term noise and vibration impacts during construction of the Existing Specific Plans would remain significant and unavoidable after implementation of the identified mitigation measures. As a result, previous environmental documentation also identifies construction noise and vibration impacts as cumulatively considerable and significant and unavoidable. With respect to noise/land use compatibility, previous environmental documentation concludes that ambient noise levels at the project site would exceed the City’s exterior and interior noise standards for multi-family residences and hotel rooms of 65 CNEL and 45 CNEL, respectively. Therefore, previous environmental documentation includes Mitigation Measures MM NOISE-2 and MM NOISE-3 for the Beverly Hilton Specific Plan and Mitigation Measures MM NOISE-2 and MM NOISE-3 for 9900 Wilshire Specific Plan to achieve noise/land use compatibility for the Existing Specific Plans (City of Beverly Hills 2008a and 2016a).

### **4.8.3 Impact Analysis**

#### **Methodology and Significance Thresholds**

##### *Methodology*

Similar to the analysis in Section 4.1, *Air Quality*, this analysis focuses on noise and vibration caused by demolition and buildout of structures and features on the entire project site (including the gas station site) that have not already been built as part of the Approved Entitlements. Furthermore, construction noise and vibration associated with buildout of remaining development under the Approved Entitlements and buildout of the proposed project were both calculated to provide a side-by-side comparison of construction noise and vibration.

---

<sup>1</sup> Construction activities outside the City’s allowed hours are permitted with issuance of an after hours construction permit per BHMC Section 5-1-205(C-D).

<sup>2</sup> These mitigation measures are outlined in the previous environmental documentation, and the full text of these measures is incorporated herein by reference.

## CONSTRUCTION NOISE

Construction noise was estimated using the FHWA Roadway Construction Noise Model (RCNM) (2006). RCNM predicts construction noise levels for a variety of construction operations based on empirical data and the application of acoustical propagation formulas. Using RCNM, construction noise levels were estimated at the property lines of noise-sensitive receivers near the project site. RCNM provides reference noise levels for standard construction equipment, with an attenuation rate of 6 dBA per doubling of distance for stationary equipment.

For the construction noise assessment, construction equipment consists of two modes: stationary and mobile. As a rule, stationary equipment operates in a single location for one or more days at a time, with either fixed-power operation (e.g., pumps, generators, and compressors) or variable-power operation (e.g., pile drivers, rock drills, and pavement breakers). Mobile equipment moves around the construction site with power applied in cyclic fashion, such as bulldozers, graders, and loaders (FTA 2018). Noise impacts from stationary equipment are assessed from the center of the equipment, while noise impacts from mobile construction equipment are assessed from the center of the equipment activity area (e.g., construction site).

Variation in power imposes additional complexity in characterizing the noise source level from construction equipment. Power variation is accounted for by describing the noise at a reference distance from the equipment operating at full power and adjusting it based on the duty cycle, or percent of operational time, of the activity to determine the  $L_{eq}$  of the operation (FTA 2018).

Each phase of demolition and construction has a specific equipment mix, depending on the work to be accomplished during that phase. Each phase also has its own noise characteristics; some will have higher continuous noise levels than others, and some may have high instantaneous noise levels. The maximum hourly  $L_{eq}$  of each phase is determined by combining the  $L_{eq}$  contributions from each piece of equipment used in that phase (FTA 2018).

As discussed in Section 2, *Project Description*, construction of the proposed project would occur over a period of approximately 50 months, with buildout expected by 2026. Construction phases would include demolition, site preparation, and grading followed by building construction, paving, and architectural coating, which would occur at different times throughout the project site as buildings are constructed. Construction would also require pile installation along the perimeter basement walls of all proposed structures for shoring beams. Consistent with the City's restriction on the use of impact-driven piles, auger drill rigs would be used for pile installation. The anticipated construction equipment list was provided by the project applicant and is detailed in Section 4.1, *Air Quality*. For the purposes of this analysis, it is conservatively assumed that diesel engines would power all construction equipment; however, the tower cranes used during building construction would be electric-powered, which would reduce noise levels. Noise levels during each phase of construction were modeled in RCNM at the distance between the nearest center of construction activity for each phase and the property line of the nearest noise-sensitive receivers (i.e., residences to the north and El Rodeo School to the north) with the exception of drilled piles, which were modeled at the distance between the nearest pile and the property line of the nearest noise-sensitive receivers. RCNM calculations are included in Appendix F.

Demolition, grading, and building construction activities would also require the use of hauling and vendor trucks, which would intermittently generate noise along roadways surrounding the project site. As discussed in Section 4.1, *Air Quality*, the proposed project would include demolition of approximately 454,652 square feet of existing structures and export of approximately 550,000 cubic yards of soil material via haul trucks with a 14-cubic-yard capacity, according to details provided by

the applicant. By comparison, under the Approved Entitlements, approximately 204,349 square feet of existing structures would be demolished for the Beverly Hilton Specific Plan and approximately 634,487 cubic yards of material would be hauled off-site (375,000 cubic yards for the Beverly Hilton Specific Plan and 259,487 cubic yards for the 9900 Wilshire Specific Plan) (City of Beverly Hills 2008a and 2016a). Table 4.8-7 summarizes the total and daily trip estimates for heavy-duty construction traffic for demolition debris hauling, soil hauling, and vendor deliveries. To determine project impacts to roadway noise levels during construction, roadway noise was modeled using the FHWA Traffic Noise Model (TNM) spreadsheet. According to the project applicant, some work outside the City's allowed construction hours (8:00 a.m. to 6:00 p.m.) is anticipated, primarily for nighttime material loading and hauling, which would require an after-hours construction permit. As a result, it was conservatively assumed that truck trips would be evenly distributed throughout daytime, evening, and nighttime hours with 49 percent during the daytime period (7:00 a.m. to 7:00 p.m.), 13 percent in the evening period (7:00 p.m. to 10:00 p.m.), and 38 percent during the nighttime period (10:00 p.m. to 7:00 a.m.). Truck trips are expected to also occur at night because the project proposes to include nighttime material loading and hauling.

**Table 4.8-7 Heavy-Duty Construction Traffic**

Trip Type	Approved Entitlements		Proposed Project	
	Total One-Way Trips	One-Way Trips Per Day <sup>1</sup>	Total One-Way Trips	One-Way Trips Per Day <sup>1</sup>
Demolition Debris Haul Trips <sup>2</sup>	1,062	4	2,364	8
Soil Haul Trips <sup>2</sup>	90,642	418	78,572	364
Vendor Trips (Building Construction) <sup>3</sup>	282,117	309	240,119	263

<sup>1</sup> Based on applicant-provided information, the demolition phase would require 305 work days, the grading phase would require 217 work days, and the building construction phase would require 913 work days.

<sup>2</sup> Based on haul truck capacity of 14 cubic yards.

<sup>3</sup> Based on estimates from the California Emissions Estimator Model (see Appendix B).

## OFF-SITE TRAFFIC NOISE

As discussed in Transportation Impact Report, the project would generate approximately 474 net new daily vehicle trips as compared to existing uses to be demolished, thereby increasing traffic on area roadways (Appendix G). To determine impacts to roadway noise levels during operation, roadway noise was modeled using the FHWA TNM spreadsheet. Roadway noise was modeled under existing, existing plus project, existing plus Approved Entitlements, cumulative plus Approved Entitlements, and cumulative plus project conditions along Wilshire Boulevard, North Santa Monica Boulevard, and Whittier Drive based on traffic counts and modeling prepared by Fehr & Peers (Appendix G). These locations were selected for modeling because they would be the most affected by project-generated traffic, capture potential roadway noise impacts to sensitive receivers, and existing and cumulative average daily traffic (ADT) volumes for these locations are provided in the Transportation Impact Study prepared for the project. Based on data from Caltrans, it was assumed that the vehicle mix of ADT on Wilshire Boulevard and North Santa Monica Boulevard is 97.5 percent cars, 2 percent medium duty vehicles, and 0.5 percent heavy duty vehicles (Caltrans 2020b). Based on the nature of Whittier Drive, it was assumed that the vehicle mix of ADT on Whittier Drive is 99 percent cars and 1 percent medium duty vehicles. Based on traffic counts conducted in 2018 on Wilshire Boulevard and North Santa Monica Boulevard in the project site vicinity, it was

estimated that 13 percent of ADT occurs in the evening and 13 percent of ADT occurs at night on Wilshire Boulevard while 15 percent of ADT occurs in the evening and 17 percent of ADT occurs at night on North Santa Monica Boulevard (Fehr and Peers 2018a and 2018b). For Whittier Drive, the standard estimates of 5 percent of ADT occurring in the evening and 15 percent of ADT occurring at night were utilized. Additional model assumptions include vehicle speeds consistent with posted speed limits on the modeled roadways.

## VIBRATION

The proposed project does not include substantial vibration sources associated with operation. Thus, construction activities have the greatest potential to generate groundborne vibration affecting nearby receivers, especially during grading and paving of the project site. The greatest vibratory sources during construction would be jackhammers, augur drill rigs, bulldozers, and loaded trucks. Neither blasting nor impact pile driving would be required for construction of the proposed project. Construction vibration estimates are based on vibration levels reported by Caltrans and the FTA (Caltrans 2020a; FTA 2018).

A quantitative assessment of potential vibration impacts from construction activities was conducted using the estimates and equations developed by Caltrans and the FTA (Caltrans 2020a; FTA 2018). Table 4.8-8 shows typical vibration levels for various pieces of construction equipment used in the assessment of construction vibration (FTA 2018). These pieces of construction equipment are anticipated to be used during project construction and would generate the highest levels of vibration as compared to construction equipment not included in this analysis.

**Table 4.8-8 Vibration Levels Measured during Construction Activities**

Equipment	PPV at 25 Feet (in/sec)
Caisson Drilling <sup>1</sup>	0.089
Jackhammer	0.035
Large Bulldozer	0.089
Loaded trucks	0.076

<sup>1</sup> Used as a proxy for augur drill rigs.

PPV = peak particle velocity; in/sec = inches per second

Source: FTA 2018

## NOISE/LAND USE COMPATIBILITY

In accordance with the noise/land use compatibility guidelines provided in Appendix B of the City's General Plan Noise Element, the noise/land use compatibility of the project site was evaluated by comparing estimated ambient noise levels under cumulative plus project conditions to the City's noise/land use compatibility standards for multi-family, hotel, and commercial land uses (see Table 4.8-6 in Section 2.5, *Regulatory Setting*).

### *Significance Thresholds*

The following are the thresholds for determining the significance of impacts related to noise and vibration, and the proposed project's impacts are assessed to determine whether the project would result in:

1. 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
2. Generation of excessive groundborne vibration or groundborne noise levels
3. 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, expose people residing or working in the project area to excessive noise levels

As discussed in the 2020 Initial Study (Appendix A), 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. Impacts under Threshold 3 are not discussed further in this SEIR.

### **CONSTRUCTION NOISE**

Per BHMC Section 5-1-205, construction activities are limited to the hours of 8:00 a.m. and 6:00 p.m., Monday through Friday (excluding public holidays) within 500 feet of a residential zone unless the City has issued an after hours construction permit for the project. Consistent with the approach of previous environmental documentation, construction noise would be significant if construction activities occurring on the project site resulting in a noise increase of five dBA or more outside the hours permitted by the City's noise ordinance at the project site (i.e., between 6:00 p.m. and 8:00 a.m. on weekdays, or at any time on Saturday, Sunday, or a public holiday) or would increase noise by five dBA or more during daytime hours at a school, hospital, church, or institute of learning.

Because haul truck trips generated by buildout of the Approved Entitlements or buildout of the proposed project would be part of the local street network (i.e., Wilshire Boulevard and North Santa Monica Boulevard), noise from haul truck trips are measured against the same significance thresholds as project-generated operational traffic. Therefore, haul trip noise along Wilshire Boulevard and North Santa Monica Boulevard would be significant if it would cause a noise increase equal to or exceeding the levels described in Policy N 1.5 of the City's General Plan Noise Element, which are summarized in Table 4.8-5. As shown in Table 4.8-4, existing traffic noise levels on Wilshire Boulevard and North Santa Monica Boulevard are approximately 80 CNEL and 78 CNEL, respectively, which correlate to a significance threshold of 1 dBA over ambient noise. Therefore, based on thresholds in Table 4.8-5 and existing ambient noise levels of greater than 75 CNEL, project operation would generate a significant impact if noise levels at the property line of nearest sensitive receivers increase by more than 1 dBA.

### **ON-SITE OPERATIONAL AND OFF-SITE ROADWAY NOISE**

Consistent with the approach of previous environmental documentation, operational noise generated by the proposed project would be significant if it would exceed the noise level limits specified in Policy N 1.5 of the City's current General Plan Noise Element (see Table 4.8-5). As shown in Table 4.8-4, existing traffic noise levels on Wilshire Boulevard and North Santa Monica Boulevard are approximately 80 CNEL and 78 CNEL, respectively. Therefore, based on thresholds in Table 4.8-5 and existing ambient noise levels of greater than 75 CNEL, project operation would generate a significant impact if noise levels at the property line of nearest sensitive receivers increase by more than 1 dBA.

## VIBRATION

The City of Beverly Hills has not adopted standards to assess vibration impacts during construction and operation. However, Caltrans has developed limits for the assessment of vibrations from transportation and construction sources. The Caltrans vibration limits are reflective of standard practice for analyzing vibration impacts on structures from continuous and intermittent sources. As shown under *Overview of Groundborne Vibration*, the Caltrans (2020) *Transportation and Construction Vibration Guidance Manual* identifies three sets of impact criteria for buildings and humans. Table 4.8-1 presents the impact criteria for buildings and Table 4.8-2 presents impact criteria for humans from construction and operational vibration sources. The thresholds of significance used in this analysis to evaluate vibration impacts are based on these impact criteria, as summarized in Table 4.8-9. In addition, consistent with the approach of previous environmental documentation, the FTA impact criterion of 72 VdB was utilized for construction activities occurring at night to evaluate nighttime human annoyance impacts at places where people sleep, including hotel rooms and residences.

**Table 4.8-9 Vibration Thresholds**

Type of Impact	Thresholds for Occasional Pass-bys of Construction Equipment (in/sec PPV) <sup>1</sup>	Thresholds for Extended Construction Activities and Operational Activities (in/sec PPV) <sup>1</sup>
Human Annoyance <sup>1</sup>	0.240	0.040
Damage to Historic and Some Old Buildings	0.500	0.250
Damage to Older Residential Structures	0.500	0.300
Damage to Newer Residential Structures	1.000	0.500

<sup>1</sup> Thresholds are based on the points at which transient and steady state vibrations are distinctly perceptible from other vibrations.

## NOISE/LAND USE COMPATIBILITY

Consistent with the approach of previous environmental documentation, the noise/land use compatibility of the project site is evaluated in accordance with the City's land use compatibility criteria, shown in Table 4.8-6. The normally acceptable exterior ambient noise levels are up to 65 CNEL for residential uses, 65 CNEL for hotel rooms, and 75 CNEL for commercial uses. In addition, per CCR Title 24 (Part 2, Volume 1, Chapter 12, Section 1206.4), interior noise levels in habitable rooms must not exceed 45 CNEL.



## Project Impacts

**Threshold 1:** 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?

**Impact N-1** DAILY CONSTRUCTION ACTIVITIES ASSOCIATED WITH BUILDOUT OF THE PROPOSED PROJECT WOULD GENERATE TEMPORARY NOISE INCREASES ABOVE EXISTING CONDITIONS THAT WOULD BE AUDIBLE AT NEARBY SENSITIVE RECEIVERS AND COMPARABLE TO THOSE THAT WOULD BE GENERATED UNDER BUILDOUT OF THE APPROVED ENTITLEMENTS. POTENTIAL CONSTRUCTION-RELATED NOISE ASSOCIATED WITH THE PROPOSED PROJECT WOULD RESULT IN AN INCREASE OF MORE THAN 5 dBA AT EL RODEO SCHOOL DURING SCHOOL HOURS, WHICH WOULD EXCEED THE NOISE INCREASE PERMITTED BY THE CITY'S NOISE ORDINANCE. IN ADDITION, SIMILAR TO THE APPROVED ENTITLEMENTS, CONSTRUCTION ACTIVITIES UNDER THE PROPOSED PROJECT THAT OCCUR OUTSIDE THE CITY'S ALLOWED CONSTRUCTION HOURS (8:00 A.M. TO 6:00 P.M., EXCLUDING WEEKENDS AND PUBLIC HOLIDAYS) WOULD RESULT IN AN INCREASE OF 5 dBA ABOVE AMBIENT NOISE LEVELS. ALTHOUGH THE BEVERLY HILTON SPECIFIC PLAN 2008 EIR DETERMINED THAT BUILDOUT OF THE BEVERLY HILTON SPECIFIC PLAN WOULD HAVE A SIGNIFICANT AND UNAVOIDABLE CONSTRUCTION NOISE IMPACT, IMPLEMENTATION OF MITIGATION MEASURE MM-NOISE-1 WOULD REDUCE THE IMPACT OF THE PROPOSED PROJECT TO A LESS THAN SIGNIFICANT LEVEL. THEREFORE, IN COMPARISON TO EXISTING CONDITIONS AND APPROVED ENTITLEMENTS, IMPACTS OF THE PROPOSED PROJECT WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION. IN ADDITION, IN COMPARISON TO APPROVED ENTITLEMENTS, PROJECT IMPACTS WOULD BE LESS THAN WHAT WERE IDENTIFIED IN PREVIOUS ENVIRONMENTAL DOCUMENTATION.

## On-site Construction Noise

### *Existing Conditions*

As discussed in Section 2, *Project Description*, construction of the proposed project would occur over a period of approximately 50 months, with buildout expected by 2026. Construction activities for the proposed project would include demolition, site preparation, grading, building construction, architectural coatings, and paving phases. Daily construction activities would be limited by BHMC Section 5-1-205 to weekday daytime hours (between 8:00 a.m. and 6:00 p.m.) unless an after-hours construction permit is issued, which the project would be required to obtain. Construction noise impacts at residential uses primarily result when construction activities occur during times of the day when people are most sensitive to noise (i.e., early morning, evening, or nighttime hours), and noise impacts at schools primarily result when construction activities occur during school hours (generally 7:00 a.m. to 4:00 p.m. on weekdays).

Construction noise levels during all phases of construction associated with the proposed project were estimated using the FHWA RCNM. Table 4.8-10 shows the estimated construction noise levels based on the combined use of construction equipment anticipated to be used concurrently during each phase of construction. As discussed under *Methodology and Significance Thresholds*, construction noise levels were modeled at the distance between the nearest center of construction activity for each phase and the property line of the nearest noise-sensitive receivers (i.e., residences to the north and El Rodeo School to the north) with the exception of pile drilling, which was estimated at the distance between the nearest pile and the property line of the nearest noise-sensitive receivers.

As shown in Table 4.8-10, construction of the proposed project would generate noise levels of up to 77 dBA  $L_{eq}$  at the nearest residences north of the project site and 79 dBA  $L_{eq}$  at El Rodeo School. The noise levels presented in Table 4.8-10 represent conservative, worst-case conditions and not typical conditions throughout construction. Estimated noise levels assume that all equipment associated with each construction activity would operate simultaneously, whereas, in practice, equipment would operate individually as needed. In addition, this analysis assumes that all construction activities would occur at the elevation of Wilshire Boulevard. However, some construction activities, such as site preparation, grading, and paving would be located below the grade level of El Rodeo School and residences to the north during construction of the subterranean parking garage, and the change in topography would partially block line-of-sight between these sensitive receivers and construction equipment, thereby resulting in lower noise levels during portions of these phases.

**Table 4.8-10 Estimated Construction Noise Levels – Proposed Project**

Construction Phase(s)	Equipment	Estimated Noise Level (dBA $L_{eq}$ ) at Various Distances from the Source	
		Residences	El Rodeo School
Demolition	Dozer, Dumpers/Tenders (20), Excavators (3), Grader, Front End Loader	69	74
Demolition and Site Preparation	Dozers, Dumpers/Tenders (20), Excavators (3), Grader, Front End Loader	72	74
Demolition and Grading	Augur Drill Rigs (2), Backhoes (2), Dozer, Dumpers/Tenders (80), Excavators (3), Grader, Front End Loader, Scraper	74	77
Demolition, Grading, and Building Construction	Augur Drill Rigs (2), Backhoes (2), Cranes (7), Dozer, Dumpers/Tenders (80), Excavators (3), Grader, Front End Loader, Pumps (7), Scraper	77	79
Demolition and Building Construction	Backhoes (2), Cranes (7), Dozer, Dumpers/Tenders (20), Excavators (3), Grader, Front End Loader, Pumps (7)	75	78
Building Construction	Backhoes (2), Cranes (7), Pumps (7)	74	77
Building Construction and Architectural Coating	Backhoes (2), Cranes (7), Pumps (7)	74	77
Building Construction, Architectural Coating, and Paving	Backhoes (2), Cranes (7), Dozer, Dumpers/Tenders (10), Excavator, Grader, Front End Loader, Paver, Paving Equipment, Pumps (7)	76	79
Paving and Architectural Coating	Backhoes (2), Cranes (7), Dozer, Dumpers/Tenders (10), Excavator, Grader, Front End Loader, Paver, Paving Equipment, Pumps (2)	74	77

Construction Phase(s)	Equipment	Estimated Noise Level (dBA $L_{eq}$ ) at Various Distances from the Source	
		Residences	El Rodeo School
Architectural Coating	Cranes (7)	67	70

dBA = A-weighted decibel;  $L_{eq}$  = equivalent noise level; RCNM = Roadway Construction Noise Model  
 See Appendix F for RCNM results.

Project construction would result in a significant noise impact if construction activities generate a noise increase of 5 dBA outside the hours permitted by the City's Noise Ordinance (BHMC Section 5-1-205) or would increase noise by five dBA or more during daytime hours at a school, hospital, church, or institute of learning. Accordingly, project construction undertaken during weekday hours between 8:00 a.m. and 6:00 p.m. would comply with the standards established in the Noise Ordinance and would result in a less than significant noise impact at residences to the north. However, as shown in Table 4.8-10, construction of the proposed project would generate construction noise levels up to 79 dBA  $L_{eq}$  at El Rodeo School during simultaneous occurrence of the demolition, grading, and building construction phases and during simultaneous occurrence of the building construction, architectural coating, and paving phases. As shown in Table 4.8-4, ambient noise levels along Wilshire Boulevard near El Rodeo School during school hours (7:00 a.m. to 4:00 p.m.) range from approximately 73 to 83 dBA  $L_{eq}$ . Therefore, as compared to existing conditions, construction activities during these overlapping construction phases could generate noise level increases in excess of 5 dBA at a school, which would be a significant impact.

Construction noise monitoring data collected during construction activities at the Waldorf-Astoria Beverly Hills from 2014 to 2016 measured average hourly noise levels ranging from 65 to 75 dBA  $L_{eq}$  at 320 feet during demolition activities and 65 to 75 dBA  $L_{eq}$  at 140 feet during other construction activities with occasional spikes up to 80 dBA  $L_{eq}$  during haul truck pass-bys (Veneklasen Associates, Inc. 2014-2017). Those measured noise levels are similar to the noise levels estimated for the proposed project construction activities at residences to the north and El Rodeo School (see Table 4.8-10). As indicated in the construction noise monitoring reports, the measured noise levels during the majority of construction activities did not indicate measurable differences in ambient noise levels due to construction activities.

On-site construction noise also has the potential to adversely affect special events that are sensitive to noise, such as intermittent events hosted adjacent to the project site, like the 2023 US Open to be hosted at the Los Angeles Country Club North Course, which is located to the west of the project site. Project construction has the potential to generate a substantial temporary increase in ambient noise levels during these special off-site events, but as noted above project construction undertaken during weekday hours between 8:00 a.m. and 6:00 p.m. would comply with the standards established in the Noise Ordinance and would result in a less than significant noise impact. Moreover, the Beverly Hills General Plan Noise Element identifies noise-sensitive land uses as residences, schools, churches, and libraries (City of Beverly Hills 2010), and does not identify special events or golf courses as noise-sensitive land uses. Therefore, construction activities would not result in a significant noise impact at the off-site Los Angeles Country Club. Nonetheless, conditions have been identified below to address temporary construction noise during the 2023 US Open for consideration by City decisionmakers. This condition is not to mitigate a CEQA impact.

According to the project applicant, some work outside the City's allowed construction hours (8:00 a.m. to 6:00 p.m.) is anticipated, primarily for nighttime material loading and hauling, which would require an after-hours construction permit. Nighttime noise has the potential to impact residences, but El Rodeo School operates during daytime hours and the project does not have the potential to impact its operations during the nighttime period. As shown in Table 4.8-10, construction activities would generate noise levels up to 77 dBA  $L_{eq}$  at residences to the north. As shown in Table 4.8-4 and discussed under *Existing Noise Environment*, existing ambient noise levels between 6:00 p.m. and 8:00 a.m. range between 55 to 75 dBA  $L_{eq}$  at residences to the north. Therefore, construction activities for the proposed project occurring before 8:00 a.m. or after 6:00 p.m. would generate noise levels in excess of 5 dBA above ambient noise levels outside the hours permitted by the City's Noise Ordinance residences to the north. Therefore, as compared to existing conditions, on-site construction noise impacts during the hours of 6:00 p.m. to 8:00 a.m. would be potentially significant and implementation of Mitigation Measure MM-NOISE-1 would be required. It is worth noting that although nighttime construction would temporarily increase nighttime noise in the project vicinity, after-hours construction allows for a shorter overall construction duration, which would reduce the duration of daytime construction-noise related impacts, but not the magnitude.

### *Approved Entitlements*

Similar to the proposed project, construction activities for Approved Entitlements would include demolition, site preparation, grading, building construction, architectural coating, and paving phases. The Beverly Hilton Specific Plan 2008 EIR concludes that the Beverly Hilton Specific Plan would result in significant and unavoidable construction noise impacts because on-site construction activities would generate noise levels in excess of 5 dBA above ambient noise levels at El Rodeo School and would occur outside the City's allowed hours of construction. Therefore, the Beverly Hilton Specific Plan 2008 EIR required implementation of Mitigation Measure MM NOISE-1. The 9900 Wilshire Specific Plan 2016 SEIR concludes that the 9900 Wilshire Specific Plan would have a less than significant construction noise impact with incorporation of Mitigation Measure MM NOISE-1. These mitigation measures were not taken into account for the analysis and comparison of construction noise impacts for the proposed project. Because buildout of the Approved Entitlements and the proposed project would require the same construction equipment, construction noise levels (shown in Table 4.8-10 above) would be the same for both scenarios. Therefore, the construction noise impacts of the proposed project would be potentially significant, similar to those of the Approved Entitlements, and implementation of Mitigation Measure NOISE-1 would be required.

## **Off-site Construction Noise**

### *Existing Conditions*

Demolition, grading, and building construction activities would also require the use of hauling and vendor trucks, which would intermittently generate noise along roadways surrounding the project site. As shown in Table 4.8-7 under *Methodology and Significance Thresholds*, the proposed project would require approximately eight one-way haul trips per day during demolition, approximately 364 one-way haul trips per day during grading, and approximately 263 one-way vendor trips during building construction. Due the configuration of the project site and potential for multiple access points, this analysis assumes that trucks would use Wilshire Boulevard and North Santa Monica Boulevard to access and leave the project site. Based on peak hour traffic volumes from the Local Transportation Assessment prepared for the proposed project by Fehr & Peers (Appendix G) for the

arterial roadway segments bounding the project site (where the most haul truck trips would occur), Wilshire Boulevard (between Comstock Avenue and Merv Griffin Way) carries an ADT volume of 40,880 vehicles and North Santa Monica Boulevard (between Merv Griffin Way and Century Park East) carries an ADT volume of 47,240 vehicles.

Construction activities under the proposed project would generate at most 635 daily one-way haul truck trips for soil export during the demolition, grading, and building construction phases ( $8 + 364 + 263$ ), which would overlap for approximately six months. Construction traffic-generated noise levels along Wilshire Boulevard and North Santa Monica Boulevard were estimated using the FHWA TNM spreadsheet by adding 635 daily one-way truck trips to existing ADT volumes along segments bounding the project site. Based on TNM modeling, the addition of 635 daily one-way haul truck trips would increase the existing noise level along Wilshire Boulevard and North Santa Monica Boulevard by 0.9 dBA on Wilshire Boulevard and North Santa Monica Boulevard (see Appendix F for TNM results associated with the addition of construction trips to existing roadway conditions along Wilshire Boulevard and North Santa Monica Boulevard). Therefore, as compared to existing conditions, haul trips from construction of the proposed project would not increase ambient noise levels by more than 1 dBA, and off-site construction noise impacts from truck trips associated with the proposed project would be less than significant. Furthermore, if implemented, Mitigation Measure MM-AQ-8 would further reduce off-site construction noise levels by requiring the use of tandem trucks with a minimum capacity of 28 cubic yards, which would reduce the daily number of truck trips to and from the project site.

### *Approved Entitlements*

Previous environmental documentation concludes that off-site construction noise generated by truck trips associated with the Approved Entitlements would be less than significant. As shown in Table 4.8-7 under *Methodology and Significance Thresholds*, the Approved Entitlements would require approximately four one-way haul trips per day during demolition, approximately 418 one-way haul trips per day during grading, and approximately 309 one-way vendor trips during building construction. Daily vendor and haul trips associated with buildout under the Approved Entitlements would be less than those of the proposed project during demolition due to less demolition square footage and greater than those of the proposed project during grading and building construction due to more soil export and increased square footage associated with more parking spaces. Construction activities under the Approved Entitlements would generate at most 731 daily one-way haul truck trips for soil export during the demolition, grading, and building construction phases ( $4 + 418 + 309$ ), which would overlap for approximately six months. As discussed above, the proposed project would add approximately 635 daily one-way truck trips, which would be less than that of the Approved Entitlements. As discussed above, haul trips from construction of the proposed project would not increase ambient noise levels by more than 1 dBA. Similar to the Approved Entitlements, off-site construction noise impacts from truck trips associated with the proposed project would be less than significant.

### **Mitigation Measures**

As discussed in Section 4.8.3, *Previous Environmental Review*, Mitigation Measure MM NOISE-1 from the Beverly Hilton Specific Plan 2008 EIR and Mitigation Measure MM NOISE-1 from the 9900 Wilshire Specific Plan 2016 SEIR were required for the Existing Specific Plans to reduce construction noise (City of Beverly Hills 2008a and 2016a). The following mitigation measure, which includes measures revised and adapted to current industry standards from the previous environmental documentation, would be required for the proposed project. This measure would

supersede Mitigation Measure MM NOISE-1 from the Beverly Hilton Specific Plan 2008 EIR and Mitigation Measure MM NOISE-1 from the 9900 Wilshire Specific Plan 2016 SEIR, which have been replaced to consolidate, update, and clarify the mitigation needed for the proposed project.

**MM-NOISE-1** Prior to issuance of grading permits, the Developer shall submit a Construction Management Plan satisfactory to the Director of Community Development and the Building Official. The Building Official shall enforce noise attenuating construction requirements. The Construction Management Plan shall include, but not be limited to, the following noise attenuation measures:

- Excavation, grading, and other construction activities related to the proposed project shall comply with Section 5-1-206, *Restrictions on Construction Activity*, of the Beverly Hills Municipal Code. Any deviations from these standards shall require the written approval of the City Building Official.
- Stockpiling and vehicle staging areas shall be located as far away as practicable from residences to the north and El Rodeo School.
- All heavy-duty stationary construction equipment (e.g., air compressors, generators, etc.) shall be placed so that emitted noise is directed away from the nearest sensitive receivers (i.e., residences to the north and El Rodeo School).
- Whenever practicable, construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- Haul routes for removing excavated materials from the site shall be designed to avoid residential areas and areas occupied by noise-sensitive receivers (e.g., hospitals, schools, convalescent homes, etc.).
- Prior to the start of every school year, the Developer shall obtain a schedule of testing periods at El Rodeo School. The Developer shall submit a construction schedule for review and approval by the Community Development Director and the Environmental Monitor that ensures that no construction activity generating the highest noise levels (e.g., simultaneous demolition, grading, and building construction) is undertaken during any designated testing periods at the school. Such testing periods typically occur for one week per semester; however, the exact dates and times will be determined by the Beverly Hills Unified School District.
- For construction activities occurring during the City's allowed hours of construction (weekdays, excluding public holidays, 8:00 a.m. to 6:00 p.m.), the following shall be required:
  - All equipment, fixed or mobile, shall be operated with closed engine doors and shall be equipped with properly operating and maintained residential grade mufflers consistent with manufacturers' standards that provide at least a 5-dBA reduction in noise levels.
  - The Contractor shall use portable sound enclosures for all generators and air compressors that provide at least a 10-dBA reduction in noise levels.
- For construction activities occurring outside the City's allowed hours of construction, the following shall be required:

- Simultaneous occurrence of two or more construction phases (demolition, site preparation, grading, building construction, paving, and architectural coating) shall be prohibited unless the project applicant reduces the number of construction equipment used for each overlapping phase and it can be demonstrated through a quantitative acoustical analysis prepared by a qualified professional that this reduced construction equipment portfolio utilized for overlapping phases will not result in noise levels in excess of 5 dBA above ambient noise levels. The acoustical analysis shall be reviewed and approved by the City prior to allowing simultaneous occurrence of two or more construction phases outside the City's allowed hours of construction.
- All equipment, fixed or mobile, shall be operated with closed engine doors and shall be equipped with properly operating and maintained mufflers consistent with manufacturers' standards that provide at least a 20-dBA reduction in noise levels.
- The Contractor shall use portable sound enclosures for all generators and air compressors that provide at least a 10-dBA reduction in noise levels.

### **Recommended Conditions**

As detailed above, construction activities would not result in a significant noise impact at the off-site Los Angeles Country Club. However, condition NOISE-5 is identified below to address temporary construction noise that may occur during the 2023 US Open for consideration by City decisionmakers. This condition is not to mitigate a CEQA impact.

- CONDITION NOISE-5** Prior to issuance of grading permits, the Developer shall submit a Construction Management Plan satisfactory to the Director of Community Development and the Building Official, which Plan shall include noise attenuating construction requirements. The Construction Management Plan shall include, but not be limited to, the following noise attenuation measures:
- Prior to start of construction phases that would extend into 2023, the Developer shall obtain a schedule of tournament events from the Los Angeles Country Club for the 2023 US Open. The Developer shall submit a construction schedule for review and approval by the Community Development Director and the Environmental Monitor that ensures that no construction activity generating the highest noise levels (e.g., simultaneous demolition, grading, and building construction) is undertaken during the 2023 US Open. The Building Official shall enforce noise attenuating construction requirements.

### **Significance After Mitigation**

As shown in Table 4.8-11, implementation of Mitigation Measure MM-NOISE-1 would reduce daytime construction noise levels during the loudest phases of construction activities to 74 dBA  $L_{eq}$  at El Rodeo School, which would be within the range of existing ambient noise levels of 73 to 83 dBA  $L_{eq}$  during school hours. Therefore, with mitigation, construction activities during school hours would not generate noise levels in excess of 5 dBA at a school as compared to existing conditions,

and impacts would be reduced to a less than significant level. In addition, in comparison to Approved Entitlements, the impacts of the proposed project would be less than the significant and less than the unavoidable impacts identified in previous environmental documentation.

**Table 4.8-11 Mitigated Construction Noise Levels – School Hours**

Construction Phase(s)	Equipment	Estimated Noise Level (dBA L <sub>eq</sub> ) at Various Distances from the Source	
		Residences	El Rodeo School
Demolition, Grading, and Building Construction	Augur Drill Rigs (2), Backhoes (2), Cranes (7), Dozer, Dumpers/Tenders (80), Excavators (3), Grader, Front End Loader, Pumps (7), Scraper	72	74
Building Construction, Architectural Coating, and Paving	Backhoes (2), Cranes (7), Dozer, Dumpers/Tenders (10), Excavator, Grader, Front End Loader, Paver, Paving Equipment, Pumps (7)	71	74
<b>Threshold</b>		<b>n/a</b>	<b>77<sup>1</sup></b>
<b>Threshold Exceeded?</b>		<b>n/a</b>	<b>No</b>

dBA = A-weighted decibel; L<sub>eq</sub> = equivalent noise level; RCNM = Roadway Construction Noise Model

<sup>1</sup> As shown in Table 4.8-4, ambient noise levels along Wilshire Boulevard near El Rodeo School during school hours (7:00 a.m. to 4:00 p.m.) range from approximately 73 to 83 dBA L<sub>eq</sub>. The threshold of significance is 5 dBA above ambient noise levels at schools during school hours; therefore, conservatively assuming ambient noise levels are 73 dBA L<sub>eq</sub>, a 5 dBA increase above ambient noise levels would be equivalent to 77 dBA L<sub>eq</sub>.

See Appendix F for RCNM results.

As shown in Table 4.8-12, implementation of Mitigation Measure MM-NOISE-1 that require mufflers, portable sound enclosures, and restricted construction scheduling would reduce construction noise levels outside the City's allowed hours of construction (weekdays, excluding public holidays, 8:00 a.m. to 6:00 p.m.) to 54 dBA L<sub>eq</sub> at residences to the north. Therefore, construction noise levels between 6:00 p.m. and 8:00 a.m. at residences to the north would be below existing ambient noise levels, which range between 55 to 75 dBA L<sub>eq</sub> at residences to the north.



**Table 4.8-12 Mitigated Construction Noise Levels – 6:00 p.m. to 8:00 a.m.**

Construction Phase(s)	Equipment	Estimated Noise Level (dBA L <sub>eq</sub> ) at Various Distances from the Source
		Residences
Demolition	Dozer, Dumpers/Tenders (20), Excavators (3), Grader, Front End Loader	49
Site Preparation	Dozer, Excavators (3), Grader, Front End Loader	52
Grading	Augur Drill Rigs (2), Backhoes (2), Dozer, Dumpers/Tenders (80), Excavators (3), Grader, Front End Loader, Scraper	54
Building Construction	Backhoes (2), Cranes (7), Pumps (7)	54
Paving	Backhoes (2), Cranes (3), Dozer, Dumpers/Tenders (10), Excavator, Grader, Front End Loader, Paver, Paving Equipment, Pumps (2)	52
Architectural Coating	Cranes (7)	47
<b>Threshold</b>		<b>60<sup>1</sup></b>
<b>Threshold Exceeded?</b>		<b>No</b>

dBA = A-weighted decibel; L<sub>eq</sub> = equivalent noise level; RCNM = Roadway Construction Noise Model

<sup>1</sup> As shown in Table 4.8-4 and discussed under *Existing Noise Environment*, existing ambient noise levels between 6:00 p.m. and 8:00 a.m. range between 55 to 75 dBA L<sub>eq</sub> at residences to the north. The threshold of significance is 5 dBA above ambient noise levels for residences during nighttime hours; therefore, conservatively assuming ambient nighttime noise levels are 55 dBA L<sub>eq</sub>, a 5 dBA increase above ambient noise levels would be equivalent to 60 dBA L<sub>eq</sub>.

See Appendix F for RCNM results.

Mitigation Measure MM-NOISE-1 is more stringent than the mitigation measures included in the previous environmental documentation. Therefore, Mitigation Measure MM-NOISE-1 is able to adequately mitigate the proposed project's construction-related noise impact below the level of significance whereas the mitigation measures included in the Beverly Hilton Specific Plan 2008 EIR were unable to do so. As such, the construction noise impacts of the proposed project would be less than those of the Approved Entitlements.

**Threshold 1:** 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?

**Impact N-2** NOISE ASSOCIATED WITH OPERATION OF THE PROPOSED PROJECT, INCLUDING NOISE FROM HVAC EQUIPMENT, OUTDOOR DINING, AND RECREATIONAL ACTIVITIES IN THE BOTANICAL GARDENS AND THE POOLS, WOULD POTENTIALLY BE AUDIBLE AT NEARBY NOISE-SENSITIVE RECEIVERS. HOWEVER, THE PROJECT'S OPERATIONAL NOISE WOULD NOT INCREASE AMBIENT NOISE LEVELS ABOVE THE STANDARDS ESTABLISHED IN POLICY N 1.5 OF THE CITY'S GENERAL PLAN NOISE ELEMENT. THEREFORE, REGARDLESS OF WHETHER COMPARED TO EXISTING CONDITIONS OR APPROVED ENTITLEMENTS, OPERATIONAL NOISE IMPACTS ASSOCIATED WITH THE PROPOSED PROJECT WOULD BE LESS THAN SIGNIFICANT.

## Existing Conditions

Operation of the proposed project would generate noise from heating, ventilation, and air conditioning (HVAC) equipment, trash hauling and delivery trucks, and recreational activities at the proposed botanical gardens and pools, each of which discussed in the following subsections.<sup>3</sup> Other minor noise sources, such as landscaping activities and use of radios or speakers at residential and hotel balconies, would not contribute substantially to the ambient noise environment and are regulated by BHMC Section 5-1-201 and 5-1-209; therefore, these noise sources are not discussed further. The noise sources associated with the proposed project would be similar to those currently associated with existing uses on the project site. As discussed under *Existing Noise Environment*, the nearest sensitive receivers most likely to be affected by the proposed project are El Rodeo Elementary School located approximately 95 feet to the north and residences located approximately 160 feet to the north.

### *Heating, Ventilation, and Air Conditioning Equipment*

The project's HVAC system would require a new central utility plant with a condenser water plant and geothermal wells. The central utility plant would be located in the proposed subterranean parking garage, and the condenser water plant would be located next to the existing boiler/hot water heater plant immediately southeast of the Beverly Hilton hotel along North Santa Monica Boulevard. Local pump/heat exchange rooms and/or chiller plants would be located in the basements of the Santa Monica Residences, Garden Residences, and Wilshire Building. Because the central utility plant, geothermal wells, and local pump/heat exchange rooms and/or chiller plants would be enclosed and underground, these components of the proposed HVAC system would not expose nearby sensitive receivers to a new source of noise. Furthermore, although the project would relocate the existing boiler/hot water heater plant approximately 155 feet to the north, this relocation would result in a negligible change in existing ambient noise levels because: 1) the plant would not represent a new source of noise as compared to existing conditions, 2) the plant would continue to be enclosed by a wall that fully blocks the line-of-sight between on-site equipment and sensitive receivers, and 3) the plant would continue to be separated from the nearest sensitive receivers by Wilshire Boulevard, which is a substantial intervening noise source that would continue to obscure noise generated by the existing boiler/hot water heater plant.

<sup>3</sup> Operation of the parking garage would not be audible off-site because it would be located underground.

Therefore, the analysis of the project's HVAC equipment noise is limited to the condenser water plant. Two options are under consideration for the condenser water plant – a six-cell cooling tower (Marley NC8409UAN6) and a nine-cell cooling tower (Marley AV6809CAN6). Based on manufacturer specifications (see Appendix F), the six-cell cooling tower would generate noise levels of approximately 67 to 81 dBA  $L_{eq}$  at 50 feet, and the nine-cell cooling tower would generate noise levels of approximately 69 to 78 dBA  $L_{eq}$  at 50 feet. Therefore, to provide a conservative estimate of project impacts, it is assumed the condenser water plant would generate a noise level of 81 dBA  $L_{eq}$  at 50 feet. The condenser water plant would be located approximately 400 feet south of residences to the north of the project site and 900 feet southeast of El Rodeo School. Assuming a standard distance attenuation of 6 dBA per doubling of distance, a 5-dBA reduction to account for the wall that would enclose the plant, and a 5-dBA reduction in noise levels at El Rodeo School to account for the Wilshire Tower that would block line-of-sight between the plant and El Rodeo School (FHWA 2011), the combined hourly noise level would be approximately 46 dBA  $L_{eq}$  at El Rodeo School and 58 dBA  $L_{eq}$  at residences to the north. Conservatively assuming that the condenser water plant would operate continuously 24 hours per day, the condenser water plant would generate a noise level of 53 CNEL at El Rodeo School and 65 CNEL at residences to the north.

#### *Trash Hauling and Delivery Trucks and Loading Dock Operations*

The proposed project would require periodic trash hauling services and delivery trips. Although existing uses to be demolished currently require trash hauling services and delivery trips, these services may be increased in frequency because of the increased development on site under the proposed project as compared to existing uses to be demolished. The proposed project would include three subterranean loading docks, which would be accessed from North Santa Monica Boulevard via a driveway that would proceed below the Beverly Hilton Enhancement. All loading dock operations would occur within the enclosed loading dock service areas below grade. Due to the configuration of the loading dock access driveway, there would be no direct line-of-sight between the loading docks and sensitive receivers. In addition, the project involves development of an infill site surrounded by residential, commercial, and institutional land uses, which currently require similar trash hauling services and delivery trips. Therefore, trash hauling activities and loading dock operations would not result in a perceptible permanent increase in ambient noise levels, and these noise sources are not analyzed further. The project's contribution to traffic noise impacts, which include project-related trash hauling and delivery trucks, is analyzed under Impact N-3.

#### *Outdoor Dining*

The proposed project would include outdoor dining at the third-floor exterior terrace on the southern side of the new Beverly Hilton Conference Center, the roof-level of the Beverly Hilton Enhancement, the ground-level veranda on the southern side of the Wilshire Building, and the Park Pavilion. Noise at the outdoor dining areas would primarily consist of social conversations as people dine. The reference noise level for the outdoor dining areas is based on noise levels from an Environmental Noise Assessment completed in 2014 for the City of Citrus Heights City Hall and Medical Office Building Project, which included an outdoor patio area with an average of 25 people conversing under typical operations and up to 300 people conversing during special events. The Environmental Noise Assessment for the City of Citrus Heights City Hall and Medical Office Building Project has been used to analyze noise from outdoor uses for other projects in Beverly Hills and is therefore appropriate to use to analyze the noise impacts that would result from the proposed outdoor dining areas. Noise levels for 25 people were estimated at 50 dBA  $L_{eq}$  at a distance of 50

feet, while noise levels for 300 people were estimated at 60 dBA  $L_{eq}$  at a distance of 50 feet (City of Citrus Heights 2014). In this analysis, it is conservatively assumed that each outdoor dining area would accommodate up to 100 people, which would generate a noise level of approximately 56 dBA  $L_{eq}$  at 50 feet (i.e., four times the sound level estimate for 25 people). Based on this reference noise level and a noise attenuation rate of 6 dBA per doubling of distance, operational noise from the proposed outdoor dining areas would be approximately 40 dBA  $L_{eq}$  at El Rodeo School and 41 dBA  $L_{eq}$  at residences to the north (see Table 4.8-13). Conservatively assuming that the outdoor dining areas would be open from 7:00 a.m. to midnight each day<sup>4</sup>, the outdoor dining areas would generate a noise level of 42 CNEL at El Rodeo School and 41 CNEL at residences to the north.

**Table 4.8-13 Outdoor Dining Noise at the Property Line of the Nearest Sensitive Receivers**

Noise Source	El Rodeo School	Residences
Beverly Hilton Conference Center (dBA $L_{eq}$ ) <sup>1</sup>	33	35
Wilshire Building (dBA $L_{eq}$ ) <sup>2</sup>	37	33
Park Pavilion (dBA $L_{eq}$ )	35	35
Beverly Hilton Enhancement (dBA $L_{eq}$ )	32	30 <sup>3</sup>
Combined Hourly Noise Level (dBA $L_{eq}$ )	41	40
Combined 24-Hour Noise Level (CNEL) <sup>4</sup>	43	42

<sup>1</sup> Accounts for a 5-dB reduction because the Beverly Hilton Conference Center building would fully block the line-of-sight between the nearest receivers and the outdoor dining area. Generally, any large structure blocking the line of sight will provide at least a 5-dBA reduction in source noise levels at the receiver (Federal Highway Administration [FHWA] 2011).

<sup>2</sup> Accounts for a 5-dB reduction because the Wilshire Building would fully block the line-of-sight between the nearest receivers and the outdoor dining area (FHWA 2011).

<sup>3</sup> Accounts for a 5-dB reduction because the Wilshire Tower would fully block the line-of-sight between the nearest residences and the outdoor dining area (FHWA 2011).

<sup>4</sup> The 24-hour noise levels assume that the outdoor dining areas would be open from 7:00 a.m. to midnight each day.

dBA = A-weighted decibel;  $L_{eq}$  = steady-state equivalent level; CNEL = Community Noise Equivalent Level

Note: Estimated noise levels conservatively assume all outdoor dining areas would be located at ground-level and therefore do not account for the additional attenuation that would be achieved by the additional vertical distance of outdoor dining areas located on upper floors.

### *Botanical Gardens*

The proposed project would include approximately eight acres of botanical gardens with two miles of walking/running pathways, which would be open from sunrise to sunset. Noise in the botanical gardens would primarily consist of social conversations as people walk along the pathways. Speakers dispersed throughout the gardens would play low-level background audio that would not be audible beyond the property line; therefore, this noise source is not discussed further. The reference noise level for the proposed botanical gardens is based on noise levels from an Environmental Noise Assessment completed in 2014 for the City of Citrus Heights City Hall and Medical Office Building Project, which included an outdoor patio area with an average of 25 people conversing under typical operations and up to 300 people conversing during special events. The

<sup>4</sup> These hours of operation conservatively assume that all outdoor dining areas are open for breakfast, lunch, and dinner. In reality, some restaurants may not open until lunchtime.

Environmental Noise Assessment for the City of Citrus Heights City Hall and Medical Office Building Project has been used to analyze noise from outdoor uses for other projects in Beverly Hills and is therefore appropriate to use to analyze the noise impacts that would result from the proposed botanical gardens. Noise levels for 25 people were estimated at 50 dBA  $L_{eq}$  at a distance of 50 feet, while noise levels for 300 people were estimated at 60 dBA  $L_{eq}$  at a distance of 50 feet (City of Citrus Heights 2014). In this analysis, the noise reference for 300 people was used to conservatively estimate operational noise of the botanical gardens under potential special events, such as school field trips. The nearest noise sensitive-receivers include El Rodeo School approximately 200 feet northwest of the nearest walking/running pathway and residences 350 feet to the north of the nearest walking/running pathway. Based on the reference noise level of 60 dBA  $L_{eq}$  at a distance of 50 feet and a noise attenuation rate of 6 dBA per doubling of distance, operational noise from the proposed botanical gardens would be approximately 43 dBA  $L_{eq}$  at El Rodeo School (200 feet from the source) and 48 dBA  $L_{eq}$  at residences to the north (350 feet from the source). The botanical gardens would be partially shielded from sensitive receivers to the north, east, and south by the existing and proposed intervening buildings (such as the Wilshire Building, the Conference Center, and the Wilshire Tower), which would reduce noise levels. However, this partial shielding is not accounted for in this analysis in order to provide a conservative estimate of project impacts.

Conservatively assuming that the proposed botanical gardens would be operational from sunrise to sunset for a maximum of 15 hours per day (i.e., in the summer months), the botanical gardens would generate a noise level of 45 CNEL at El Rodeo School and 50 CNEL at residences to the north. Residents, Amenity Access Program members, hotel guests, and members of the public visiting the gardens would also be subject to BHMC Section 5-1-201, which prohibits the use of any sound amplifying equipment between the hours of 10:00 p.m. and 8:00 a.m. beyond the property line on which the equipment is located.

### *Pools*

The proposed project would include three new pools dispersed throughout the project site that would be operational from 7:00 a.m. to 10:00 p.m. To determine the average noise level of an operational pool, Rincon conducted a 10-minute sound level measurement on May 21, 2018 at the existing rooftop pool deck located at the Waldorf-Astoria Beverly Hills on the project site. Approximately seven people were present on the rooftop pool deck area at the time of the measurement, with five people sunbathing and two people swimming. According to the 10-minute noise level, noise associated with operation of a rooftop pool deck was recorded at 58 dBA  $L_{eq}$  at a distance of approximately 15 feet from the pool area (see Appendix F for noise measurement data). Based on applicant provided data, maximum anticipated hourly pool usage during the peak season would be approximately 100 persons per pool (or approximately 15 times more people than were present during the noise measurement at the Waldorf-Astoria Beverly Hills pool). Therefore, hourly noise levels at each pool would be approximately 70 dBA  $L_{eq}$  at 15 feet (58 dBA  $L_{eq}$  multiplied by 15). All three pools would be shielded from El Rodeo School by existing and proposed buildings on site; therefore, a 5-dB reduction was included in the modeling of estimated noise levels at this receiver (FHWA 2011). The pools would generate a combined noise level of approximately 51 dBA  $L_{eq}$  at El Rodeo School and the nearest residences.

Assuming that pools associated with the proposed project would be operational from 7:00 a.m. to 10:00 p.m., the three pools would generate a combined noise level of 51 CNEL at El Rodeo School and the nearest residences. Residents, Amenity Access Program members, and hotel guests at the pools would also be subject to BHMC Section 5-1-201, which prohibits the use of any sound

amplifying equipment between the hours of 10:00 p.m. and 8:00 a.m. beyond the property line on which the equipment is located.

### *Combined Noise Level Summary*

As shown in Table 4.8-4 and discussed under *Existing Noise Environment*, 24-hour noise measurements conducted along the project site boundaries determined that El Rodeo School is exposed to noise levels of approximately 80 CNEL along Wilshire Boulevard and residences to the north are exposed to noise levels of approximately 76 CNEL along Wilshire Boulevard due to ambient traffic noise along Wilshire Boulevard, North Santa Monica Boulevard, and South Santa Monica Boulevard. As summarized in Table 4.8-14, the addition of operational noise associated with the proposed project to existing ambient noise levels would result in less than a 1 dBA increase at the property lines of the nearest sensitive receivers. Therefore, operation of the proposed project would not exceed the thresholds shown in Table 4.8-5, and similar to the Approved Entitlements, on-site operational noise impacts would be less than significant.

**Table 4.8-14 Combined Operational Noise Levels (CNEL) at the Property Line of the Nearest Sensitive Receivers**

Noise Source	El Rodeo School	Residences to the North
HVAC Equipment	53	65
Outdoor Dining	43	42
Botanical Gardens	45	50
Pools	51	51
Combined Noise Level	56	65
Existing Noise Level	80	76
Existing plus Project Noise Level	80	76
Change in Noise Level (Total – Existing)	<1	<1
Threshold	+1	+1
Threshold Exceeded?	No	No

CNEL = Community Noise Equivalent Level; HVAC = heating, ventilation, and air conditioning equipment

### **Approved Entitlements**

Previous environmental documentation concludes that noise generated by operation of the Approved Entitlements on-site would be less than significant. The noise sources associated with the proposed project would be similar to those associated with buildout of the Approved Entitlements. As discussed above, on-site operational noise sources associated with the proposed project would not result in a substantial permanent increase in noise levels at the nearest sensitive receivers. Therefore, similar to the Approved Entitlements, the on-site operational noise impacts of the proposed project would be less than significant.

## Mitigation Measures

Mitigation would not be required since the proposed project's impact would be less than significant.

## Significance After Mitigation

The proposed project's impact would be less than significant without mitigation.

**Threshold 1:** 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?

**Impact N-3**      **THE NET INCREASE IN VEHICLE TRIPS ASSOCIATED WITH THE PROPOSED PROJECT WOULD INCREASE OFF-SITE TRAFFIC NOISE AT NEARBY SENSITIVE RECEIVERS. HOWEVER, THE PROJECT'S OFF-SITE TRAFFIC NOISE WOULD NOT INCREASE AMBIENT NOISE LEVELS ABOVE THE STANDARDS ESTABLISHED IN POLICY N 1.5 OF THE CITY'S GENERAL PLAN NOISE ELEMENT. THEREFORE, REGARDLESS OF WHETHER COMPARED TO EXISTING CONDITIONS OR APPROVED ENTITLEMENTS, OFF-SITE TRAFFIC NOISE IMPACTS ASSOCIATED WITH THE PROPOSED PROJECT WOULD BE LESS THAN SIGNIFICANT.**

---

## Existing Conditions

The proposed project would increase the number of vehicle trips to and from the site as compared to existing conditions, which would increase traffic noise on roadways in the vicinity of the project site. Wilshire Boulevard and North Santa Monica Boulevard would be the primary locations impacted by project-related traffic noise because all project-related trips would utilize one or both of these roadways to access the project site.

In order to determine whether the proposed project would create traffic noise levels resulting in a significant noise increase, traffic noise levels at the property line of sensitive receiver locations in the area were modeled based on traffic volumes from the Local Transportation Assessment prepared by Fehr & Peers for two scenarios – existing conditions and existing plus proposed project conditions (Appendix G). Traffic noise associated with buildout of the proposed project was modeled and compared to the City's significance thresholds. Table 4.8-15 summarizes traffic noise levels under existing and existing plus proposed project conditions along Wilshire Boulevard, North Santa Monica Boulevard, and Whittier Drive. As shown therein, buildout under the proposed project would increase existing traffic-related noise by less than 1 dBA along nearby roadways as compared to existing conditions. Therefore, off-site traffic noise generated by the proposed project would not exceed the City's significance threshold of a 1-dBA increase (see Table 4.8-5), and the proposed project's impact would be less than significant.

**Table 4.8-15 Traffic Noise Modeling – Proposed Project Compared to Existing Conditions**

Location	Estimated Roadway Noise (CNEL)		Change in Noise (dBA)	Noise Increase Threshold (dBA) <sup>1</sup>	Threshold Exceeded?
	Existing	Existing + Proposed Project			
El Rodeo School (Wilshire Boulevard west of Whittier Drive)	72	72	+ <1	+ 1	No
Single-Family Residences (Wilshire Boulevard between Whittier Drive and North Santa Monica Boulevard)	67	67	+ <1	+ 1	No
Single-Family Residences (North Santa Monica Boulevard and South Santa Monica Boulevard between Wilshire Boulevard and Beverly Drive)	69	69	+ <1	+ 1	No
Single-Family Residences/El Rodeo School (Whittier Drive north of Wilshire Boulevard)	67	67	+ <1	+ 1	No
The Peninsula Hotel (North Santa Monica Boulevard and South Santa Monica Boulevard between Wilshire Boulevard and Merv Griffin Way)	67	67	+ <1	+ 1	No
Ten Thousand (North Santa Monica Boulevard and South Santa Monica Boulevard between Merv Griffin Way and Century Park East)	70	70	+ <1	+ 1	No

<sup>1</sup> See Table 4.8-5.

Notes: CNEL = Community Noise Equivalent Level; dBA = A-weighted decibel  
See Appendix F for TNM output results.



## **Approved Entitlements**

Similar to the proposed project, the Approved Entitlements would increase the number of vehicle trips to and from the site as compared to existing uses to be demolished, which would increase traffic noise on roadways in the vicinity of the project site, although the proposed project would result in fewer vehicle trips than remaining buildout under the Approved Entitlements (Appendix G). Previous environmental documentation concludes that off-site roadway noise generated by the Existing Specific Plans would be less than significant impact.

In order to compare the proposed project's impacts to those of the Approved Entitlements, traffic noise levels at the property line of sensitive receiver locations in the area were modeled based on traffic volumes from the Local Transportation Assessment prepared by Fehr & Peers for two scenarios – existing conditions and existing conditions plus Approved Entitlements (Appendix G). Traffic noise associated with buildout of remaining development under the Approved Entitlements was modeled independently and compared to the City's significance thresholds. Table 4.8-16 summarizes traffic noise levels under existing and existing plus Approved Entitlements conditions along Wilshire Boulevard, North Santa Monica Boulevard, and Whitter Drive. As shown therein, buildout under the Approved Entitlements would increase existing traffic-related noise by less than 1 dBA along nearby roadways. Therefore, off-site traffic noise generated by the Approved Entitlements would not exceed the City's significance threshold of a 1-dBA increase (see Table 4.8-5). As discussed above and shown in Table 4.8-15, off-site traffic noise generated by the proposed project also would not exceed the City's significance threshold of a 1-dBA increase. Accordingly, similar to the Approved Entitlements, the proposed project's impact would be less than significant.

## **Mitigation Measures**

Mitigation would not be required since the proposed project's impact would be less than significant.

## **Significance After Mitigation**

The proposed project's impact would be less than significant without mitigation.

**Table 4.8-16 Traffic Noise Modeling – Proposed Project Compared to Approved Entitlements**

Location	Estimated Roadway Noise (CNEL)		Change in Noise (dBA)	Noise Increase Threshold (dBA) <sup>1</sup>	Threshold Exceeded?	Net Change in Traffic Noise Levels (Proposed Project – Approved Entitlements) <sup>2</sup>
	Existing	Existing + Approved Entitlements				
El Rodeo School (Wilshire Boulevard west of Whittier Drive)	72	72	+ <1	+ 1	No	+ 0
Single-Family Residences (Wilshire Boulevard between Whittier Drive and North Santa Monica Boulevard)	67	67	+ <1	+ 1	No	+ 0
Single-Family Residences (North Santa Monica Boulevard and South Santa Monica Boulevard between Wilshire Boulevard and Beverly Drive)	69	69	+ <1	+ 1	No	+ 0
Single-Family Residences/El Rodeo School (Whittier Drive north of Wilshire Boulevard)	67	67	+ <1	+ 1	No	+ 0
The Peninsula Hotel (North Santa Monica Boulevard and South Santa Monica Boulevard between Wilshire Boulevard and Merv Griffin Way)	67	67	+ <1	+ 1	No	+ 0
Ten Thousand (North Santa Monica Boulevard and South Santa Monica Boulevard between Merv Griffin Way and Century Park East)	70	70	+ <1	+ 1	No	+ 0

<sup>1</sup> See Table 4.8-5.

<sup>2</sup> See Table 4.8-15 for a summary of the proposed project's modeled off-site traffic noise levels.

Notes: CNEL = Community Noise Equivalent Level; dBA = A-weighted decibel

See Appendix F for TNM output results.

<b>Threshold 2:</b> Would the project result in generation of excessive groundborne vibration or groundborne noise levels?
--

**Impact N-4** CONSTRUCTION OF THE PROPOSED PROJECT WOULD GENERATE DAYTIME AND NIGHTTIME CONSTRUCTION VIBRATION. TRANSIENT AND STEADY-STATE VIBRATION LEVELS WOULD NOT EXCEED THE THRESHOLDS FOR HUMAN ANNOYANCE OR STRUCTURAL DAMAGE TO HISTORIC BUILDINGS OR RESIDENCES. ALTHOUGH PREVIOUS ENVIRONMENTAL DOCUMENTATION DETERMINED THAT THE APPROVED ENTITLEMENTS WOULD HAVE A SIGNIFICANT AND UNAVOIDABLE CONSTRUCTION VIBRATION IMPACT, UPDATED VIBRATION ANALYSIS INDICATES THAT IMPACTS FOR BOTH SCENARIOS WOULD BE LESS THAN SIGNIFICANT. NO OPERATIONAL VIBRATION IMPACTS WOULD OCCUR. THEREFORE, IN COMPARISON TO EXISTING CONDITIONS AND APPROVED ENTITLEMENTS, IMPACTS OF THE PROPOSED PROJECT WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION. IN ADDITION, IN COMPARISON TO APPROVED ENTITLEMENTS, PROJECT IMPACTS WOULD BE LESS THAN WHAT WERE IDENTIFIED IN PREVIOUS ENVIRONMENTAL DOCUMENTATION.

---

### *Construction Vibration*

#### **EXISTING CONDITIONS**

Certain types of construction equipment can generate high levels of groundborne vibration. The equipment utilized during project construction that would generate the highest levels of vibration would include jackhammers, loaded trucks, and bulldozers. In addition, consistent with the City's restriction on the use of impact-driven piles, project construction would utilize an auger drill rig for pile installation. Construction vibration impacts are assessed for individual pieces of construction equipment in accordance with FTA guidance (FTA 2018). Due to site constraints and worker safety limitations, individual pieces of vibratory construction equipment typically do not operate in close proximity to each other such that any single off-site structure would experience substantial levels of vibration from multiple pieces of construction equipment. Therefore, the additive impacts of multiple pieces of vibratory construction equipment operating simultaneously are not evaluated.

Vibration-generating construction equipment that would occasionally pass by off-site structures would include bulldozers used for demolition, grading, and paving as well as loaded trucks en route to the project site. Bulldozers would operate as close as 10 feet from the nearest structure, which is the on-site Beverly Hilton Wilshire Tower (a historic-era building that would not be demolished by the project), and loaded trucks would operate as close as 25 feet from El Rodeo School while traveling on Wilshire Boulevard. Vibration-generating construction equipment that would operate for longer periods of time at the proposed locations of on-site structures would include bulldozers, jackhammers, and the auger drill rig. Jackhammers and bulldozers would operate for extended periods of time as close as 175 feet from the nearest structure, which is the on-site Beverly Hilton Wilshire Tower, and auger drill rigs would operate for extended periods of time as close as 135 feet from the nearest structure, which is El Rodeo School.

Table 4.8-17 summarizes vibration levels from individual pieces of construction equipment at the nearest structures. As shown therein, transient vibration levels would not exceed the thresholds for daytime human annoyance or structural damage to historic buildings or residential structures from occasional pass-bys of construction equipment. Steady-state vibration levels would not exceed the daytime human annoyance or structural damage thresholds for extended periods of construction activities. No daytime construction vibration impacts would occur at El Rodeo School or residences to the north because these receivers are located at a farther distance from vibration-generating project construction activities than the on-site Wilshire Tower. Impacts would be less than significant.

**Table 4.8-17 Vibration Levels at the Structures of the Nearest Sensitive Receivers**

Equipment	Estimated Transient Vibration Levels at Nearest Building (in/sec PPV)	Estimated Steady-State Vibration Levels at Nearest Building (in/sec PPV)
Large Bulldozer <sup>1</sup>	0.240	0.010
Jackhammer <sup>2</sup>	n/a	0.004
Augur Drill Rig <sup>3, 4</sup>	n/a	0.010
Loaded Truck <sup>5</sup>	0.080	n/a
<b>Threshold for Daytime Human Annoyance</b>	<b>0.240</b>	<b>0.040</b>
Threshold Exceeded?	No	No
<b>Threshold for Structural Damage to Historic Buildings</b>	<b>0.500</b>	<b>0.250</b>
Threshold Exceeded?	No	No
<b>Threshold for Structural Damage to Older Residential Structures</b>	<b>0.500</b>	<b>0.300</b>
Threshold Exceeded?	No	No
<b>Threshold for Structural Damage to New Residential Structures</b>	<b>1.000</b>	<b>0.500</b>
Threshold Exceeded?	No	No
<sup>1</sup> Measured at a distance of 10 feet (the distance from the edge of the proposed disturbance area to the Beverly Hilton Wilshire Tower) for transient activities and 175 feet (the distance from the center of the nearest proposed building footprint to the Beverly Hilton Wilshire Tower) for steady-state activities. <sup>2</sup> Measured at a distance of 175 feet (the distance from the center of the nearest proposed building footprint to the Beverly Hilton Wilshire Tower). <sup>3</sup> Consistent with the City's restriction on the use of impact-driven piles, project construction would utilize an augur drill rig for pile installation. Vibration levels for caisson drilling were used as a proxy to estimate vibration generated by an augur drill rig. <sup>4</sup> Measured at a distance of 135 feet (the distance from the nearest pile location to El Rodeo School). <sup>5</sup> Measured at a distance of 25 feet (the distance from the center of the nearest travel lane on Wilshire Boulevard to El Rodeo School). Note: Transient vibration levels are estimated for construction activities that would result in infrequent, occasional pass-bys of construction equipment (less than 70 events per day) while steady-state vibration levels are estimated for construction activities that would occur for longer periods of time at a single location on the project site (Caltrans 2020a). See Appendix F for vibration analysis worksheets.		

The proposed project may require nighttime construction activities outside the permitted hours of construction (8:00 a.m. to 6:00 p.m.), primarily for material loading and hauling. Vibration levels from individual pieces of construction equipment would range from 60 to 68 VdB at the nearest residences to the north (approximately 175 feet from the edge of the project site), which would not exceed the nighttime threshold of 72 VdB at the nearest off-site location where people sleep (see Appendix F for vibration analysis worksheets). Therefore, construction vibration impacts related to nighttime human annoyance would be less than significant.

## APPROVED ENTITLEMENTS

Previous environmental documentation concludes that the Existing Specific Plans would result in significant and unavoidable construction vibration impacts due to the generation of excessive groundborne vibration at the nearest receivers even with implementation of identified mitigation

measures. Construction of the proposed project would utilize similar vibration-generating equipment as that used for buildout under the Approved Entitlements. As discussed above, updated modeling and analysis of construction vibration impacts in accordance with current industry standards demonstrates that transient and steady-state vibration would not exceed the daytime or nighttime human annoyance or structural damage thresholds. Therefore, although previous environmental documentation identified significant and unavoidable construction vibration impacts and required implementation of mitigation, updated analysis indicates that neither the buildout scenario under the Approved Entitlements nor the proposed project would generate substantial vibration during construction. As a result, construction vibration impacts would be less than significant under both scenarios, which would be less than the significant and unavoidable impacts identified for the Existing Specific Plans in previous environmental documentation. Accordingly, the proposed project would not result in a new or more severe impact that was not identified in previous environmental documentation.

### *Operational Vibration*

#### **EXISTING CONDITIONS**

The proposed project would include residential and hotel land uses. Therefore, the proposed project would not include significant stationary sources of vibration, such as manufacturing or heavy equipment operations. As compared to existing conditions, no impact would occur.

#### **APPROVED ENTITLEMENTS**

As discussed above, the proposed project would not land uses or other components that would generate significant vibration. Therefore, similar to the Approved Entitlements, no operational vibration impact would occur.

#### **Mitigation Measures**

Mitigation would not be required since the proposed project's impact would be less than significant.

#### **Significance After Mitigation**

The proposed project's impact would be less than significant without mitigation.

#### **Land Use Compatibility**

**Impact N-5** **ALTHOUGH THE EFFECT OF AMBIENT NOISE ON THE PROPOSED PROJECT IS NOT AN IMPACT UNDER CEQA, THE POTENTIAL NOISE LEVELS AT NOISE-SENSITIVE RECEIVERS INCLUDED IN THE PROPOSED PROJECT ARE PROVIDED FOR PUBLIC DISCLOSURE. SIMILAR TO THE APPROVED ENTITLEMENTS, THE PROPOSED PROJECT WOULD BE EXPOSED TO TRAFFIC NOISE FROM WILSHIRE BOULEVARD AND NORTH SANTA MONICA BOULEVARD IN EXCESS OF THE CITY'S EXTERIOR AND INTERIOR NOISE STANDARDS FOR MULTI-FAMILY RESIDENCES AND HOTELS OF 65 CNEL AND 45 CNEL, RESPECTIVELY, AS WELL AS THE CITY'S EXTERIOR NOISE STANDARD FOR COMMERCIAL USES OF 75 CNEL. MITIGATION MEASURES MM-NOISE-2\* AND MM-NOISE-3\* FROM PREVIOUS ENVIRONMENTAL DOCUMENTATION WOULD CONTINUE TO APPLY TO THE PROJECT.**

Previous environmental documentation concludes that ambient noise levels at the project site would exceed the City's exterior and interior noise standards for multi-family residences and hotel rooms of 65 CNEL and 45 CNEL, respectively. Therefore, implementation of mitigation measures was required to achieve acceptable exterior and interior noise levels (City of Beverly Hills 2008a and

2016a). These mitigation measures were not taken into account for the analysis and comparison of noise/land use compatibility.

The ruling for California Building Industry Association v. Bay Area Air Quality Management District (CBIA v. BAAQMD) determined that under CEQA, except for a few specified and limited instances, noise impacts on residents of a proposed project are not required to be analyzed. Nonetheless, as under the Approved Entitlements, the proposed project would be exposed to ambient traffic noise levels from Wilshire Boulevard, Merv Griffin Way, and North Santa Monica Boulevard, which are the primary sources of noise near the project site. Therefore, this noise/land use compatibility analysis is being provided conservatively for full information disclosure purposes. However, because the location of project site remains unchanged, the proposed project would not expose on-site noise-sensitive receptors to new sources of ambient noise compared to the Approved Entitlements.

Noise-sensitive receivers associated with the proposed project would include a 340 residential units and up to 30 accessory staff units in the Garden Residences, Santa Monica Residences, and Wilshire Building as well as 42 hotel rooms. According to the City's land use compatibility criteria, shown in Table 4.8-6, exterior noise levels up to 65 CNEL are considered "normally acceptable" for multi-family residences and hotels, while noise levels above 75 CNEL are considered "clearly unacceptable" for multi-family residences and noise levels above 80 CNEL are considered "clearly unacceptable" for hotels. Similar to the Approved Entitlements, the proposed residences and hotel rooms closest to North Santa Monica Boulevard and Wilshire Boulevard would be exposed to ambient noise levels of approximately 78 CNEL and 80 CNEL, respectively (see Table 4.8-4), which is within the "clearly unacceptable" range of noise levels for multi-family residences and the "normally unacceptable" range for hotels. In addition, similar to the Approved Entitlements, interior noise at the proposed residences and hotel rooms must not exceed 45 CNEL in any habitable room per CCR Title 24 (Part 2, Volume 1, Chapter 12, Section 1206.4).

The manner in which buildings in California are constructed typically provides a reduction of exterior-to-interior noise levels of 20 to 35 dBA with closed windows (FHWA 2011). Based on exterior noise levels of 78 to 80 CNEL and conservatively assuming a 20-dBA exterior-to-interior reduction, interior noise in the proposed residences and hotel rooms closest to North Santa Monica Boulevard and Wilshire Boulevard would be approximately 58 to 60 CNEL, which would exceed the CCR Title 24 interior noise standard of 45 CNEL. Residential units and hotel rooms on the upper floors of the proposed buildings would be exposed to lower noise levels; however, noise levels would still exceed the exterior and interior noise standards. In addition, residential units and hotel rooms located farther away from Wilshire Boulevard and North Santa Monica Boulevard would be exposed to lower noise levels due to distance attenuation as well as intervening structures; however, it is likely that noise levels would still exceed the exterior and interior noise standards at these units. As detailed in Section 4.8.3, *Previous Environmental Review*, Mitigation Measures MM NOISE-2 and MM NOISE-3 from the Beverly Hilton Specific Plan 2008 EIR and Mitigation Measures MM NOISE-2 and MM NOISE-3 from the 9900 Wilshire Specific Plan 2016 SEIR were required for the Existing Specific Plans to achieve acceptable exterior and interior noise levels at the proposed residences and hotel rooms (City of Beverly Hills 2008a and 2016a). These mitigation measures are required for the Existing Specific Plans and therefore are carried forward in this SEIR as required mitigation for the proposed project.

The proposed commercial uses would be located in the new Beverly Hilton Conference Center in close proximity to Wilshire Boulevard. As shown in Table 4.8-4, outdoor dining on the exterior terrace of the Beverly Hilton Conference Center would be exposed to ambient noise levels of approximately 80 CNEL from vehicular traffic on Wilshire Boulevard, which is within the "normally

unacceptable” range for commercial uses. Implementation of condition NOISE-2 is required for the Existing Specific Plans and therefore is carried forward to achieve acceptable exterior noise levels for the proposed commercial uses.

## **Mitigation Measures**

As detailed in Section 4.8.3, *Previous Environmental Review*, Mitigation Measures MM NOISE-2 and MM NOISE-3 from the Beverly Hilton Specific Plan 2008 EIR and Mitigation Measures MM NOISE-2 and MM NOISE-3 from the 9900 Wilshire Specific Plan 2016 SEIR were required for the Existing Specific Plans to achieve acceptable exterior and interior noise levels at the proposed residences and hotel rooms (City of Beverly Hills 2008a and 2016a). The following mitigation measures, which include measures revised and adapted from previous environmental documentation, would be required for the proposed project.

**MM-NOISE-2\*** The Developer shall implement sound attenuation features to reduce noise levels at all private outdoor livable spaces (i.e., balconies) and outdoor dining areas. Such features may include double-paned or laminated glass, or Plexiglas. Acoustical analysis shall be performed prior to the issuance of an occupancy permit to demonstrate that noise levels at the exterior livable spaces and outdoor dining areas do not exceed the City’s noise/land use standards for residences, hotels, and commercial uses. This requirement shall be incorporated into the plans to be submitted by the Developer to the City of Beverly Hills for review and approval prior to the issuance of building permits.

**MM-NOISE-3\*** The Developer shall incorporate building materials and techniques that reduce sound transmission through walls, windows, doors, ceilings, and floors of on-site residences in order to achieve interior noise levels in habitable rooms that are below the CCR Title 24 standard for interior noise of 45 CNEL. Such building materials and techniques may include double-paned windows, staggered studs, or sound-absorbing blankets incorporated into building wall design. All exterior wall assemblies (including windows and wall components) shall meet a minimum STC 40 rating to ensure the adequate attenuation of noise at a range of frequencies. All residential units shall be provided with forced-air mechanical ventilation with non-operable windows. Acoustical analysis shall be performed prior to the issuance of an occupancy permit to demonstrate that noise levels in habitable rooms do not exceed the CCR Title 24 standard of 45 CNEL. This requirement shall be incorporated into the plans to be submitted by the Developer to the City of Beverly Hills for review and approval prior to the issuance of building permits.

\* These mitigation measures are required for the Existing Specific Plans and therefore are carried forward and required for the proposed project.

## **Significance After Mitigation**

Implementation of MM-NOISE-2\* and MM-NOISE-3\* would achieve acceptable exterior and interior noise levels at noise-sensitive uses under the proposed project.

#### 4.8.4 Cumulative Impacts

The geographic scope for cumulative noise impacts is generally limited to areas within 0.5 mile of the project area. This geographic scope is appropriate for noise because the proposed project's noise impacts would be localized and site-specific. Beyond this distance, impulse noise may be briefly audible, but steady noise from the proposed project would generally dissipate such that the level of noise would reduce to below the daytime and nighttime thresholds and/or blend in with the background noise level.

The planned and pending projects in the vicinity of the project site are listed in Section 3, *Environmental Setting*. These include apartment or condominium projects; mixed-use projects; commercial, retail, or commercial/retail projects; and hotel projects. Cumulative construction noise and vibration impacts would consist of the combined noise impacts from the construction and of the proposed project and other planned projects in Beverly Hills and Los Angeles, which would generate noise levels in excess of existing ambient noise levels. In particular, the 9900-9908 South Santa Monica Boulevard Project (located 250 feet south of the project site) and the 140 South Lasky Drive Project (located 670 feet east of the project site) are located in close proximity to the project site and/or along the same major arterial as the project site and construction schedules may overlap. The intensity of construction activities conducted for the 9900-9908 South Santa Monica Boulevard Project and 140 South Lasky Drive Project would be similar to or less than those of the proposed project (due to less intensive buildout) and would generate similar or lower noise levels. Other planned projects are located too far from the project site to contribute to increases in ambient noise levels in the project area. Since construction noise is localized and rapidly attenuates within an urban environment, construction activity at another project site during the City's allowed hours of construction (8:00 a.m. to 6:00 p.m.) would not result in a perceptible increase in noise at the property line of sensitive receivers adjacent to the proposed project.

Previous environmental documentation concludes that the Existing Specific Plans' contribution to cumulative construction noise and vibration impacts would be cumulatively considerable and significant and unavoidable due to high construction noise and vibration levels outside the City's allowed hours of construction (weekdays, except public holidays, 8:00 a.m. to 6:00 p.m.). As discussed under Impact N-1, construction activities conducted for the proposed project before 8:00 a.m. or after 6:00 p.m. could generate a noise level increase of 5 dBA above ambient noise levels outside the hours permitted by the City's Noise Ordinance, which would be a significant impact, and implementation of Mitigation Measure MM-NOISE-1 would be required. In the event that the 9900-9908 South Santa Monica Boulevard Project and 140 South Lasky Drive Project also conduct construction activities outside the hours specified in the City's Noise Ordinance and combined construction noise levels result in a 5 dBA increase in ambient noise levels, the cumulative construction noise impact would be significant. As discussed under Impact N-1, with implementation of Mitigation Measure MM-NOISE-1, construction activities associated with the proposed project would only result in a 4-dBA increase in ambient noise levels between 6:00 p.m. to 8:00 a.m. Nevertheless, similar to the Approved Entitlements, this increase would be cumulatively considerable and significant if the 9900-9908 South Santa Monica Boulevard Project and 140 South Lasky Drive Project also generate similar or greater construction noise levels between 6:00 p.m. and 8:00 a.m. Therefore, implementation of Mitigation Measure MM-NOISE-4 would be required.

Cumulative operational noise would consist of the combined operational noise of the proposed project in conjunction with planned projects in the vicinity of the project site, which would result in potential increases in noise associated with operational sources such as HVAC equipment, recreational activities, and outdoor dining. However, combined operational noise from the



proposed project and other cumulative development in the area would not impact a common noise-sensitive receiver due to intervening development. In addition, similar to the proposed project, cumulative development in proximity to the project site would be located along the Wilshire Boulevard and North Santa Monica Boulevard corridors, which are main commercial thoroughfares in Beverly Hills with high existing ambient noise levels (see Table 4.8-3 and Table 4.8-4). Therefore, no cumulative operational noise impact would occur.

Buildout of cumulative development in the local area, including the projects listed in Section 3, *Environmental Setting*, would increase traffic volumes on local roadways, which would increase roadway noise levels. Cumulative traffic noise levels were calculated based on cumulative and cumulative plus project traffic volumes. As shown in Table 4.8-18, cumulative plus project traffic would increase traffic noise levels by up to 1 dBA at the property line of sensitive receivers, which would not exceed the City's significance threshold of a 1-dBA increase (see Table 4.8-5). Furthermore, the proposed project's contribution to cumulative traffic noise levels would be less than 0.5 dBA at the property line of sensitive receivers. Therefore, no cumulative traffic noise impact would occur.

As discussed under *Overview of Groundborne Vibration*, vibration generated by human activities, such as construction, is localized and rapidly attenuates with distance. It is possible that project construction would occur at the same time as some of the cumulative development projects listed Section 3, *Environmental Setting*. However, none of these cumulative development projects are located close enough to the project site or the nearest sensitive receivers to create cumulative vibration impacts at the same receivers or structures. Therefore, no cumulative impact related to construction vibration would occur.

## **Mitigation Measure**

As discussed in Section 4.8.3, *Previous Environmental Review*, Mitigation Measure MM NOISE-4 from the Beverly Hilton Specific Plan 2008 EIR and Mitigation Measure MM NOISE-4 from the 9900 Wilshire Specific Plan 2016 SEIR were required for the Existing Specific Plans to reduce cumulative construction noise and vibration impacts (City of Beverly Hills 2008a and 2016a). The following mitigation measure, which include measures revised and adapted from previous environmental documentation, would be required for the proposed project. This measure would supersede Mitigation Measure MM-NOISE-4 from the Beverly Hilton Specific Plan 2008 EIR and Mitigation Measure MM NOISE-4 from the 9900 Wilshire Specific Plan 2016 SEIR.

- MM-NOISE-4** Prior to the start of construction and during construction, the Developer shall coordinate with the 9900-9908 South Santa Monica Boulevard Project and 140 South Lasky Drive Project Developers regarding the following:
- All temporary roadway closures shall be coordinated to limit overlap of roadway closures; and
  - All major deliveries for the three projects shall be coordinated to limit the occurrence of simultaneous deliveries. The Developers shall ensure that deliveries of items such as concrete and other high-volume items will not be done simultaneously.

**Table 4.8-18 Cumulative and Cumulative Plus Proposed Project Traffic Noise Analysis**

Location	Estimated Roadway Noise Levels (CNEL)			Cumulative + Proposed Project Change in Noise Levels (dBA)	Noise Level Increase Threshold (dBA) <sup>1</sup>	Threshold Exceeded?	Project Contribution to Cumulative Change (dBA)
	Existing	Cumulative + Approved Entitlements	Cumulative + Proposed Project				
El Rodeo School (Wilshire Boulevard west of Whittier Drive)	72	72	72	+ <1	+ 1	No	< 0.1
Single-Family Residences (Wilshire Boulevard between Whittier Drive and North Santa Monica Boulevard)	67	68	68	+ 1	+ 1	No	< 0.1
Single-Family Residences (North Santa Monica Boulevard and South Santa Monica Boulevard between Wilshire Boulevard and Beverly Drive)	69	69	69	+ <1	+ 1	No	< 0.1
Single-Family Residences/El Rodeo School (Whittier Drive north of Wilshire Boulevard)	67	67	68	+ 1	+ 1	No	+ 0.4
The Peninsula Hotel (North Santa Monica Boulevard and South Santa Monica Boulevard between Wilshire Boulevard and Merv Griffin Way)	67	68	68	+ 1	+ 1	No	< 0.1
Ten Thousand (North Santa Monica Boulevard and South Santa Monica Boulevard between Merv Griffin Way and Century Park East)	70	71	71	+ 1	+ 1	No	- 0.1

<sup>1</sup> See Table 4.8-5.

Notes: CNEL = Community Noise Equivalent Level; dBA = A-weighted decibel  
See Appendix F for TNM output results.

### **Significance After Mitigation**

Similar to the Approved Entitlements, the proposed project's contribution to cumulative construction noise impacts in conjunction with other planned projects (i.e., 9900-9908 South Santa Monica Boulevard Project and 140 South Lasky Drive Project) would be cumulatively considerable and significant and unavoidable in the event that construction occurs outside the City's allowed hours for construction activity (between 8:00 a.m. and 6:00 p.m. on weekdays, excluding public holidays). Nevertheless, the proposed project would not result in a new or more severe significant impact than the potential noise impacts identified in previous environmental documentation.

## 4.9 Transportation and Traffic

---

This section describes the regulatory setting, and existing environmental setting, and analyzes the potential transportation and traffic impacts of the project during both construction and operational phases, respectively. Mitigation measures are proposed in an effort to reduce significant impacts, as needed. The analysis in this section is based on a Transportation Impact Report (hereafter referred to as “TIR”) prepared for the proposed project by Fehr & Peers in December 2020. The full TIR is provided in Appendix G of this SEIR.

### 4.9.1 Setting

#### **Existing Street System**

The project site is located north of North Santa Monica Boulevard, along the western edge of City of Beverly Hills. The project is bounded by Wilshire Boulevard to the north, North Santa Monica Boulevard to the south, the intersection of Wilshire and Santa Monica North boulevards to the east, and the Los Angeles Country Club to the west. Merv Griffin Way runs through the project site and connects between Wilshire Boulevard and North Santa Monica Boulevard. The following are the major roadways in the study area.

##### *North Santa Monica Boulevard*

North Santa Monica Boulevard is a major east-west roadway in the City of Los Angeles and the City of Beverly Hills. Within the study area, Santa Monica Boulevard divides into two parallel roadways, referred to as North Santa Monica Boulevard and South Santa Monica Boulevard, which is discussed below. To the west, Santa Monica Boulevard continues outside of the study area past Interstate 405 (I-405) and extends into the City of Santa Monica, where it terminates. To the east, Santa Monica Boulevard continues into the City of West Hollywood and eventually terminates east of State Route (SR) 101 in the City of Los Angeles. The roadway has two travel lanes within the City of Beverly Hills, and three travel lanes within the City of Los Angeles. The roadway is designated as a Principal Arterial in the City of Beverly Hills (City of Beverly Hills 2010d).

North Santa Monica Boulevard was widened by relocating the edge of curb along the frontage of the Waldorf-Astoria Beverly Hills hotel. The widening of North Santa Monica Boulevard maintained two southbound travel lanes and provided additional right-of-way for a buffered on-street bicycle lane. These improvements were constructed in conjunction with the development of the Waldorf-Astoria Beverly Hills hotel on the Beverly Hilton Specific Plan site.

##### *South Santa Monica Boulevard*

South Santa Monica Boulevard or “Little Santa Monica Boulevard” parallels North Santa Monica Boulevard through the City of Beverly Hills. The roadway begins at Moreno Drive where Santa Monica boulevard splits just to the west of the City in Los Angeles and becomes Burton Way at Rexford Drive. The roadway has two travel lanes in each direction. The roadway is classified as a Minor Arterial, between the western City limit and Wilshire Boulevard, and Principal Arterial, between Wilshire Boulevard and Crescent Drive in the City of Beverly Hills (City of Beverly Hills 2010d).

### *Wilshire Boulevard*

Wilshire Boulevard is a major east-west roadway that extends through the study area. Wilshire Boulevard extends from the City of Santa Monica to downtown Los Angeles, passing through the City of Beverly Hills en route. The roadway connects to I-405 west of the project site. In the study area, the roadway has three travel lanes in each direction. Wilshire Boulevard is classified as a Principal Arterial within the study area (City of Beverly Hills 2010d).

As part of the Approved Entitlements, the reconstruction of Wilshire Boulevard along the frontage of the project site was required as mitigation. This resulted in two left-turn lanes, three through lanes, and one right-turn lane on the eastbound approach to the North Santa Monica Boulevard and Wilshire Boulevard intersection. This improvement was constructed in conjunction with the development of the Waldorf-Astoria Beverly Hills hotel on the Beverly Hilton site.

### *Sunset Boulevard*

Sunset Boulevard, located approximately 4,200 feet north of the project site, is another major east-west roadway and extends from the Pacific Coast Highway to the west past US 101 to the east and into downtown Los Angeles. Within the study area, Sunset Boulevard has two travel lanes in each direction and is classified as a Principal Arterial within the City of Beverly Hills (City of Beverly Hills 2010d).

### *Whittier Drive*

Whittier Drive is a north-south roadway extending north from Wilshire Boulevard into the residential neighborhood to the north of the project site and connecting to Sunset Boulevard to the north. Whittier Drive is a two-lane roadway with parking on both sides. The roadway is classified as a Local Street.

### *Merv Griffin Way*

Merv Griffin Way connects North Santa Monica Boulevard and Wilshire Boulevard, and provides access to the Beverly Hilton and Waldorf-Astoria Beverly Hills hotels. It is a four-lane undivided street and is privately owned by the properties on either side of the roadway but is maintained as a publicly accessible roadway.

## **Planned Roadway Improvements**

Several roadway improvements were previously identified to be constructed as part of the Approved Entitlements. Per the conditions of approval for the Approved Entitlements, these improvements were required to be implemented by the developer and prior to the issuance of any certificate of occupancy. In addition to the improvements on Wilshire Boulevard and North Santa Monica Boulevard along the frontage of the Waldorf-Astoria Beverly Hills hotel that have already been constructed and are described above, the planned roadway and intersection improvements adjacent to the project site are as follows:

- Reconstruct the Merv Griffin Way northbound approach to the Whittier Drive/Merv Griffin Way and Wilshire Boulevard intersection to provide one left-turn lane, one through lane, and one right-turn lane.
- Signalize the intersection of North Santa Monica Boulevard and Merv Griffin Way.

- Reconstruct the Merv Griffin Way eastbound approach to the North Santa Monica Boulevard and Merv Griffin Way intersection to provide one shared left/right-turn lane and one right-turn lane.
- Reconstruct North Santa Monica Boulevard along the frontage of the Existing Specific Plans (already complete along frontage of the Waldorf-Astoria Beverly Hills hotel). At the time the Existing Specific Plans were adopted, the additional right-of-way was planned to provide three travel lanes on southbound North Santa Monica Boulevard. The Overlay Specific Plan application proposes additional roadway width be used to allow for a third travel lane and a five-foot wide bike lane. However, east of Wilshire Boulevard, east of Wilshire Boulevard, the City currently has striped on-street bicycle lanes on North Santa Monica Boulevard and a buffered bicycle lane has been striped along the frontage of the Waldorf-Astoria Beverly Hills hotel. Reconstructing the remaining portion of North Santa Monica Boulevard would allow for the continuation of the buffered bike lane along the frontage of the project site and would provide right-of-way for a buffered bike lane on the south side of the street. Two travel lanes would be maintained in each direction.
- Construction of the private residential access road (also referred to as the “North-South Road”) along the western boundary of the project site that would have gated access. This roadway would be stop-controlled at its intersection with North Santa Monica Boulevard. Vehicles traveling northward along North Santa Monica Boulevard would be able to access the North-South Road via a left-hand turn, and vehicles traveling southward along North Santa Boulevard would be able to access the North-South Road via right-hand turn. Vehicles exiting the North-South Road onto North Santa Monica Boulevard would only be permitted to make right-hand turns. A new traffic signal is currently planned for the intersection of Wilshire Boulevard and the residential access road. If this traffic signal is not constructed, the residential access road/Wilshire Boulevard intersection would be stop controlled with right-turn ingress and egress only.

These improvements were assumed to occur with the implementation of the Overlay Specific Plan and with the Approved Entitlements. The One Beverly Hills Overlay Specific Plan Local Transportation Assessment (Fehr & Peers 2020) describes both: 1) the traffic operations with the widening of North Santa Monica Boulevard to maintain the two southbound travel lanes and extend the buffered bike lane along the frontage of the Overlay Specific Plan site, which is consistent with the City’s current striping of the roadway, and 2) the roadway striping the applicant has included in their application, which consists of three southbound travel lanes and a five-foot wide bike lane.

## **Existing Transit**

Several transit lines operate within the study area with service provided by the Metropolitan Transportation Authority (Metro). Every six months, typically in June and December, Metro Operations undergoes a service change program where bus schedules are adjusted to accommodate ridership demands and improve connections between Metro Bus and Rail. Since the approval of the Existing Specific Plans, Metro has provided multiple bus lines with frequent service (at least every 15 minutes during weekday peak hours) in the study area. However, beginning in July 2020, Metro implemented temporary service changes in response to the impacts of COVID-19. This resulted in the majority of bus routes in the study area to operate on a Sunday service schedule with reduced frequencies compared to typical weekday operations. In response to recent increasing ridership demands, Metro implemented service changes beginning December 13, 2020. The service routes and frequencies that reflect these recent service changes as well as service frequencies in 2019 and

early 2020 prior to the pandemic, which are more representative of the conditions that would be in effect under normal circumstances, are described below.

#### *Metro Line 4*

Line 4 provides service between downtown Los Angeles and the City of Santa Monica with service along Santa Monica Boulevard. It travels along Santa Monica Boulevard connecting the communities of Echo Park, Silver Lake, West Hollywood, Beverly Hills, Century City, West Los Angeles, and Santa Monica. Line 4 is a local service bus and has frequent stops along Santa Monica Boulevard. Most stops are approximately one to two blocks apart. As of the December service changes, service is provided approximately every 15 minutes during the peak hours on weekdays. Daytime service on weekends is also provided approximately every 15 minutes. Prior to the reduced service levels due to the pandemic, service was provided every eight to 15 minutes on weekday peak hours and approximately every 10 to 15 minutes on weekends. Line 4 has bus stops adjacent to the project site on both sides of North Santa Monica Boulevard just south of Wilshire Boulevard

#### *Metro Line 20*

Line 20 provides service between downtown Los Angeles and the City of Santa Monica with service along Wilshire Boulevard. It travels along Wilshire Boulevard connecting the communities of Beverly Hills, Los Angeles, Hancock Park, Park La Brea, Santa Monica, UCLA, West Los Angeles and Westwood. Line 20 is a local service bus and has frequent bus stops along Wilshire Boulevard. Most stops are approximately one to two blocks apart. As of the December service changes, service is provided every 12 to 20 minutes during peak hours on weekdays and bus headways are approximately 15 to 30 minutes on weekends. Prior to the reduced service levels due to the pandemic, service was provided every five to 12 minutes on weekday peak hours and approximately every 10 to 15 minutes on weekends. Line 20 has two bus stops adjacent to the project site on the south side of Wilshire Boulevard – one stop is located just west of Merv Griffin Way and the other is located just west of North Santa Monica Boulevard.

#### *Metro Line 16*

Line 16 provides service between downtown Los Angeles and Century City and overlaps with Line 17 east of West Hollywood. The service route primarily travels along Third Street, Burton Way, and North Santa Monica Boulevard connecting the communities of Los Angeles, Hancock Park, Park La Brea, Beverly Grove, West Hollywood, Beverly Hills, and Century City. In Beverly Hills, Line 16 is a local bus service with frequent stops along Burton Way and North Santa Monica Boulevard. Most stops are approximately one to two blocks apart. Within the study area, eastbound buses travel through the City of Beverly Hills by traveling in a northbound direction on North Santa Monica Boulevard, making a right-turn onto South Crescent Drive, and then a left-turn onto Burton Way. Buses traveling in the westbound direction through the City travel west along Burton Way, make a right-turn onto North Cañon Drive, and then a left-turn onto North Santa Monica Boulevard. As of the December service changes, service is provided approximately every 15 to 30 minutes on weekdays and approximately every 30 minutes on weekends. Prior to the reduced service levels due to the pandemic, service was as often as every 10 minutes on weekdays. Line 16 has bus stops adjacent to the project site on both sides of North Santa Monica Boulevard just south of Wilshire Boulevard.

### *Metro Rapid Line 704*

Line 704 provides an express service between downtown Los Angeles and the City of Santa Monica with principal service along Santa Monica Boulevard as part of Metro's Rapid network. The line travels along Sunset Boulevard and Santa Monica Boulevard connecting the communities of downtown Los Angeles, Echo Park, Silver Lake, West Hollywood, Beverly Hills, Century City, Westwood, West Los Angeles, and Santa Monica. As of the December service changes, buses operate along Santa Monica Boulevard approximately every 25 minutes on weekdays and weekends. Prior to the reduced service levels due to the pandemic, service was provided every 10 to 30 minutes on weekdays and weekends. Line 704 has bus stops adjacent to the project site on both sides of North Santa Monica Boulevard just south of Wilshire Boulevard.

### *Metro Rapid Line 720*

Line 720 provides an express service between East Los Angeles and the City of Santa Monica with principal service along Wilshire Boulevard as part of Metro's Rapid network. The line travels along Wilshire Boulevard connecting the communities of Beverly Hills, Boyle Heights, Brentwood, Commerce, downtown Los Angeles, East Los Angeles, Hancock Park, Koreatown, Park La Brea, Santa Monica and Westwood. As of the December service changes, buses operate every five to 15 minutes along Wilshire Boulevard during the peak weekday travel hours and approximately every 10 to 15 minutes on weekends. Prior to the reduced service levels due to the pandemic, service was provided as often as every two to 10 minutes during peak hours on weekdays and every four to 10 minutes on weekends. Line 720 has one bus stop adjacent to the project site on the south side of Wilshire Boulevard just west of North Santa Monica Boulevard.

## **Planned Transit Service**

The Purple Line Extension will extend the existing Purple Line subway (also known as the Metro D Line) from its current terminus at Wilshire/Western to a proposed new station in Westwood. Sections 1 and 2 of the Purple Line Extension are currently under construction. Section 1 is expected to begin operations in 2023 and includes one new station in Beverly Hills at Wilshire/La Cienega and two new stations in Los Angeles (Wilshire/La Brea and Wilshire/Fairfax). Section 2 is expected to begin operations in 2025 and includes one new station in Beverly Hills at Wilshire/Rodeo and one just west of the City at Century City/Constellation. Section 3 of the Purple Line Extension Project is currently in pre-construction and is anticipated to open for operations in 2026 with two new stations (Wilshire/Westwood and Wilshire/VA Hospital).

Metro also recently announced their NextGen Bus Plan with the goal of implementing a new bus network in Los Angeles County that is more relevant and reflective of local and regional travel needs. Some of the existing routes in Beverly Hills are expected to be modified as a result of the NextGen Bus Plan. Two transit lines that currently provide bus service in the City, Metro Line 14 and Metro Line 16/316, are planned to be modified under this plan. Implementation of the NextGen Bus Plan is planned for 2021 (Metro 2020).

As proposed by the Metro NextGen Bus Plan, Line 14 will continue east/west bus service on Beverly Boulevard from downtown Los Angeles to a future terminus at San Vicente Boulevard in the City of West Hollywood. Approximately 16 route stops for Line 14 will be eliminated in the City of Beverly Hills, including stops at Wilshire Boulevard, Charleville Boulevard, Gregory Way and Olympic Boulevard.



Alternatively, Metro planning staff proposes extending a new Line 617, which will replace Metro Line 17 on Robertson Boulevard, to continue service into the City of Beverly Hills on Burton Way and Beverly Drive. Line 617 will operate north/south service on Robertson Boulevard between a new mini-transit hub located at Cedars Sinai Hospital to the Expo Station on Venice Boulevard, and continue west through Beverly Hills. Line 617 will operate every 45 minutes on weekdays and every 60 minutes on weekends.

The Metro NextGen Bus Plan proposes discontinuing Line 16/316 bus service west of San Vicente Boulevard. Bus service will continue east/west on Third Street between West Hollywood and downtown Los Angeles at 6 to 10-minute frequencies. A total of 14 route stops for Line 16 will be eliminated in the City of Beverly Hills on Burton Way and North Santa Monica Boulevard. To replace Line 16/316, the extension of Metro Line 617 will provide service on Burton Way every 45 minutes on weekdays and every 60 minutes on weekends.

The *City of Beverly Hills Draft Complete Streets Plan* (Draft Complete Streets Plan; 2019) identifies Wilshire Boulevard and North Santa Monica Boulevard as part of the City's proposed Transit Enhanced Network. Bus stop enhancements, such as shelter, seating, lighting, trash/recycling bins, poles/signs with route information and schedules, a system map (or link to one), a paved boarding area, and ADA-compliant pedestrian connections, are identified along North Santa Monica Boulevard and Wilshire Boulevard, including the bus stops at the Wilshire Boulevard and North Santa Monica Boulevard intersection adjacent to the project site.

## **Existing Bicycle and Pedestrian Facilities**

Bicycle facilities generally consist of four types of facilities: Class I are multi-use or shared use paths; Class II are bike lanes; Class III are bike routes or signed shared roadways, and Class IV are separated bikeways or cycle tracks that are protected from vehicular traffic via a vertical barrier. Within the study area, there is a limited amount of bicycle facilities. A Class II bicycle lane is provided along North Santa Monica Boulevard south of the project site. The nearest Beverly Hills Bike Share station, a location where bikes are available for short-term rent via a phone application, to the project site is located on South Santa Monica Boulevard, just east of Wilshire Boulevard.

Within the study area, North Santa Monica Boulevard has Class II bicycle lanes that are enhanced through green paint in the City of Beverly Hills (from the western City limit just west of the project site to the eastern City limit at Doheny Drive). Along the frontage of the Waldorf-Astoria Beverly Hills, a striped buffer separates the bicycle lane from the adjacent southbound travel lanes on North Santa Monica Boulevard. West of the project site in the City of Los Angeles, Class II bicycle lanes are also provided along Santa Monica Boulevard between Sepulveda Boulevard and Avenue of the Stars. The closest bikeshare station to the project site is at the corner of Wilshire Boulevard and South Santa Monica Boulevard.

A majority of the roadways within the study area have sidewalks and crosswalks. There are sidewalks along the roadways that border the site including North Santa Monica Boulevard, Wilshire Boulevard, and Merv Griffin Way. Whittier Drive north of the project site also has sidewalks. There are also crosswalks and pedestrian "walk/don't walk" indicators at the signalized intersections. A portion of the south side of North Santa Monica Boulevard lacks sidewalks. The following intersections have crosswalks on at least one approach:

- North Santa Monica Boulevard and Beverly Drive
- North Santa Monica Boulevard and Wilshire Boulevard
- South Santa Monica Boulevard and Beverly Drive

- South Santa Monica Boulevard and Wilshire Boulevard
- North Santa Monica Boulevard and Merv Griffin Way
- Wilshire Boulevard and Beverly Drive
- Santa Monica Boulevard and Century Park East
- Sunset Boulevard and Whittier Drive
- Wilshire Boulevard and Whittier Drive/Merv Griffin Way
- Santa Monica Boulevard and Avenue of the Stars

A pedestrian pathway is also located through the Beverly Gardens Park located north of the project site along Wilshire Boulevard and North Santa Monica Boulevard. In 2018, as part of the North Santa Monica Boulevard Reconstruction Project, the City completed the implementation of eight raised crosswalks connecting the decomposed granite pedestrian path through Beverly Gardens Park across intersections.

### **Planned Bicycle and Pedestrian Facilities**

The City of Beverly Hills is currently preparing a citywide Complete Streets Plan and a Streetscape Plan for Wilshire Boulevard. The Draft Complete Streets Plan contains a vision for transportation improvements that balance the needs of all road users including bicyclists and pedestrians. While the Complete Streets planning efforts are still underway, the potential improvements related to bicycle and pedestrian facilities are included in the SEIR for informational purposes.

Within the study area, the Draft Complete Streets Plan identifies a series of bicycle improvements that will improve facilities for bicyclists traveling in the City and help facilitate access to the Wilshire/Rodeo Station including new bicycle facilities on North and South Beverly Drive. The Draft Complete Streets Plan also identifies potential Class II bicycle lanes on Whittier Drive just north of the project site.

The Draft Complete Streets Plan identifies pedestrian corridors to enhance the overall pedestrian experience. Pedestrian corridor improvements are envisioned on Wilshire Boulevard between North Santa Monica Boulevard the eastern City limit. Intersection crossing treatments are identified at the intersections of Wilshire Boulevard and Whittier Drive/Merv Griffin Way and Wilshire Boulevard and North Santa Monica Boulevard adjacent to the project site. Potential improvements could include new and upgraded sidewalks, tightened curb radii to slow vehicle speeds, and mid-block crossings, among others (City of Beverly Hills 2019b).

### **Regulatory Setting**

#### *California Environmental Quality Act*

CEQA generally requires state and local government agencies to inform decision makers and the public about the potential environmental impacts of proposed projects, and to reduce those environmental impacts to the extent feasible. CEQA Section 15064.3 describes specific considerations for determining a project's transportation impacts. Generally, vehicle miles traveled (VMT) is the most appropriate measure of transportation impacts. For the purposes of this section, "vehicle miles traveled" refers to the amount and distance of automobile travel attributable to a project. Other relevant considerations may include the effects of the project on transit and non-motorized travel. The criteria used to analyze transportation impacts are included in Section 4.9.3, *Impact Analysis*.

### *California Senate Bill 743*

On September 27, 2013, California Governor Jerry Brown signed Senate Bill 743 (SB 743) into law and started a process that changed transportation impact analysis as part of CEQA compliance. These changes include elimination of auto delay, level of service (LOS), and other similar measures of vehicular capacity or traffic congestion as a basis for determining significant impacts for transportation projects in California under CEQA.

In 2016, the Office of Planning and Research (OPR) released “Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA.” Of particular relevance was the updated text of the new Section 15064.3 that relates to the new transportation impact metric of VMT and describes the determination of the significance of transportation impacts and mitigation measures. To help lead agencies with SB 743 implementation, OPR produced the *Technical Advisory on Evaluating Transportation Impacts in CEQA* (2018). More information on the determination of the significance of impacts is included below in Section 4.9.2, *Impact Analysis*.

On January 1, 2014, SB 743 became effective, adding Section 21099 to the CEQA Statute in the Public Resources Code (PRC) Division 13 to streamline CEQA review for development projects located on urban infill sites within transit priority areas. PRC Section 21099(d)(1) states that 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.

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 Division 13, Section 21071(a)(2), 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 (CDOF 2020).<sup>1</sup>

The project site is located in a transit priority area, defined as an area within one-half 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). Morning and afternoon peak hours are generally understood to be from 7:00 a.m. to 9:00 a.m. and from 4:00 p.m. to 6:00 p.m., respectively. The project site is located on the southwest corner of the intersection of several bus routes that have service intervals of 15 minutes or less during normal operating conditions, including but not limited to LA Metro Lines 20 and 720 along Wilshire Boulevard and Lines 4 and 704 along North Santa Monica Boulevard. The transit priority areas in the City are based on bus schedules and service frequencies that reflect typical conditions in 2019 and early 2020. Beginning in July 2020, Metro implemented temporary service changes in response to the impacts of COVID-19. This resulted in the majority of bus routes in the study area to operate on a Sunday service schedule with reduced frequencies compared to typical weekday operations. In response to recent increasing ridership demands, Metro implemented service changes beginning December 13, 2020. The majority of the transit lines that

---

<sup>1</sup> The population of the City of Beverly Hills is approximately 33,775. The combined population of City of Beverly Hills, West Hollywood, and Los Angeles is approximately 4,080,662 (CDF 202).

provide service in the vicinity of the project site continue to operate on reduced frequencies. However, these changes are anticipated to be temporary with service returning to typical weekday frequencies after the pandemic and before the project is operational. Therefore, the proposed project's parking impacts are not considered significant impacts due to the provisions of PRC Section 21099(d). The *CEQA Guidelines* were amended in 2016 to add Section 15064.3, relating to the determination of the significance of transportation impacts, alternatives, and mitigation measures (text further amended again in 2018). More information on the determination of the significance of impacts is included in Section 4.9.3, *Impact Analysis*.

#### *California Assembly Bill 32 and Senate Bill 375*

The "California Global Warming Solutions Act of 2006," (Assembly Bill (AB) 32), outlines California's major legislative initiative for reducing greenhouse gas (GHG) emissions. AB 32 codifies the statewide goal of reducing GHG emissions to 1990 levels by 2020, a reduction of approximately 15 percent below emissions expected under a "business as usual" scenario. On September 8, 2016, the governor signed Senate Bill (SB) 32 into law, extending the California Global Warming Solutions Act of 2006 by requiring the state to further reduce GHG emissions to 40 percent below 1990 levels by 2030 (the other provisions of AB 32 remain unchanged).

The Sustainable Communities and Climate Protection Act of 2008 (SB 375), signed in August 2008, enhances the state's ability to reach AB 32 goals by directing the CARB to develop regional GHG emission reduction targets to be achieved from passenger vehicles by 2020 and 2035. SB 375 aligns regional transportation planning efforts, regional GHG reduction targets, and affordable housing allocations. Metropolitan Planning Organizations (MPOs) are required to adopt a Sustainable Communities Strategy (SCS), which allocates land uses in the MPO's Regional Transportation Plan (RTP). Qualified projects consistent with an approved SCS or Alternative Planning Strategy (categorized as "transit priority projects") can receive incentives to streamline CEQA processing.

On March 22, 2018, CARB adopted updated regional targets for reducing GHG emissions from 2005 levels by 2020 and 2035. The Southern California Association of Governments (SCAG) was assigned targets of an 8 percent reduction in per capita GHG emissions from passenger vehicles by 2020 and a 19 percent reduction in per capita GHG emissions from passenger vehicles by 2035. In the SCAG region, SB 375 also provides the option for the coordinated development of subregional plans by the subregional councils of governments and the county transportation commissions to meet SB 375 requirements. On September 3, 2020, the SCAG's Regional Council formally adopted the 2020-2045 RTP/SCS titled Connect SoCal, which meets the requirements of SB 375.

#### *SCAG 2020 - 2045 RTP/SCS*

On September 3, 2020, the SCAG's Regional Council formally adopted the 2020-2045 RTP/SCS titled Connect SoCal. The 2020-2045 RTP/SCS builds upon the progress made through implementation of the 2016-2040 RTP/SCS and includes 10 goals focused on promoting economic prosperity, improving mobility, protecting the environment, and supporting healthy/complete communities. The SCS implementation strategies include focusing growth near destinations and mobility options, promoting diverse housing choices, leveraging technology innovations, and supporting implementation of sustainability policies. The SCS establishes a land use vision of center focused placemaking, concentrating growth in and near Priority Growth Areas, transferring of development rights, urban greening, creating greenbelts and community separators, and implementing regional advance mitigation (SCAG 2020).

### *LA Metro First Last Mile Strategic Plan*

The *First Last Mile Strategic Plan and Planning Guidelines* (2014) (The First Last Mile Plan) outlines an approach for identifying barriers and planning for/implementing improvements for connecting transit services to nearby trip origins (e.g., an individuals' home) and destinations (e.g., an individuals' place of employment). Examples of first/last mile improvements include but are not limited to: pedestrian and bicycle infrastructure, signage and wayfinding, and shared use services (e.g., car share). The First Last Mile Plan developed what is known as "The Pathway," a proposed countywide transit access network designed to enhance transit accessibility. The Pathway is a series of active transportation improvements that connect to and from Metro Rail and BRT stations.

Within the study area, the City of Beverly Hills worked with Metro to develop the *Wilshire/Rodeo Station Pathway Plan* for the Wilshire/Rodeo Station. The Pathway Plan notes that Wilshire Boulevard would benefit from numerous first/last mile improvements, including bus stop enhancements, high-visibility crosswalks, street furniture, and street trees where needed. The Pathway Plan also identifies a series of bicycle improvements that will help facilitate station access, such as intersection treatments to create a bicycle-friendly environment.

### *City of Beverly Hills General Plan*

The City's current General Plan was updated in 2010. The City's Circulation Element has two overarching objectives. First, the neighborhoods of City of Beverly Hills should be preserved and enhanced, including limiting negative effects caused by vehicles. Second, vehicles should move into, out of, or through City of Beverly Hills as expeditiously as possible (City of Beverly Hills 2010d). The following goals and policies apply to the proposed project:

- **Goal CIR 2 Transit.** Development of a safe, comprehensive, and integrated transit system that serves as an essential component of a multi-modal mobility system within the City.
  - **Policy CIR 2.1a Linking Transit and Development.** Encourage appropriate development that may include parking for local transit riders, local-serving retail, high-end retail, restaurant, and supporting uses in and around transit stops and stations.
- **Goal CIR 3 - Neighborhood Traffic Management.** An improved community character and quality of life in City neighborhoods through the implementation of traffic management techniques.
  - **Policy CIR 3.1 - Neighborhood Traffic Control Measures.** Incorporate traffic control measures in residential neighborhoods as part of proposed roadway improvement or development projects to mitigate traffic impacts to residents and reduce the negative impacts of motor vehicle traffic on quality of life. Require development projects to mitigate traffic impacts to residents and reduce the negative impacts of motor vehicle traffic on residential roadways.
- **Goal CIR 6 - Transportation Demand Management (TDM).** A reduction in single-occupant motor vehicle travel in the City through Transportation Demand Management (TDM) that ensures efficiency of the existing transportation network and promotes the movement of people instead of personal automobiles.
  - **Policy CIR 6.7 - Multi-Modal Design.** Require proposed development projects to implement site designs and on-site amenities that support alternative modes of transportation and consider TDM programs with achievable trip reduction goals as partial mitigation for project traffic impacts.

- **Goal CIR 7 Pedestrians.** A safe and comfortable pedestrian environment that results in walking as a desirable travel choice, particularly for short trips, within the City.
  - **Policy CIR 7.7 – Pedestrian Network-Private.** Design access to new developments and buildings to encourage walking.
  - **Policy CIR 7.8 – Pedestrian Access to Parking.** Design new parking facilities to facilitate safe and convenient pedestrian access.
- **Goal CIR 8 Bikeways.** An integrated, complete, and safe bicycle system to encourage bicycling within the City.
  - **Policy CIR 8.8 – Bicycle Access.** Require new development projects on existing and potential bicycle routes to facilitate bicycle and pedestrian access to and through the project, through designated pathways.

### *Complete Streets and Streetscape Planning in Beverly Hills*

The City of Beverly Hills is currently preparing a citywide Complete Streets Plan and a Streetscape Plan for Wilshire and La Cienega Boulevards. The development of the Draft Complete Streets Plan began in 2017 and several workshops have been hosted by the City to obtain community input and gather feedback. The Draft Complete Streets Plan was published in November 2019. The Streetscape Plan began in 2019 and workshops have been hosted by the City in 2020. While both of these planning efforts are still underway, the proposed goals and policies are included in this SEIR for informational purposes and both planning efforts are described in greater detail below.

The Draft Complete Streets Plan creates a blueprint for transportation improvements that balance the needs of all road users: bicyclists, pedestrians, transit riders, and motorists. The goal of the Draft Complete Streets Plan is to provide more options for people to choose the mode that best works for their trip type, and a network of streets where individual modes will be prioritized (City of Beverly Hills 2019b). The Draft Complete Streets Plan identifies the following goals that are relevant to this SEIR:

- **Goal B1:** Provide a Safe and Efficient Bicycle Circulation System Within the City
- **Goal B2:** Provide a Holistic and Connected Bicycle Network
- **Goal B3:** Expand Bike Parking
- **Goal B4:** Support and Encourage Bicycle Transportation
- **Goal P1:** Improve Pedestrian Safety
- **Goal P2:** Make Walking a Desirable Travel Choice
- **Goal P3:** Enhance Sidewalks as Public Spaces
- **Goal V3:** Support Safe, Complete, Livable, Sustainable, and Quality Neighborhoods

The Draft Complete Streets Plan identifies a series of bicycle and pedestrian improvements throughout the City. The Draft Complete Streets Plan proposes a new bike boulevard along the project site's southern frontage of North Santa Monica Boulevard and two new intersection crossing treatments along Wilshire Boulevard north of the project site. The Draft Complete Streets Plan proposed pedestrian corridor improvements along North Santa Monica Boulevard south of the project site, and Wilshire Boulevard east of the project site. The Draft Complete Streets Plan also identifies Wilshire Boulevard and Beverly Drive as part of the City's proposed Transit Enhanced Network. Bus stop enhancements – such as shelter, seating, lighting, trash/recycling bins, poles/signs with route information and schedules, a system map (or link to one), a paved boarding

area, and ADA-compliant pedestrian connections –are identified at the intersection of Wilshire Boulevard and Beverly Drive.

The City of Beverly Hills is currently working on the Connect Beverly Hills project, which will develop a streetscape plan and design standards for Wilshire and La Cienega Boulevards, and incorporate concepts from the Draft *Complete Streets Plan* to show placement of transportation enhancements associated with streetscape improvements along Wilshire Boulevard near the future Wilshire/Rodeo and Wilshire/La Cienega Stations.

## 4.9.2 Impact Analysis

### **Methodology**

#### *Project Trip Generation*

The following analysis is based on the results of the TIR prepared by Fehr & Peers for the proposed project (Appendix G). The TIR provides detailed information about the methodology and analysis of trip generation for the proposed project, buildout of the Approved Entitlements, and existing conditions. In general, trip generation rates were identified based on the Institute of Transportation Engineers (ITE) *Trip Generation 9<sup>th</sup> Edition* and on relevant trip generation counts collected for similar projects.

Table 4.9-1 provides the trip generation rates applied to the proposed project as determined by the TIR.

**Table 4.9-1 Project Trip Generation Rates**

Land Use	Trip Generation Rates				
	Daily	Morning Peak Hour	Mid-Day Peak Hour	Afternoon Peak Hour	Saturday Peak Hour
Condominiums <sup>1</sup>	3.55	0.28	0.33	0.33	0.29
Hotel <sup>2</sup>	7.76	0.41	0.49	0.57	0.26
Park <sup>3</sup>	0.78	0.02	0.11	0.11	0.28
Hotel Restaurant <sup>4</sup>	54.02	0.33	5.69	4.18	3.44
Retail Dining <sup>5</sup>	112.18	9.94	9.77	9.77	11.19
Mercantile Retail <sup>6</sup>	37.75	0.94	3.81	3.81	4.50
Amenity Access Program <sup>7</sup>	0.29	0.02	0.02	0.02	0.02
Gas Station <sup>8</sup>	205.36	12.47	13.99	13.99	19.28

sf: square feet; ITE: Institute of Transportation Engineers

<sup>1</sup> Condominium trip rates based on counts taken at six local condominiums. Trip rates are per unit.

<sup>2</sup> Hotel trip rates based on counts taken at Beverly Hilton. Trip rates are per room.

<sup>3</sup> Park trip rates based on ITE Code 411 (Public Park). Trip rates are per acre.

<sup>4</sup> Restaurant trip rates based on counts taken at three fine dining restaurants in Beverly Hills. Trip rates are per 1,000 sf.

<sup>5</sup> Retail Dining trip rates based on ITE Code 932 (High-Turnover Sit-Down Restaurant). A 20% credit for internal trips was applied to the retail dining trips to capture hotel visitors and condominium residents that are already on the project site. Trip rates are per 1,000 sf.

<sup>6</sup> Mercantile Retail trip rates based on ITE Code 820 (Shopping Center). A 20 percent trip generation credit for internal trips were applied to the retail dining. In addition, a 30 percent pass-by adjustment was applied to the total number of trips generated by the retail uses to account for vehicles that are already traveling on the adjacent roadways and visit the retail uses. A 30 percent pass-by adjustment for retail uses is recommended by ITE. Trip rates are per 1,000 sf.

<sup>7</sup> Amenity Access Program trip rate based on rates for members/guests and employees from Table 6, Transportation Study for the Arts Club West Hollywood Project. Trip rates are per member.

<sup>8</sup> Gas Station trip rates based on ITE Code 945 (Gasoline/Service Station with Convenience Store). Trip rates are per gas pump.

Source: Fehr & Peers 2020 (Appendix G)

## Vehicle Miles Traveled Analysis

VMT generated under existing conditions, baseline conditions, and under the proposed project conditions were calculated to analyze potential VMT impacts of the proposed project in accordance with SB 743.

### **BASELINE VMT**

The SCAG 2016 RTP/SCS trip-based model is a travel demand model with socioeconomic and transportation network inputs, such as population, employment and the regional and local roadway network.<sup>2</sup> The model outputs several travel behavior metrics, such as vehicle trips and trip lengths, that can be used to calculate VMT. The SCAG RTP/SCS trip-based model was used to estimate the

<sup>2</sup> While SCAG recently adopted the 2020-2045 RTP/SCS Connect SoCal, the travel demand forecasting model used to evaluate the plan is not yet available for use. SCAG's new RTP/SCS model is expected to be available for use on land use and transportation planning projects in 2021. Based on the planned growth and transportation improvements envisioned in the new RTP/SCS, the VMT trends reported from the 2016 RTP/SCS model are expected to be similar to those in the new 2020 model.



baseline VMT for the City. The current 2016 SCAG model has 2012 as the base year and 2040 as the forecast year.

This baseline VMT methodology includes vehicle trips within the SCAG model to generate the following metrics:

- Home-based VMT per Capita: Home-based vehicle trips are traced back to the residence of the trip-maker (non-home-based trips are excluded) and then divided by the residential population within the geographic area. This metric is used to estimate VMT for residential land uses.
- Home-based Work VMT per Employee: Vehicle trips between home and work are counted, and then divided by the number of employees within the geographic area. This metric is used to estimate VMT for office, retail, and other commercial land uses.

The City's baseline VMT for each metric is shown in Table 4.9-2. These metrics estimate current VMT trends for residential and employment uses in the City of Beverly Hills.

**Table 4.9-2 Baseline VMT for City of Beverly Hills**

VMT Metrics		Baseline VMT (2020)
Home-Based VMT	Baseline Home-Based VMT per Capita	6.7
Home-Based Work VMT	Baseline Home-Based Work VMT per Employee	16.0

Source: Fehr & Peers 2020

## Significance Thresholds

SB 743 directed OPR to “prepare, develop, and transmit to the Secretary of the Natural Resources Agency for certification and adoption proposed revisions to the guidelines adopted pursuant to Section 21083 establishing criteria for determining the significance of transportation impacts of projects within transit priority areas... Upon certification of the guidelines by the Secretary of the Natural Resources Agency pursuant to this section, automobile delay, as described solely by LOS or similar measures of vehicular capacity or traffic congestion within a transit priority area, shall not support a finding of significance pursuant to this division...”.

On January 20, 2016, OPR published “Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA”. In this update, the evaluation of VMT was recognized as “generally the most appropriate measure of transportation impacts.” On November 2017, OPR proposed a new section, 15064.3, to help determine the significance of transportation impacts. The purpose of this section is to describe specific elements for considering the transportation impacts of a given project given the use of VMT as the primary measurement. This section was updated in July 2018 and finalized in December 2018 with criteria for analyzing transportation impacts, those of which are shown below.

Per the *CEQA Guidelines*, “a lead agency may elect to be governed by the provisions of this section immediately. Beginning on July 1, 2020, the provisions of this section shall apply statewide.” The City of Beverly Hills formally adopted the use of VMT for CEQA transportation impacts on October 10, 2019.

Transportation impacts would be significant if implementation of the proposed project would:

1. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.
2. Conflict with or be inconsistent with *CEQA Guidelines* Section 15064.3, subdivision (b), providing the following criteria for analyzing transportation impacts:
  - **Land Use Projects:** Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high-quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact.
  - **Transportation Projects:** Transportation projects that reduce, or have no impact on, vehicle miles traveled should be presumed to cause a less than significant transportation impact. For roadway capacity projects, agencies have discretion to determine the appropriate measure of transportation impact consistent with CEQA and other applicable requirements. To the extent that such impacts have already been adequately addressed at a programmatic level, such as in a regional transportation plan EIR, a lead agency may tier from that analysis as provided in Section 15152.
  - **Qualitative Analysis:** If existing models or methods are not available to estimate the vehicle miles traveled for the particular project being considered, a lead agency may analyze the project's vehicle miles traveled qualitatively. Such a qualitative analysis would evaluate factors such as the availability of transit, proximity to other destinations, etc. For many projects, a qualitative analysis of construction traffic may be appropriate.
  - **Methodology:** A lead agency has discretion to choose the most appropriate methodology to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may use models to estimate a project's vehicle miles traveled and may revise those estimates to reflect professional judgment based on substantial evidence. Any assumptions used to estimate vehicle miles traveled and any revisions to model outputs should be documented and explained in the environmental document prepared for the project. The standard of adequacy in Section 15151 shall apply to the analysis described in this section.
3. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment).
4. Result in inadequate emergency access.

LOS is no longer an acceptable metric for analyzing transportation impacts under CEQA and the project would qualify for the streamlining process provided in PRC Section 21099(d)(1), eliminating parking as a CEQA issue; therefore, these issues are not discussed in the SEIR. Nonetheless, a Parking Study and a Local Transportation Analysis were completed for the proposed project and to study these issues further and will be provided to the public and decision-makers as part of the entitlement review process for this project. As discussed in the proposed project's Initial Study (Appendix A), the project would have a less than significant impact related to emergency access. As such, Threshold 4 is not discussed further in this SEIR. The following section focuses on Thresholds 1 through 3.

### *VMT Significance Thresholds*

The City of Beverly Hills adopted a VMT impact threshold for land use projects on October 10, 2019, which states that a significant impact would occur if the project generates VMT higher than 15 percent below the regional average. The City's VMT impact thresholds based on the regional average are summarized in Table 4.9-3.

**Table 4.9-3 City of Beverly Hills VMT Impact Thresholds for Land Use Projects**

VMT Metrics		Baseline VMT (2020)	
		Regional Baseline	Impact Threshold <sup>1</sup>
Home-Based VMT	Baseline Home-Based VMT per Capita	14.5	12.3
Home-Based Work VMT	Baseline Home-Based Work VMT per Employee	17.7	15.0

<sup>1</sup> The VMT Impact Threshold for each VMT metric is 15 percent below the respective Baseline VMT.

Source: Fehr & Peers 2020

Based on the OPR *Technical Advisory on Evaluating Transportation Impacts in CEQA* (2018), the City of Beverly Hills suggests four screening criteria that the City may use to identify if a proposed project is expected to cause a less-than-significant impact without conducting a detailed study: project size, project location in a low VMT area, and project accessibility to transit. The four screening criteria are detailed below and applied to various components of the One Beverly Hills Overlay Specific Plan to determine if the project has the potential to result in a VMT impact. Once a project component qualifies under one of the screening criteria, that component is screened out from further consideration.

#### **SCREENING CRITERIA 1: PROJECT SIZE**

Land use projects that generate less than 110 daily trips are presumed to have less than significant VMT impacts absent substantial evidence to the contrary. Therefore, these projects are screened out from completing a VMT analysis based on project size.

#### **SCREENING CRITERIA 2: LOCALLY SERVING RETAIL**

Land use projects that have local-serving retail uses, defined as commercial projects with retail uses less than 50,000 square feet, are presumed to have less than significant VMT impacts absent substantial evidence to the contrary. Therefore, these projects are screened out from completing a VMT analysis based on project use and size.

#### **SCREENING CRITERIA 3: LOW VMT AREA SCREENING**

OPR guidance states that residential and office projects located within a low VMT generating area may be presumed to have a less than significant impact absent substantial evidence to the contrary. A low VMT generating area generally has higher density, a mix of land uses, and provides opportunities for people to walk to nearby uses instead of always driving.

Low VMT areas are defined as areas that are currently generating VMT below the City's VMT threshold. The City of Beverly Hills screens residential projects from further VMT analysis if they are located in a low VMT generating transportation analysis zone (TAZ), defined as VMT that is at least 15 percent lower than the baseline level for the region. In the City of Beverly Hills, a low VMT area

for residential projects generates no more than 12.3 VMT per capita as shown above in Table 4.9-3. The TAZs contained in the SCAG model can be used to identify the low VMT areas in the City of Beverly Hills.

#### **SCREENING CRITERIA 4: TRANSIT PRIORITY AREAS SCREENING**

Projects located in a Transit Priority Area (TPA) may also be screened out from conducting a VMT analysis because they are presumed to have a less than significant impact absent substantial evidence to the contrary. TPAs are defined in the OPR *Technical Advisory on Evaluating Transportation Impacts in CEQA* (2018) as a half-mile radius around an existing or planned major transit stop or an existing stop along a high-quality transit corridor (HQTC). A HQTC is defined as a corridor with fixed route bus service frequency of 15 minutes (or less) during peak commute hours. The City of Beverly Hills' adopted VMT thresholds allow screening for TPAs that are located within a half-mile of a Metro Rapid bus stop for commercial zones.

The presumption that a project in a TPA will have a less than significant impact absent substantial evidence to the contrary may not be appropriate if the project:

- Has a Floor Area Ratio (FAR) of less than 0.75;
- Includes more parking than required by City, unless additional parking is being provided for design feasibility, such as completing the floor of a subterranean or structured parking facility, or if additional parking is located within the project site to serve adjacent uses; or
- Is inconsistent with the applicable Sustainable Communities Strategy (as determined by the City).

#### **VMT ANALYSIS FOR CUMULATIVE CONDITIONS**

For cumulative conditions, OPR state that a project that is below the VMT impact thresholds and does not have a VMT impact under baseline conditions would also not have a cumulative impact as long as it is aligned with long-term State environmental goals, such as reducing GHG emissions, and relevant plans, such as the SCAG RTP/SCS.<sup>3</sup> The City of Beverly Hills adopted the following cumulative threshold for VMT impacts:

- A significant impact would occur if the project causes VMT within the City to be higher than the no project alternative under cumulative conditions.
- A significant impact would occur if the project is determined to be inconsistent with the RTP/SCS.

---

<sup>3</sup> Governor's Office of Planning and Research, *Technical Advisory on Evaluating Transportation Impacts in CEQA*, 2018, 12.

## Project Impacts and Mitigation Measures

<b>Threshold:</b>	Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?
-------------------	--

**Impact T-1** THE PROPOSED PROJECT WOULD NOT CONFLICT WITH ANY PROGRAMS, PLANS, ORDINANCES OR POLICIES OR INVOLVE ANY SIGNIFICANT DISRUPTIONS TO THE LOCAL PUBLIC TRANSIT, ACTIVE TRANSPORTATION, AND ROADWAY SYSTEMS. REGARDLESS OF WHETHER THE PROJECT IS COMPARED TO EXISTING CONDITIONS OR APPROVED ENTITLEMENTS, WITH IMPLEMENTATION OF MITIGATION MEASURES CONTAINED IN THE PREVIOUS ENVIRONMENTAL DOCUMENTATION AS MODIFIED HEREIN, IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH IMPLEMENTATION OF MITIGATION.

---

### Existing Conditions

#### *Construction Impacts*

Construction of the proposed project would commence in late 2021 and take approximately 50 months to complete, with initial project occupancy occurring between 2026 and 2030. Most construction activity would occur from 8:00 a.m. to 6:00 p.m. with some nighttime work related to material loading and hauling. The duration of the construction elements based on information provided by the project applicant is as follows:

#### **SITE PREPARATION AND DEMOLITION**

- Site preparation is expected to have a three-month duration with a start date of November 2021 and end date of January 2022
- Demolition is anticipated to have a 14-month duration with an expected start date of November 2021 and end date of December 2022
- Approximately 550,000 cubic yards of hauling is expected to occur during this phase of the construction
- Utilizing trucks with a 14-cubic yard capacity would result in 39,286 haul trips or approximately 240 trucks per day for approximately eight months

#### **GRADING AND PAVING**

- Grading is anticipated to have a 10-month duration with an expected start date of February 2022 and end date of November 2022
- Building Construction is expected to have a 3.5-year duration with an anticipated start date of June 2022 and end date of November 2025
- Paving is expected to have a one-year duration with an anticipated start date of January 2025 and end date of December 2025

#### **BUILDING CONSTRUCTION AND ARCHITECTURAL COATING**

- Building Construction is expected to have a 3.5-year duration with an anticipated start date of June 2022 and end date of November 2025
- Architectural coating is anticipated to have a 2.5-year duration with an expected start date of June 2023 and end date of January 2026

There would be four main construction traffic impacts associated with the project:

- Trucks traveling to and from the site to remove debris, fill, and other items (haul trucks)
- Equipment and material delivery/staging
- Worker traffic
- Worker parking
- Temporary lane and sidewalk closures

### **HAUL TRUCK TRAFFIC**

Hauling activity is expected to occur between the project site and Irwindale. Trucks would exit the site onto North Santa Monica Boulevard heading west through the City of Los Angeles to access I-405. Trucks would then travel south on I-405 to access I-10 and continue east to the City of Irwindale. The haul route would be approximately 35 miles.

If contaminated soil is encountered, hauling activity would occur between the project site and Castaic. In this case, trucks would exit the site onto North Santa Monica Boulevard heading west through the City of Los Angeles to access I-405. Trucks would then travel north on I-405 to access I-5, and then travel on SR-126 to Castaic. This haul route would be approximately 38 miles.

The proposed project would create a construction management plan that provides for truck staging and designates appropriate travel routes to access the site. However, trucks could impact the adjacent roadway network as follows:

- The roadways designated as the truck routes for the project are already some of the most congested in the City of Beverly Hills and the City of Los Angeles
- There is no guarantee that truck traffic would not deviate from the designated routes and impact other roadways when traveling to and from the site
- The number of trucks required to access the site during the excavation process would be approximately 426 trucks per day for a 14-month period

The proposed project would include mitigation to reduce potential impacts related to haul truck traffic, as detailed under *Mitigation Measures*.

### **DELIVERY AND STAGING OF MATERIAL AND EQUIPMENT**

Another source of construction traffic would derive from the transportation of materials and equipment to the site. One example would be concrete, of which substantial quantities would be required for the parking garage and the buildings on-site. Other materials could include plumbing supplies, electrical fixtures, and items used in furnishing the condominiums and other uses. These materials would be delivered to and stored on the project site. These deliveries would occur through variously sized vehicles including small delivery trucks to cement mixer trucks, and possibly 18-wheel trucks.

Additionally, heavy construction equipment would be delivered to the site. This equipment would include cranes, bulldozers, excavators, and other large items of machinery. Most of the heavy equipment would be transported to the site on large trucks such as 18-wheelers or other similarly sized vehicles, and the heavy equipment would remain on-site until it is no longer needed.

The influx of this material and equipment could create impacts on the adjacent roadway network based on the following considerations:

- There may be intermittent periods when large numbers of material deliveries are required such as when concrete trucks would be needed for construction of the parking garage
- Some of the materials and equipment could require the use of large trucks (18-wheelers), which could create additional congestion on adjacent roadways
- Delivery vehicles may need to park temporarily on adjacent roadways such as Wilshire Boulevard, North Santa Monica Boulevard, and Merv Griffin Way as they deliver their items

A City-approved construction traffic control plan and haul route would be implemented to reduce these impacts, as discussed further under *Mitigation Measures*.

### **WORKER TRAFFIC**

The number of workers on the project site would vary from 250 per day during excavation/foundations to 1,500 per day during building finishes and landscaping. The peak number of construction workers for each general construction phase would be as follows:

- Excavation/Foundations: 250 construction workers for a 12-month duration
- Structure/Enclosure: 1,100 construction workers for a 22-month duration
- Finishes/Hardscape/Landscape: 1,500 construction workers for a 16-month duration

The number of vehicles associated with these workers is estimated by applying the following process:

- Each worker would drive to and from the site daily at least once (two daily person trips per worker)
- A small percentage of the workers may carpool or travel together. This can be based on regional auto occupancy factors (1.25 persons per vehicle)
- Workers would travel to/from the site in the morning (7:00 to 9:00 a.m.) and afternoon peak hours (4:00 to 6:00 p.m.). They are not all likely to arrive at the construction site within the same hour nor would they leave the site at the same time. Fehr & Peers have assumed that no more than half of the drivers would arrive during a single peak hour either in the morning or afternoon because in their experience many construction workers arrive at the site outside of the peak hours, with many arriving at the site prior to 7:00 a.m. and leaving the site before 4:00 p.m. Therefore, the estimates of peak hour traffic are likely to be conservative

Using the maximum number of workers (1,500), the maximum daily number of worker trips would be 2,400, with 600 trips occurring during peak hour (one hour in the morning and afternoon peak period). The proposed project would be required to implement a Construction Traffic Management Plan to reduce potential temporary impacts from worker trips, as discussed further under *Mitigation Measures*.

### **WORKER PARKING**

During the initial 18 months of construction, parking for approximately 700 construction workers would be provided on-site. Other construction workers would park off-site and be shuttled to the construction site using zero-emission shuttle buses. During the remainder of the construction period, parking would be available on-site to accommodate all of the construction workers.

The need to park workers off-site could result in a specific traffic related impact because it could lead to worker parking spilling over into adjacent areas, such as residential areas along Whittier

Boulevard. Workers may choose to park in these areas because they find the off-site parking arrangement cumbersome and want to park at a location closer to the site. The proposed project would include a Workers Parking Plan to reduce potential impacts of construction worker parking, as discussed further under *Mitigation Measures*.

### **TEMPORARY LANE AND SIDEWALK CLOSURES**

Construction of the proposed project would include improvements to Merv Griffin Way and the addition of a new private access road along the project's western boundary connecting between North Santa Monica Boulevard and Wilshire Boulevard. Temporary lane and sidewalk closures at North Santa Monica Boulevard and Wilshire Boulevard may be required during construction of new project driveways. During these construction activities, temporary lane closures to Merv Griffin Way may also be required. Upon project completion, Merv Griffin Way would remain open and would continue to provide access between North Santa Monica Boulevard and Wilshire Boulevard. Access to the project site would be maintained during construction and any temporary traffic impacts would be mitigated through implementation of the Construction Traffic Management Plan, as described under *Mitigation Measures*.

### *Operational Impacts*

The One Beverly Hills Overlay Specific Plan would maintain the existing points of access along Wilshire Boulevard and North Santa Monica Boulevard. Merv Griffin Way would continue to operate as a publicly accessible private street between Wilshire Boulevard and North Santa Monica Boulevard while also providing access to uses on the project site as it does currently. A new private roadway, referred to as the North-South Road, would have gated access for residents and would be located adjacent to the westerly property line, which would connect Wilshire Boulevard and North Santa Monica Boulevard. As discussed under Section 4.9.1, *Setting*, the North-South Road would be stop sign controlled at its intersection with North Santa Monica Boulevard and signalized at its intersection with Wilshire Boulevard. Vehicles traveling along North Santa Monica Boulevard would be able to access the North-South Road via a left-hand turn lane or a right-hand turn, and vehicles exiting the North-South Road onto North Santa Monica Boulevard would be permitted to make right-hand turns only. At the signalized intersection of the North-South Road and Wilshire Boulevard, vehicles would be able to make right-hand and left-hand turns onto the site and exiting the site.

A new subterranean parking structure would provide parking for all uses on the One Beverly Hills Overlay Specific Plan site. The new parking structure would be three levels and would have a capacity of approximately 1,865 vehicles. In addition, the 314 parking spaces that currently serve the Waldorf-Astoria Beverly Hills would remain. Parking access for the residents, hotel guests, employees, and visitors would occur through separate entry and exit driveways. The parking structure would include a designated area for ridesharing, electric vehicle charging, amenity areas and support space including a centralized loading dock. Approximately 55 of the parking spaces would be capable of accommodating Level 2 charging stations.

The existing loading dock serving the Beverly Hilton and Waldorf-Astoria Beverly Hills hotels would be reconfigured and would connect via ramp to a centralized below-grade loading dock and support spaces. The entrance and exit to the loading dock would continue to be on North Santa Monica Boulevard east of Merv Griffin Way.

The proposed project's potential operational impacts to the circulation system are discussed further below.



## **VEHICULAR CIRCULATION**

The proposed project would increase development intensity on the project site which would lead to increased vehicle trips and traffic on nearby roadways compared to existing conditions on the site (e.g., the 9900 Wilshire Boulevard site is currently undeveloped). However, the project would place residential and retail uses in proximity to high quality transit facilities and existing retail and residential development within the city, which is a development pattern emphasized by the 2020 RTP/SCS for reducing VMT. In addition, as described further under Impact T-2, the proposed project would meet the City's VMT Screening Criteria, indicating that the proposed project would not substantially increase vehicle trips in the area. Therefore, the proposed project would align with Goal CIR 6 of the Beverly Hills General Plan Circulation Element, which seeks to reduce vehicle trips in the city.

Safe circulation of automobiles throughout the project area would also be improved in comparison to existing conditions by enhancements to Merv Griffin Way, construction the private North-South Road along the western boundary of the project site to provide access for residents and visitors of the new residential buildings, and the installation of street lights equipped with an Opticom controller at the intersection of Merv Griffin Way and North Santa Monica Boulevard and at the intersection of Wilshire Boulevard and the proposed new North-South Road.<sup>4</sup> The new traffic signals may result in some delay at these intersections, but this delay would be minimal as a majority of the signal cycle would be allocated to Wilshire Boulevard and North Santa Monica Boulevard to facilitate movement of traffic on the major street. In comparison to existing conditions, the project would improve safe circulation of automobiles throughout the project area and impacts would be less than significant.

## **PUBLIC TRANSIT SYSTEM**

Existing transit service is provided along the project frontage on Wilshire Boulevard and North Santa Monica Boulevard as described under Section 4.9.1, *Setting*. The proposed project's potential impacts to existing transit service are as follows:

- **Project Driveways:** Potential disruptions to existing transit service could occur with the addition of the project driveways. The proposed project would construct two driveways along Wilshire Boulevard (Driveways A and B) and one driveway along North Santa Monica Boulevard (Driveway E). The project driveway with signalized access on Wilshire Boulevard at the North-South Road is discussed below. The other project driveway on Wilshire Boulevard (Driveway B) would provide outbound only access, and therefore, transit vehicles traveling on Wilshire Boulevard would not be delayed by vehicles slowing to enter the project site. The project driveway on North Santa Monica Boulevard (Driveway E) would provide inbound access to the North-South Road from North Santa Monica Boulevard (both left- and right-turns would be permitted) and outbound right-turn only access. If the City's current striping of the roadway in front of the Waldorf-Astoria Beverly Hills is extended along the frontage of the project site, vehicles entering the project site from North Santa Monica Boulevard would utilize the buffered bicycle lane along the frontage of the project site resulting in minimal delays for transit vehicles traveling on North Santa Monica Boulevard. If the applicant's proposed three southbound travel lanes and a five-foot wide bike lane is built, vehicles entering the project site from North Santa Monica Boulevard would utilize the third drive lane and bicycle lane along the frontage of the

---

<sup>4</sup> In the event that the proposed traffic signal at the intersection of the North-South Road and Wilshire Boulevard is not implemented, vehicles would be limited to right-turn only ingress and egress at this location in order to ensure safe circulation

project site resulting in minimal delays for transit vehicles traveling on North Santa Monica Boulevard, which would continue to have access to two through lanes.

- **New Traffic Signals:** The new traffic signals would be installed at the intersection of North Santa Monica Boulevard and Merv Griffin Way and the intersection of Wilshire Boulevard and the proposed new residential access roadway
- **Relocation of Bus Stop:** The proposed project would include the relocation of an existing bus stop located just west of the Whittier Drive/Merv Griffin Way intersection to just east of the intersection

The proposed project would add two new access points along Wilshire Boulevard and one new access point along North Santa Monica Boulevard, as well as reconfigured access at the intersection of Merv Griffin Way and North Santa Monica Boulevard. The proposed new project driveways would be located away from existing transit stops to minimize any potential conflicts with transit services. One of the new project intersections would include the installation of a traffic signal<sup>5</sup>, and a new traffic signal would also be installed at the intersection of Merv Griffin Way and North Santa Monica Boulevard. Currently, Wilshire Boulevard operates as free-flow along the frontage of the project site west of the Whittier Drive/Merv Griffin Way signal. At Merv Griffin Way, North Santa Monica Boulevard also operates as free flow because the intersection operates under side-street stop sign control. Therefore, the transit vehicles on Wilshire Boulevard and North Santa Monica Boulevard are not required to stop with the current traffic control system. The new traffic signals would result in minimal delays at these intersection for transit vehicles, as a majority of the signal cycle would be allocated to Wilshire Boulevard and North Santa Monica Boulevard to facilitate movement of traffic on the major street.

No major transit projects are planned on Wilshire Boulevard or North Santa Monica Boulevard. Therefore, the land use and site access changes under the One Beverly Hills Overlay Specific Plan would not result in a disruption to planned transit service in comparison to existing conditions. However, the existing bus stop on Wilshire Boulevard just west of the Whittier Drive/Merv Griffin Way intersection would be relocated to the east side of the intersection. The transit stop relocation would be coordinated with the City of Beverly Hills and Metro to ensure that bus transit service is not interrupted with the stop relocation and that Americans with Disabilities Act-compliant access to the bus stop would be maintained throughout and upon completion of project construction. Therefore, compared to existing conditions, the proposed project would not result in a disruption to existing or planned transit service.

## **BICYCLE AND PEDESTRIAN FACILITIES**

In recent years, North Santa Monica Boulevard was reconstructed and Class II bicycle lanes that are enhanced through green paint for visibility were striped from the western City limit to the eastern City limit at Doheny Drive. In addition, North Santa Monica Boulevard was widened by relocating the edge of curb along the frontage of the Waldorf-Astoria Beverly Hills hotel which maintained two southbound travel lanes and provided additional right-of-way for a buffered on-street bicycle lane. With the curb relocation on North Santa Monica Boulevard along the remaining frontage of the project site proposed by the Overlay Specific Plan, the bicycle lanes would be maintained through either 1) the implementation of a buffered bicycle lane along the frontage of the Overlay Specific Plan site while maintaining two travel lanes in each direction on North Santa Monica Boulevard,

---

<sup>5</sup> If the proposed traffic signal is not installed, this intersection would be a two-way, stop-controlled intersection with right-hand turn movements permitted only.

consistent with the current configuration along the frontage of the Waldorf-Astoria Beverly Hills hotel, or 2) the provision of three travel lanes and a five-foot wide bike lane, consistent with the roadway configuration proposed by the applicant. Given that bicycle lanes on North Santa Monica Boulevard would be maintained under either scenario with the additional right-of-way provided by the Overlay Specific Plan, no disruptions would occur to existing bicycle facilities.

The project site plan proposes to maintain the sidewalks along the project frontage on North Santa Monica Boulevard and Wilshire Boulevard. However, the relocation of the northern curb on North Santa Monica Boulevard along the frontage of the project site would result in the narrowing of the adjacent sidewalks in order to provide right-of-way for either the two-travel lane or three-travel lane scenario discussed above. In addition, the proposed project would add additional driveways along both frontages. These driveways would not be expected to result in a significant impact to pedestrians, and signalized driveway intersections would be equipped with a pedestrian signal for safe crossing. There are no plans for additional pedestrian facilities along the project frontage. Therefore, the proposed project would not result in a disruption to existing or planned pedestrian facilities.

Furthermore, the proposed project would include pedestrian and bicycle improvements that would align with the goals and policies of the Circulation Element and Draft Complete Streets Plan. Upon completion of the proposed project, enhanced pedestrian connectivity and improvements to the pedestrian environment would be available via the pedestrian walkways that connect Wilshire Boulevard, Merv Griffin Way, and North Santa Monica Boulevard, as well as the pathways provided throughout the proposed botanical garden, as shown in Figure 4.9-1. By placing retail, residential, and hotel uses in close proximity to existing commercial and residential centers and high-quality public transit, as well as by enhancing the pedestrian environment with landscaping, a sculpture garden, and walking paths, the proposed project would encourage pedestrian activity in the project area. The pedestrian improvements provided by the proposed project would be in accordance with General Plan Goal CIR 6 by enhancing multi-modal transportation options and CIR 7 by making walking a more desirable travel choice, as well as with Draft Complete Streets Plan Goals P1 through P3 and V3 by enhancing the pedestrian and neighborhood environment in the project area.

In addition, the proposed project would provide connections throughout the project site to existing Class II bike lanes along North Santa Monica Boulevard and short- and long-term bicycle parking spaces throughout the site, enabling alternative modes of transportation to and from the project site. Improvements to bicycle facilities proposed by the project would align with General Plan Goal CIR 3 and CIR 8, as well as Draft Complete Streets Plan Goals B1 through B4 and V3, by providing infrastructure for sustainable, active transportation and by enhancing the bicycle facilities within the city. Likewise, the provisioning of new housing choices in proximity to jobs, retail, and public transit, creation of new urban greenspace, and improvements to pedestrian and bicycle facilities provided by the proposed project would align with the goals and recommendations of the 2020-2045 RTP/SCS. Therefore, compared to existing conditions, the proposed project would not cause a disruption to active transportation facilities or conflict with any plans or policies related to active transportation.

**Figure 4.9-1 Proposed Pedestrian Circulation Plan**



## **Approved Entitlements**

### *Construction Impacts*

Construction of the proposed project would require similar activities as buildout of the Approved Entitlements. As discussed above under *Existing Conditions* and detailed below under *Mitigation Measures*, the proposed project would implement similar mitigation measures as those contained within the Beverly Hilton Specific Plan 2008 EIR and 9900 Wilshire Specific Plan 2016 SEIR, modified to meet the needs of the proposed project. With implementation of Mitigation Measures MM-TRAF-1 through MM-TRAF-6, construction of the proposed project would have less than significant impacts, similar to the Approved Entitlements.

### *Operational Impacts*

#### **VEHICULAR CIRCULATION**

Under both the Approved Entitlements and the proposed project, increased development intensity on the project site would lead to increased vehicle trips and traffic on nearby roadways compared to existing conditions on the site (e.g., the 9900 Wilshire Boulevard site is currently undeveloped). However, the project would place residential and retail uses in proximity to high quality transit facilities and existing retail and residential development within the city, which is a development pattern emphasized by the 2020 RTP/SCS for reducing VMT. In addition, as described further under Impact T-2, the proposed project would result in reduced daily vehicle trips to and from the project site compared to buildout of the Approved Entitlements. Therefore, the proposed project would align with Goal CIR 6 of the Beverly Hills General Plan Circulation Element, which seeks to reduce vehicle trips in the City, and Goal CIR 3 by reducing potential vehicle traffic in the neighborhoods to the north of the project site. The proposed site access and circulation would be similar to the Approved Entitlements, and as discussed above under *Existing Conditions*, would improve the safe circulation of vehicles throughout the project site.

#### **PUBLIC TRANSIT SYSTEM**

Existing transit service is provided along the project frontage on Wilshire Boulevard and North Santa Monica Boulevard as described under Section 4.9.1, *Setting*. The proposed project's potential impacts to existing transit service are as follows:

- **Project Driveways:** Potential disruptions to existing transit service could occur with the addition of the project driveways. In comparison to the Approved Entitlements, one additional driveway would be provided on Wilshire Boulevard (the 9900 Wilshire Boulevard site had one access driveway between Driveways A and B) and one fewer driveway would be provided on North Santa Monica Boulevard (access to the planned Hotel Motor Court on the 9900 Wilshire Boulevard site would be eliminated). As discussed above under *Existing Conditions*, project driveways would not have a significant effect on public transit operations
- **New Traffic Signals:** The new traffic signals would be installed at the intersection of North Santa Monica Boulevard and Merv Griffin Way and the intersection of Wilshire Boulevard and the proposed new residential access roadway. The Merv Griffin Way and North Santa Monica Boulevard traffic signal was also included in the Existing Specific Plans

- **Relocation of Bus Stop:** The proposed project would include the relocation of an existing bus stop located just west of the Whittier Drive/Merv Griffin Way intersection to just east of the intersection. The bus stop relocation was not included in the Existing Specific Plans

The proposed project would have a similar number of driveways to the Existing Specific Plans. As discussed under *Existing Conditions*, the new project driveways would not cause any substantial impacts to public transit service. The project would also include installation of two new traffic signals. Installation of the Merv Griffin Way and North Santa Monica Boulevard signal was also required under the Existing Specific Plans, but the signal at the intersection of Wilshire Boulevard and the proposed new residential access roadway was not included under the Existing Specific Plans (City of Beverly Hills 2008a and 2016a). However, these traffic signals would result in minimal delays at these intersection for transit vehicles, as a majority of the signal cycle would be allocated to Wilshire Boulevard and North Santa Monica Boulevard to facilitate movement of traffic on the major street.

The existing bus stop on Wilshire Boulevard just west of the Whittier Drive/Merv Griffin Way intersection would be relocated to the east side of the intersection, which was not included as part of the Existing Specific Plans. As discussed under *Existing Conditions*, the transit stop would be appropriately coordinated with the City of Beverly Hills and Metro to ensure that operations are not impacted. Therefore, the proposed project would not result in worsened disruptions to existing or planned transit service as compared to buildout of the Approved Entitlements. Impacts would be less than significant.

## **BICYCLE AND PEDESTRIAN FACILITIES**

As discussed under *Existing Conditions*, the project proposes to relocate the curb on North Santa Monica Boulevard along the remaining frontage of the project site and maintain the existing bicycle lanes through either 1) the implementation of a buffered bicycle lane along the frontage of the Overlay Specific Plan site while maintaining two travel lanes in each direction on North Santa Monica Boulevard, consistent with the current configuration along the frontage of the Waldorf-Astoria Beverly Hills hotel, or 2) the provision of three travel lanes and a five-foot wide bike lane, consistent with the roadway configuration proposed by the applicant. Bicycle lanes would be maintained under both scenarios and no disruptions would occur to existing bicycle facilities. In addition, the project would provide connections throughout the project site to the bike lanes on North Santa Monica Boulevard and short- and long-term bicycle parking spaces throughout the site. Enhancing bicycle facilities on the project site aligns with the goals and policies of the General Plan and Draft Complete Streets Plan, as discussed under *Existing Conditions*.

The project would maintain sidewalks along the project frontage on North Santa Monica Boulevard and Wilshire Boulevard. Similar to the Approved Entitlements, the proposed project would add additional driveways along both frontages. These driveways would not be expected to result in a significant impact to pedestrians and signalized driveway intersections would be equipped with a pedestrian signal for safe crossing. Furthermore, the project would enhance the pedestrian environment through the public botanical garden, walking paths, landscaping improvements along the project frontage, and the provisioning of new retail and residential uses in proximity to existing residential and commercial areas of the city well served by public transit. The pedestrian improvements provided by the proposed project would align with the goals, policies, and recommendations of the General Plan, Draft Complete Streets Plan, and 2020-2045 RTP/SCS. Therefore, compared to buildout of the Approved Entitlements, the proposed project would not

cause a disruption to active transportation facilities or conflict with any plans or policies related to active transportation.

## **Mitigation Measures**

Mitigation Measures MM-TRAF-1 through MM-TRAF-6 from the Beverly Hilton Specific Plan 2008 EIR and 9900 Wilshire Specific Plan 2016 SEIR, as included below with minor revisions, would apply to the proposed project. Revisions to the mitigation measures from the previous environmental documentation are shown as italicized, underlined text for additions and strikethrough for removed text.

**MM-TRAF-1** An Environmental Monitor shall be retained that will be responsible for monitoring compliance with the mitigation measures in the adopted Mitigation Monitoring Program. The name, phone number, and other contact information for the Environmental Monitor shall be posted on the construction trailer or other location visible to public view as determined by the Community Development Director. The developer shall deposit funds sufficient to pay for the Environmental Monitor who will be hired by and work for the City.

**MM-TRAF-2** The Environmental Monitor shall proactively inform the public of the ongoing project progress and exceptions to the expected plans. This shall include sending a quarterly mailer to all property owners within 1,000 feet of the exterior boundaries of the property. The developer shall be responsible for the full cost of the mailer including postage. The Environmental Monitor shall also respond to requests for information and assistance from members of the public when impacts raise special concerns by members of the public.

**MM-TRAF-3** The Construction Relations Officer shall be assigned, and a hotline number shall be published on construction signage placed along the boundary of the project site, along Wilshire Boulevard, Merv Griffin Way, and North Santa Monica Boulevard to address day-to-day issues.

**MM-TRAF-4** The Developer, Construction Relations Officer, and Environmental Monitor shall each provide monthly project updates to the Community Development Department (CDD) Director, unless otherwise warranted due to resident complaints.

**MM-TRAF-5** The Developer shall ~~revise and finalize~~ submit a Construction Traffic Management Plan to ~~minimize traffic flow interference from construction activities. The Final Construction Traffic Management Plan shall be submitted to the City and shall~~ include plans to accomplish the following:

- Maintain existing access for land uses in the proximity of the project site during project construction;
- Schedule deliveries and pick-ups of construction materials to non-peak travel periods, to the maximum extent feasible;
- Coordinate haul trucks, deliveries and pick-ups to reduce the potential for trucks waiting to load or unload for protracted periods of time;
- Minimize obstruction of through-traffic lanes on Wilshire Boulevard and North Santa Monica Boulevard, ~~and prohibit obstruction of these same lanes that accommodate construction during peak hours;~~
- Construction equipment traffic from the contractors shall be controlled by ~~flagmen~~ flag persons;



- Designate transport routes for heavy trucks and haul trucks to be used over the duration of the project;
- Schedule vehicle movements to ensure that there are no vehicles waiting off-site and impeding public traffic flow on the surrounding streets;
- Establish requirements for loading/unloading and storage of materials on the project site, where parking spaces would be encumbered, length of time traffic travel lanes can be encumbered, sidewalk closings or pedestrian diversions to ensure the safety of the pedestrian and access to local businesses;
- ~~Prior to submittal to the City of Beverly Hills, the Developer shall provide their Construction Traffic Management Plan and Construction Worker Parking Management Plan to the Beverly Hills Unified School District and the Los Angeles Metropolitan Transportation Authority for their review and comment. The Developer shall notify the City of Beverly Hills of all comments received from these agencies related to the Construction Traffic Management Plan.~~
- The Developer shall coordinate with Beverly Hills Unified School District (BHUSD) in developing the Construction Traffic Management Plan and shall notify BHUSD of any traffic or pedestrian lane disruptions on Wilshire Boulevard in advance.
- The Developer shall coordinate with the Los Angeles Country Club regarding the US Open tournament activities at the club when developing the Construction Traffic Management Plan and shall notify the Los Angeles Country Club of any traffic or pedestrian lane disruptions on Wilshire Boulevard occurring during US Open tournament activities in advance.
- Coordinate with adjacent businesses and emergency service providers to ensure adequate access exists to the project site and neighboring businesses;
- Coordinate with Metro regarding the bus stop relocation at least 30 days prior to start of construction;
- Prohibit parking for construction workers except on the project site and any designated off-site parking locations. These off-site locations will require the approval of the City of Beverly Hills. These off-site parking locations cannot include any residential streets including Whittier Drive and those streets which connect to Whittier Drive.

The Final Construction Traffic Management Plan shall be submitted and approved by the City no later than 30 days prior to commencement of construction and shall include:

- A requirement for use of double belly trucks ~~to the maximum extent feasible~~ to reduce the number of truck trips;
- Provisions for the Environmental Monitor to oversee and coordinate concurrent construction activities at 9900 Wilshire (One Beverly Hills) and the Beverly Hilton project;
- An Action Plan to avoid construction-related traffic congestion and how to respond to unforeseen congestion that may occur;
- Requiring truck access and deliveries in non-peak traffic periods to the greatest extent feasible; and



- Prohibition of queuing of construction-related vehicles on public streets in the City.

**MM-TRAF-6**

The Developer shall submit a Construction Workers Parking Plan that identifies parking locations for construction workers. To the maximum extent feasible, all worker parking shall be accommodated on the project site. During demolition and construction activities when construction worker parking cannot be accommodated on the project site, the Plan shall identify alternate parking locations for construction workers and ~~specify the method of transportation~~ shall include the shuttling of workers to and from the project site using zero emissions vehicles. The Plan shall be submitted for approval by the City at least 30 days prior to commencement of construction. The Construction Workers Parking Plan must include appropriate measures to ensure that the parking location requirements for construction workers will be strictly enforced. These include but are not limited to the following measures:

- All construction contractors shall be provided with written information on where their workers and their subcontractors are permitted to park and provide clear consequences to violators for failure to follow these regulations. This information will clearly state that no parking is permitted on residential streets north of Wilshire Boulevard or in public parking structures;
- No parking for construction workers shall be permitted within 500 feet of the nearest point of the project site except within designated areas. The contractor shall be responsible for informing subcontractors and construction workers of this requirement, and if necessary, ~~as determined by the Community Development Director,~~ for hiring a security guard to enforce these parking provisions. The contractor shall be responsible for all costs associated with parking and the enforcement of this mitigation measure; and
- In lieu of the above, the project applicant/construction contractor has the option of phasing demolition and construction activities such that all construction worker parking can be accommodated on the project site throughout the entire duration of demolition, excavation and construction activities.

## **Significance After Mitigation**

With implementation of mitigation to reduce potential impacts related to construction, the proposed project would not conflict with any programs, plans, ordinances or policies or involve any disruptions to the local public transit, active transportation, and roadway systems beyond those associated with the Approved Entitlements. Likewise, operation of the proposed project would not conflict with any programs, plans, ordinances or policies or involve any disruptions to the local public transit, active transportation, and roadway systems. Regardless of whether the project is compared to existing conditions or Approved Entitlements, impacts would be less than significant with mitigation.

<b>Threshold:</b> Would the project conflict with or be inconsistent with <i>CEQA Guidelines</i> Section 15064.3, subdivision (b)?
--

**Impact T-2** THE PROPOSED PROJECT WOULD RESULT IN INCREASED DAILY TRIPS TO THE PROJECT SITE COMPARED TO EXISTING CONDITIONS. HOWEVER, THE PROJECT WOULD REDUCE DAILY TRIPS COMPARED TO BUILDOUT OF THE APPROVED ENTITLEMENTS. IN COMPARISON TO EXISTING CONDITIONS AND APPROVED ENTITLEMENTS, THE PROJECT WOULD MEET THE CITY'S VMT SCREENING CRITERIA FOR LAND USE PROJECTS, INDICATING THAT THE PROPOSED PROJECT WOULD HAVE A LESS THAN SIGNIFICANT IMPACT TO VMT WITHIN THE CITY. THEREFORE, REGARDLESS OF WHETHER THE PROJECT IS COMPARED TO EXISTING CONDITIONS OR BUILDOUT OF THE APPROVED ENTITLEMENTS, THE PROPOSED PROJECT WOULD NOT CONFLICT WITH OR BE INCONSISTENT WITH *CEQA GUIDELINES* SECTION 15064.3, SUBDIVISION (B).

## Existing Conditions

In comparison to existing conditions, the proposed project would add 340 new residential units, 117,232 sf of amenities, 30 accessory spaces, and new retail to the project site. In addition, compared to existing conditions, the project would reduce hotel rooms on the site by 139 and remove the gas station. Based on the trip generation rates provided in Table 4.9-1, the proposed project, excluding existing uses to remain on the project site, would result in a net increase of approximately 474 daily trips during the weekdays and 105 daily trips on Saturdays compared to existing uses due to increased development on the project site (Appendix G). Detailed trip generation for the proposed project is provided in Table 4.9-4.

Based on the trip generation rates provided in Table 4.9-1, the proposed project, excluding existing uses to remain on the project site, would result in a net increase of approximately 474 daily trips during the weekdays and 105 daily trips on Saturdays compared to existing uses due to increased development on the project site (Appendix G). Detailed trip generation for the proposed project is provided in Table 4.9-4.

As discussed under *Significance Thresholds*, the City has adopted four screening criteria to determine whether projects may have significant VMT impacts. Each of these criterion and their applicability to the proposed project are discussed further below.

**Table 4.9-4 Proposed Project Trip Generation Estimates**

Land Use	Daily	Morning Peak Hour	Mid-day Peak Hour	Afternoon Peak Hour	Saturday Peak Hour
Condominium (370 units) <sup>1</sup>	1,314	103	122	122	108
Hotel (42 units added)	326	18	21	24	11
Park (4.5 acres)	4	0	0	0	2
Hotel Restaurant (7,359 sf) <sup>2</sup>	199	2	22	15	13
Retail Dining (10,028 sf) <sup>3</sup>	900	80	79	79	90
Mercantile Retail (23,073 sf) <sup>4</sup>	501	12	50	45	60
Amenity Access Program (250 members)	50	3	2	2	2
Amenity Access Program (Employees)	23	2	2	2	2
<b>Total trips added</b>	<b>3,317</b>	<b>220</b>	<b>298</b>	<b>289</b>	<b>288</b>
<b>Existing Uses Removed</b>					
Hotel (181 Units)	1,405	74	88	103	47
Gas Station (14 pumps) <sup>5</sup>	1,438	88	98	98	136
<b>Total trips removed</b>	<b>2,843</b>	<b>162</b>	<b>186</b>	<b>201</b>	<b>183</b>
<b>Project Net Total</b>	<b>474</b>	<b>58</b>	<b>112</b>	<b>88</b>	<b>105</b>

sf: square feet

<sup>1</sup> Includes 30 accessory staff units that could be used for various purposes (e.g., staff living quarters, room for offices, wine storage) and are being treated as residential uses for the purpose of this analysis.

<sup>2</sup> Includes 50 percent internal patrons.

<sup>3</sup> Includes 20 percent internal capture.

<sup>4</sup> Includes 20 percent internal capture and 30 percent pass-by adjustment.

<sup>5</sup> Includes 50 percent pass-by adjustment.

Source: Fehr & Peers 2020 (Appendix G)

## Screening Criterion 1

Screening Criterion 1 states that projects that generate fewer than 110 daily trips are presumed to have less than significant VMT impacts. When compared to the existing land uses on the project site, the proposed project would generate an additional 474 daily project trips, which exceeds the 110 trip threshold. Therefore, other screening criteria were explored.

## Screening Criterion 2

Screening Criterion 2 determines that projects with local-serving retail uses (retail uses totaling less than 50,000 sf) are presumed to have less than significant VMT impacts. The commercial component of the proposed project would add 2,643 sf of hotel restaurant space in the Wilshire

Building on the 9900 Wilshire Boulevard site and 7,326 sf of hotel restaurant, 10,028 sf of retail dining, and 26,269 sf of mercantile retail on the Beverly Hilton site. In total, 46,266 sf of retail uses would be added to the project site with the Overlay Specific Plan.

Accounting for the existing commercial uses that would remain, the project site would provide a total of 62,485 sf of retail uses with the Overlay Specific Plan. While the amount of new retail space would meet the screening criteria for locally serving retail uses, the total amount of retail use on the project site would exceed the 50,000 sf screening criteria. Therefore, other screening criteria were explored for the project.

### **Screening Criterion 3**

Screening Criterion 3 states that residential and office projects located within a low VMT generating area may be presumed to have a less than significant impact. The project site is within a Tier 2 TAZ that encompasses that is estimated to generate 5.0 VMT per capita, which is 65 percent below the regional baseline VMT identified in the 2016 RTP/SCS. Therefore, the project is in an area with low residential VMT, which means the residential component of the project is presumed to have a less than significant VMT impact and can be screened out from further VMT analysis.

### **Screening Criterion 4**

Screening Criterion 4 indicates that projects located in a TPA may also be screened out from conducting a VMT analysis because they are presumed to have a less than significant impact. Based on existing transit service in Beverly Hills, the project site is located in a commercial zone within the boundary of four existing TPAs, less than a half-mile from four Metro Rapid bus stops, including the Santa Monica/Wilshire stop of Metro Rapid Line 704 and the Wilshire/Santa Monica stop of Metro Rapid Line 720 on both directions. The project's FAR is 2.55 and meets the 0.75 minimum requirement. The project would also provide less parking than required by the City's Municipal Code and Parking Standard. The project site is designated as Mixed Residential and Commercial in the SCAG RTP/SCS. Therefore, the project is consistent with the RTP/SCS. Based on this information, the project is presumed to have a less than significant VMT impact and can be screened out from further VMT analysis.

Based on the screening criteria set forth above and in comparison to existing conditions, the proposed project would not conflict with or be inconsistent with *CEQA Guidelines* Section 15064.3, subdivision (b).

### **Approved Entitlements**

The previous environmental documentation was completed prior to the inclusion of the VMT metric for evaluating transportation impacts in the *CEQA Guidelines*. The proposed project would result in alterations to the number of residential units and hotel rooms and the square footage of hotel and retail uses on the project site compared to the Approved Entitlements. Table 4.9-5 provides a comparison of the land uses associated with the proposed project and the Approved Entitlements, excluding the existing land uses on the project site that would remain in place with implementation of the proposed project, such as the Waldorf-Astoria Beverly Hills and Beverly Hilton hotels. As shown therein, the proposed project would result in an increase in residential units, retail dining, and mercantile retail land uses, but would decrease the number of hotel rooms and the square footage of hotel restaurants, meeting rooms, spa, and gas station uses.

**Table 4.9-5 Comparison of Proposed Project and the Remaining Approved Entitlements**

Land Use	Remaining Approved Entitlement				Proposed Project	Difference (Proposed Project-Approved Entitlements)
	9900 Wilshire Site	Gas Station Site	Beverly Hilton Site	Total Entitlement		
Condominiums (units)	193	—	110	303	370 <sup>1</sup>	67
Hotel (rooms)	134	—	(217)	(83)	(139)	(56)
Hotel Restaurant (sf)	16,057	—	5,472	21,529	9,969	(11,560)
Meeting Rooms (sf)	7,942	—	17,398	25,340	15,762	(9,578)
Retail Dining (sf)	0	—	0	0	10,028	10,028
Mercantile Retail (sf) <sup>2</sup>	2,484	—	5,881	8,365	26,269	17,904
Gas Station (fueling stations)	0	—	0	0	(14)	(14)
Spa <sup>3</sup>	7,370	—	—	7,370	0	(7,370)

sf: square feet; —: not applicable; (): negative value

<sup>1</sup> Condominium unit count includes 30 accessory spaces that could be used for various purposes (e.g., staff living quarters, room for offices, wine storage) and are being treated as residential uses for the purpose of this analysis.

<sup>2</sup> For retail uses, the remaining entitlements for hotel retail space are shown for 9900 Wilshire and Beverly Hilton site. The trip generation associated with hotel retail was captured in the "per room" hotel rate in the previous transportation studies while the mercantile retail for the proposed project has a standalone trip generation rate.

<sup>3</sup> The 9900 Wilshire entitlements include a 7,370-sf spa open to the public.

Source: Fehr & Peers 2020 (Appendix G)

According to the results of the TIR, the proposed project would result in an overall net reduction in daily vehicle trips to the project site compared to buildout of the Approved Entitlements (Appendix G). As shown in Table 4.9-6, the proposed project would result in a net reduction of 453 daily trips and 16 afternoon peak hour trips, no change to morning peak hour trips, and an increase of five trips during the mid-day peak hour and 10 trips during the Saturday peak hour. The net decrease in vehicle trips compared to buildout of the Approved Entitlements would occur due to the decrease in hotel rooms and retail square footage associated with the proposed project.

**Table 4.9-6 Proposed Project and Approved Entitlements Trip Generation Comparison**

Land Use	Daily	Morning Peak Hour	Mid-day Peak Hour	Afternoon Peak Hour	Saturday Peak Hour
9900 Wilshire Specific Plan <sup>1</sup>	2,183	113	157	188	115
Beverly Hilton Specific Plan <sup>2</sup>	(1,256)	(55)	(66)	(84)	(20)
<b>Approved Entitlements Total Trip Generation</b>	<b>927</b>	<b>58</b>	<b>91</b>	<b>104</b>	<b>95</b>
<b>Proposed Project Net Total Trip Generation</b>	<b>474</b>	<b>58</b>	<b>112</b>	<b>88</b>	<b>105</b>
<b>Net Trip Generation (Proposed-Existing)</b>	<b>(453)</b>	<b>0</b>	<b>21</b>	<b>(16)</b>	<b>10</b>

sf: square feet; (): negative value

<sup>1</sup> Total external trips from Table 11 of *One Beverly Hills Transportation Impact Study Report* (Fehr & Peers 2016).

<sup>2</sup> Based on land use information contained in Table 4. Excludes portions of entitlement already constructed (170-room Waldorf-Astoria Beverly Hills hotel and associated restaurant space). Information from Table 10 of Traffic Study for Beverly Hilton Revitalization Plan (Fehr & Peers 2007).

Source: Fehr & Peers 2020 (Appendix G)

The four screening criteria and their applicability to the proposed project in comparison to the Approved Entitlements are discussed further below.

### Screening Criterion 1

Screening Criterion 1 states that projects that generate fewer than 110 daily trips are presumed to have less than significant VMT impacts. When compared to buildout of the Approved Entitlements, the proposed project would generate 453 fewer daily trips, as detailed in Table 4.9-6. Since the proposed project would reduce the number of daily trips generated by the project site compared to the Approved Entitlements and would not exceed the screening criteria of 110 daily trips, the project could potentially be screened out from VMT analysis under this screening criteria. However, since the Approved Entitlements did not undertake a VMT analysis and CEQA requires a comparison to existing conditions, other screening criteria are more applicable.

### Screening Criterion 2

Screening Criterion 2 determines that projects with local-serving retail uses (retail uses totaling less than 50,000 sf) are presumed to have less than significant VMT impacts. The commercial component of the proposed project would add 2,643 sf of hotel restaurant space in the Wilshire Building on the 9900 Wilshire Boulevard site and 7,326 sf of hotel restaurant, 10,028 sf of retail dining, and 26,269 sf of mercantile retail on the Beverly Hilton site. In total, 46,266 sf of retail uses would be added to the project site with the Overlay Specific Plan.

The Approved Entitlements would allow for an additional 21,529 sf of hotel restaurant space and 8,365 sf of mercantile retail for a total addition of 29,894 SF of retail uses. When comparing the Overlay Specific Plan to the Approved Entitlements, an additional 16,372 sf of retail uses would be provided on the project site with the proposed project.

Accounting for the existing commercial uses that would remain, the project site would provide a total of 62,485 sf of retail uses with the Overlay Specific Plan. While the amount of new retail space

would meet the screening criteria for locally serving retail uses, the total amount of retail use on the project site would exceed the 50,000 sf screening criteria. Therefore, other screening criteria were explored for the project.

### **Screening Criterion 3**

Screening Criterion 3 states that residential and office projects located within a low VMT generating area may be presumed to have a less than significant impact. As discussed above under *Existing Conditions*, the project is in an area with low residential VMT, which means regardless of whether the project is compared to existing conditions or buildout of the Approved Entitlements, the residential component of the project is presumed to have a less than significant VMT impact and can be screened out from further VMT analysis.

### **Screening Criterion 4**

Screening Criterion 4 indicates that projects located in a TPA may also be screened out from conducting a VMT analysis because they are presumed to have a less than significant impact. As discussed above under *Existing Conditions*, regardless of whether the project is compared to existing conditions or buildout of the Approved Entitlements, the project meets Screening Criterion 4 and is presumed to have a less than significant VMT impact and can be screened out from further VMT analysis.

### **Mitigation Measures**

Mitigation would not be required because the proposed project would have no impact.

### **Significance After Mitigation**

Although the proposed project would increase vehicle trips to the project site compared to existing uses on the site, the project meets Screening Criteria 3 and 4 regardless of whether the project is compared to existing conditions or buildout of the Approved Entitlements, indicating that the proposed project can be presumed to have a less than significant VMT impact. As such, the proposed project would not result in a new or more severe impact than that identified in previous environmental documentation.

<b>Threshold:</b>	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)?
-------------------	--

**Impact T-3 THE PROPOSED PROJECT DRIVEWAYS WOULD PROVIDE ADEQUATE SITE ACCESS AND WOULD NOT CREATE HAZARDOUS TRAFFIC CONDITIONS WITH IMPLEMENTATION OF MODIFIED MITIGATION MEASURES CONTAINED IN THE PREVIOUS ENVIRONMENTAL DOCUMENTATION. THEREFORE, REGARDLESS OF WHETHER THE PROJECT IS COMPARED TO EXISTING CONDITIONS OR APPROVED ENTITLEMENTS, IMPACTS ASSOCIATED WITH THE PROPOSED PROJECT WOULD BE LESS THAN SIGNIFICANT.**

---

### **Existing Conditions**

Access to the proposed project would maintain all existing points of access onto and from North Santa Monica Boulevard and Wilshire Boulevard, and Merv Griffin Way would continue to operate as a publicly accessible private street. Access to the project site would be provided as follows:

- **Residential Access:** Residential access would be provided by the new North-South roadway along the western border of the project site. Just south of the driveway serving the Wilshire Building, this roadway would have gated access and would only be used by residents and their guests. A new traffic signal is planned at Wilshire Boulevard and would allow full access (i.e., both inbound and outbound right and left-turning movements) to the new North-South Road<sup>6</sup>. The south end of the North-South Road would connect to North Santa Monica Boulevard and be controlled by a stop sign. Access to the south would be provided by a left-hand turn lane on northbound North Santa Monica Boulevard and by a right-turn from southbound North Santa Monica Boulevard. Egress onto North Santa Monica Boulevard would be restricted to right-turns only. Along the North-South Road, separate driveways would be provided for the Garden Residence and Santa Monica Residence to provide access to the underground parking structure. For the Wilshire Building, residents will enter the site from Wilshire Boulevard using the North-South Road and exit the site using the outbound only driveway onto Wilshire Boulevard just west of Whittier Drive/Merv Griffin Way.
- **Hotel Guest Access:** The existing driveways serving Waldorf-Astoria Beverly Hills hotel on Wilshire Boulevard and North Santa Monica Boulevard would remain in place. The Beverly Hilton Motor Court would be expanded to provide additional storage for valet operations. Two entry ramps and two exit ramps would be provided along the Motor Court to provide direct access to the subterranean parking garage. The primary entry point to the hotel Motor Court would be at an internal intersection on Merv Griffin Way, which is in approximately the same location as the current four-way stop controlled intersection that provides access to the existing Motor Court. A secondary exit point for the Motor Court would be provided on Merv Griffin Way just south of the Conference Center on Wilshire Boulevard.
- **Visitor and Employee Access:** Similar to existing conditions, Merv Griffin Way would provide access for visitors and employees of the various uses on the site. Just north of North Santa Monica Boulevard, a driveway ramp would provide access into the subterranean parking structure from Merv Griffin Way. Outbound access would be provided onto Merv Griffin Way at the internal intersection that provides access to the expanded hotel Motor Court. The driveway exit ramp would serve as the western leg of this internal intersection.
- **Delivery Access:** The loading dock located on North Santa Monica Boulevard just east of Merv Griffin Way would continue to serve the existing uses that would remain and would also serve as the loading area for new uses constructed with the One Beverly Hills Overlay Specific Plan. The existing loading dock would be reconfigured with a ramp connecting to a centralized below-grade loading dock and support spaces.

The proposed new site access and circulation for the project site would result in traffic volume shifts along the site frontage and immediately adjacent to the project site compared to current conditions. However, these shifts would not create hazardous traffic conditions.

The proposed project contains several objectives related to site access and circulation as summarized below.

- Improve traffic circulation in and around the project site by providing additional vehicular access points on Wilshire Boulevard and North Santa Monica Boulevard for project residents and guests to reduce travel on Merv Griffin Way.

---

<sup>6</sup> If the proposed traffic signal is not installed, this intersection would be a two-way, stop-controlled intersection with right-hand turn movements permitted only.



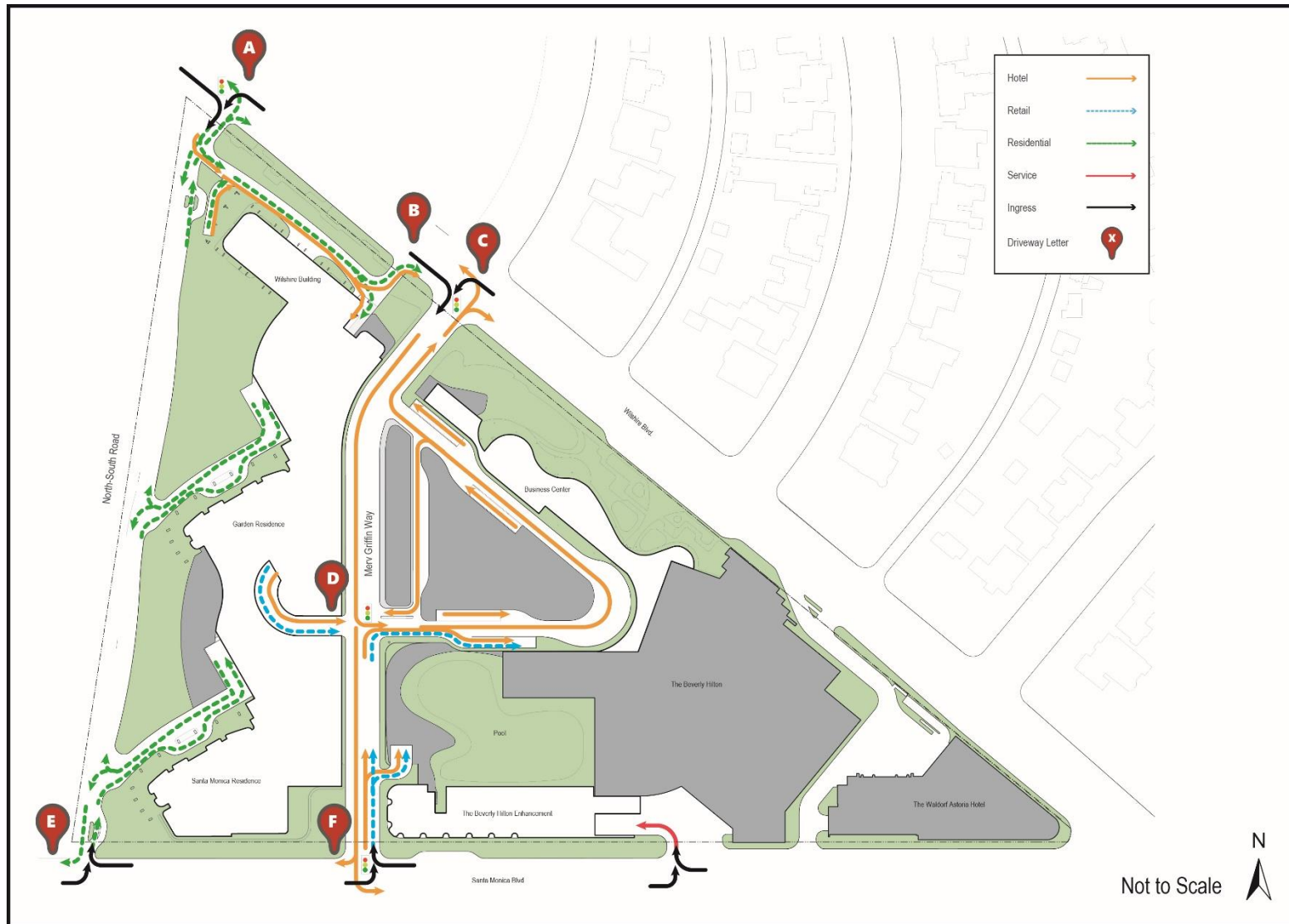
- Consolidate parking across the project site to create an efficient, subterranean parking structure that is right sized for current parking demand and is consistent with the City's goal of reducing reliance on automobiles.
- Open the project site from Wilshire Boulevard and North Santa Monica Boulevard to pedestrians and promote pedestrian activity within the project site.
- Provide short-term and long-term bicycle parking for project residents and visitors and connect to the City's existing bike paths.

Figure 4.9-2 provides the proposed circulation plan for the site with access driveways labeled "A" through "E". As shown therein, existing access points would be maintained, and additional access points would be added to serve the new residential uses and the residential/hotel mixed-use Wilshire Building.

Driveways "A" and "E" would provide access to the new private North-South Road. Driveway "A" would be controlled by a traffic signal which would allow full access (i.e., both inbound and outbound right and left-turning movements) and Driveway "E" would be stop sign controlled and allow for right-turn and left-turn inbound access and right-turn outbound access. The signalized intersection at Driveway A would be located approximately 400 feet west of the Whittier Drive/Merv Griffin Way signalized intersection. The proposed operations of the new traffic signal and design features are summarized below:

- On Wilshire Boulevard, a westbound left-turn pocket would provide inbound access to the project site and the traffic signal would operate with a protected left-turn signal phase. Vehicles entering the project site from eastbound Wilshire Boulevard would utilize a shared through/right-turn lane. The curb lane on eastbound Wilshire Boulevard transitions from a bus only lane to a general-purpose travel lane approximately 170 feet west of the proposed traffic signal. This distance would allow vehicles entering the project site to merge into the curb lane prior to the new intersection and then make a right-turn onto the North-South Road
- On the North-South Road, one left-turn lane and one right-turn lane would be provided for vehicles exiting the project site. A separate signal phase would be provided for these outbound turning movements
- A crosswalk would be provided for pedestrians on the south side of Wilshire Boulevard to cross the North-South Road. To maximize the amount of green signal time for vehicles traveling on Wilshire Boulevard, a pedestrian crosswalk would not be provided across Wilshire Boulevard. Pedestrian crossings would be directed to the adjacent signalized intersection at Whittier Drive/Merv Griffin Way
- The signal timing and cycle length would be coordinated with the adjacent intersection at Whittier Drive/Merv Griffin Way to maximize vehicle travel flows along Wilshire Boulevard. Prior to implementation, the developer would submit a traffic signal timing and operations plan to the City's Traffic Engineer for review and approval
- The flashing yellow sign currently located on the south side of Wilshire Boulevard just west of the proposed signal would be relocated to the west by approximately 400 feet. This would relocate the flashing yellow sign in the City of Los Angeles which requires the approval of the Los Angeles Department of Transportation. Approval for the sign relocation would be requested at the time the traffic signal design plans are prepared and prior to implementation of the new traffic signal

Figure 4.9-2 Proposed Site Circulation Plan



Source: Fehr & Peers 2020

As previously discussed, if the future plans for a traffic signal at the intersection of the North-South Road and Wilshire Boulevard are not carried out, this intersection would instead be designed as a two-way right-hand turn only intersection.

Driveway “B” would be exit only and would allow vehicles leaving the Wilshire Building to make a right turn only onto Wilshire Boulevard. Driveway “C” is the existing intersection of Wilshire Boulevard and Merv Griffin Way/Whittier Drive. Driveway “C” would be widened to create a left turn lane, through lane, and right turn lane to improve peak hour traffic flows. Driveway “D” is the internal driveway on Merv Griffin Way that would provide access to the Beverly Hilton Motor Court and subterranean parking structure. A new traffic signal is proposed at Driveway “D” to accommodate demand during special events.

Driveway “F” is the existing intersection of North Santa Monica Boulevard and Merv Griffin Way, which is currently stop sign controlled. The proposed project would install a new traffic signal at this intersection to improve operations for vehicles traveling through the site. In addition, the proposed project would relocate the curb along North Santa Monica Boulevard to provide additional right-of-way. The roadway widening would allow either 1) the implementation of a buffered bicycle lane along the frontage of the project site while maintaining two travel lanes in each direction on North Santa Monica Boulevard, or 2) the provision of three travel lanes and a five-foot wide bike lane, consistent with the roadway configuration proposed by the applicant. Vehicles traveling southbound on North Santa Monica Boulevard would utilize the bicycle lane to make a right-turn into the project site.

The new traffic signals on North Santa Monica Boulevard and Wilshire Boulevard would improve vehicle circulation and safety on the main access routes for the project site.<sup>7</sup> The signals would include Opticom devices to ensure that emergency vehicles are not slowed by traffic at these intersections.

The final design of the proposed project including internal circulation characteristics, curb cuts, driveways and other streetscape changes, would be subject to review by the Community Development Department’s Building and Safety Division. Compliance with applicable regulations and standards would ensure that no hazards due to a design feature would occur.

In addition, Mitigation Measure MM-TRAF-7 from the Beverly Hilton Specific Plan 2008 EIR and Mitigation Measures MM-TRAF-7 and MM-TRAF-8 (shown below as MM-TRAF-8 and MM-TRAF-9, respectively) from the 9900 Wilshire Specific Plan 2016 SEIR would be slightly modified and applied to the proposed project to ensure that the project does not create hazards due to the design of site access.

## **Approved Entitlements**

The Existing Specific Plans were reviewed by the City, and the previous environmental documentation determined that the Existing Specific Plans would have less than significant impacts related to hazardous geometric designs or incompatible uses (City of Beverly Hills 2008a and 2016a). Access to the proposed project would maintain all existing points of access onto and from North Santa Monica Boulevard and Wilshire Boulevard, and Merv Griffin Way would continue to operate as a publicly accessible private street. A detailed description of the proposed site access and

---

<sup>7</sup> In the event that the traffic signal planned for the intersection of the North-South Road and Wilshire Boulevard is not installed, safe circulation would be provided via a stop sign and intersection configuration that would restrict movements at the intersection to right-hand turns.

driveways is provided above under *Existing Conditions*. In comparison to the Approved Entitlements, the proposed project would implement the following changes to site access:

- **Residential access:** Residential access for the Beverly Hilton site was planned to occur along Merv Griffin Way and residential access for the 9900 Wilshire Boulevard site was planned to occur along a similarly configured North-South Road. The previously approved alignment of the North-South Road would have connected to Wilshire Boulevard just east of the gas station site and only permitted right-turns in/out of the site. The proposed project would provide residential access from the North-South Road, which would be equipped with a traffic signal located on the western edge of the gas station site and would permit full access.<sup>8</sup>
- **Hotel Guest Access:** Under the Existing Specific Plans, the 9900 Wilshire Boulevard site would have an additional Hotel Motor Court on North Santa Monica Boulevard. Access to this Hotel Motor Court would be provided just west of the Merv Griffin Way intersection on North Santa Monica Boulevard with a secondary right-in/out only access point on Merv Griffin Way. The proposed project would eliminate this motor court.
- **Visitor and Employee Access:** Under the Existing Specific Plans, visitor and employee access would occur along Merv Griffin Way and visitors dining at the hotel restaurants on the 9900 Wilshire Boulevard site would also have access at the planned Motor Court on North Santa Monica Boulevard. The proposed project would not include a Motor Court on North Santa Monica Boulevard and would maintain visitor and employee access from Merv Griffin Way.
- **Delivery Access:** Under the Existing Specific Plans, the current loading dock would continue to serve the Beverly Hilton site and a new loading dock with access along Merv Griffin Way opposite the Beverly Hilton Hotel Motor Court would serve the 9900 Wilshire Boulevard site. With the proposed project, the loading activities would be centralized in one location.

Project driveways would be similar to the Existing Specific Plans. The proposed project would add a new private North-South Road to the western boundary of the project site to serve the residential buildings, similar to the Existing Specific Plans. Under the Existing Specific Plans, the North-South Road would be stop-sign controlled at its intersections with North Santa Monica Boulevard and Wilshire Boulevard. Under the proposed project, the North-South Road would be stop-sign controlled at North Santa Monica Boulevard (Driveway E) and would have a traffic signal at Wilshire Boulevard (Driveway A) to permit left-hand and right-hand ingress and egress. In addition, a new stop-controlled driveway to serve the Wilshire Building would be added off of the North-South Road for the proposed project (Driveway B). Similar to the Existing Specific Plans, a new traffic signal equipped with an Opticom Device would be installed at the intersection of Merv Griffin Way and North Santa Monica Boulevard (Driveway F). Likewise, Merv Griffin Road would be widened at its intersection with Wilshire Boulevard (Driveway C) to create a left turn lane, through lane, and right turn lane to improve peak hour traffic flows.

In addition, both the Existing Specific Plans and proposed project would relocate the curb along North Santa Monica Boulevard to provide additional right-of-way. The roadway widening would allow either 1) the implementation of a buffered bicycle lane along the frontage of the project site while maintaining two travel lanes in each direction on North Santa Monica Boulevard, or 2) the provision of three travel lanes and a five-foot wide bike lane, consistent with the roadway configuration under the Existing Specific Plans and proposed by the applicant.

---

<sup>8</sup> If the proposed traffic signal is not installed, this intersection would be a two-way, stop-controlled intersection with right-hand turn movements permitted only, similar to the Existing Specific Plans.

The proposed new site access and circulation for the project site would result in traffic volume shifts along the site frontage and immediately adjacent to the project site compared to buildout of the Approved Entitlements. However, these shifts would not create hazardous traffic conditions. In addition, similar to the Approved Entitlements, the final design of the proposed project including internal circulation characteristics, curb cuts, driveways and other streetscape changes, would be subject to review by the Community Development Department's Building and Safety Division. Compliance with applicable regulations and standards would ensure that no hazards due to a design feature would occur, regardless of whether the project is compared to existing conditions or buildout under the Approved Entitlements. Mitigation Measure MM-TRAF-7 from the Beverly Hilton Specific Plan 2008 EIR and Mitigation Measures MM-TRAF-7 and MM-TRAF-8 (shown below as MM-TRAF-8 and MM-TRAF-9, respectively) from the 9900 Wilshire Specific Plan 2016 SEIR would be slightly modified and applied to the proposed project to ensure that the project does not create hazards due to the design of site access compared to the Approved Entitlements.

### **Mitigation Measures**

Mitigation Measure MM-TRAF-7 from the Beverly Hilton Specific Plan 2008 EIR and Mitigation Measures MM-TRAF-7 and MM-TRAF-8 from the 9900 Wilshire Specific Plan 2016 SEIR, as included below with minor revisions, would apply to the proposed project. Revisions to the mitigation measures from the previous environmental documentation are shown as italicized, underlined text for additions and strikethrough for removed text.

- MM-TRAF-7** The project applicant shall revise the project site plan to indicate on-site traffic control planned for the project. At a minimum, all traffic control devices shall be placed at all project exits onto Wilshire Boulevard, North Santa Monica Boulevard, and Merv Griffin Way prior to occupancy of the new buildings proposed on the site.
- MM-TRAF-8** Traffic control devices, and specifically stop signs, shall be installed at each driveway exit point prior to building occupancy.
- MM-TRAF-9** The project applicant shall ~~revise the project site plan to increase the curb radius at the driveway on Wilshire Boulevard to allow vehicles traveling 25 to 35 mph to turn safely.~~ ensure that the curb radius at the driveway at Wilshire Boulevard and the westerly edge of the project will allow vehicles traveling 25 to 35 mph to turn safely.

### **Significance After Mitigation**

Mitigation Measures MM-TRAF-7 through MM-TRAF-9 would ensure that appropriate on-site traffic control would be included as part of the proposed project. Regardless of whether the project is compared to existing conditions or buildout of the Approved Entitlements, the proposed mitigation would reduce project impacts related to hazardous traffic conditions to a less than significant level.

### **4.9.3 Cumulative Impacts**

Cumulative development in the project site vicinity would cause increased traffic on area roadways. Cumulative development would incrementally modify land use patterns and the general setting of the area. There are 42 planned and pending projects in the cities of Beverly Hills, West Hollywood, and Los Angeles within the vicinity of the project site. These developments include multi-family dwelling units, hotels, office, a museum, and commercial/retail development (refer to Table 3-1 in Section 3, *Environmental Setting*). Two pending projects would be in the immediate vicinity of the project site (9900-9908 S. Santa Monica Boulevard and 140 S. Lasky Drive). The 9900-9908 S. Santa Monica Boulevard project, located approximately 300 feet southwest of the project site across

Santa Monica Boulevard, would develop a mixed-use multi-family residential and commercial project on a currently vacant lot. The 140 S. Lasky Drive project, located approximately 580 feet southwest of the proposed project, would replace an existing three-story hotel with a four-story hotel including belowground parking and a restaurant.

## Cumulative Construction Impacts

Cumulative construction-related impacts could occur as the result of simultaneous construction of the proposed project and the 9900-9908 South Santa Monica Boulevard Project, located 200 feet southeast of the project site, and 140 South Lasky Drive Project, located approximately 625 feet southwest of the project site, since construction schedules may overlap. Potential impacts include:

- **Simultaneous arrival and departure of haul trucks:** The increased volume of haul truck traffic and number of trucks entering/exiting roadways surrounding the two project sites could result in congestion on those roadways
- **Simultaneous arrival and departure of delivery trucks:** Equipment and supply delivery vehicles could impact adjacent roadways by creating additional congestion. Temporary queuing of these delivery vehicles on Wilshire Boulevard, North Santa Monica Boulevard, and Merv Griffin Way may also occur if large numbers of vehicles arrive or depart at once

Construction associated with the proposed project could have a cumulatively considerable contribution to cumulative traffic impacts. Implementation of a modified Mitigation Measure MM-TRAF-8 from the Beverly Hilton Specific Plan 2008 FEIR (Mitigation Measure MM-TRAF-9 from the 9900 Wilshire Specific Plan 2016 SEIR) would be required to reduce impacts to a less than significant level. In the years since certification of the previous environmental documentation, the 9908 South Santa Monica Boulevard project and the 140 South Lasky Drive Project have been initiated. Therefore, mitigation from the previous environmental documentation (shown below as Mitigation Measure MM-TRAF-10) was modified to include coordination with the project applicants/developers for the 9900-9908 South Santa Monica Boulevard Project and 140 South Lasky Drive Project. The mitigation measure has been modified to eliminate some coordination requirements due to the distance of these projects from the project site and the smaller scope of these nearby projects compared to the proposed project and Approved Entitlements.

## Cumulative Operational Impacts

As discussed under *Significance Thresholds*, the City's VMT thresholds state that a project would have a cumulatively considerable significant impact to VMT if the project causes VMT within the City to be higher than the no project alternative under cumulative conditions or if it is consistent with the RTP/SCS. Table 4.9-7 shows a comparison of socioeconomic characteristics and VMT metrics of the Tier 2 TAZ that the project site is located within between the baseline and future year. The TAZ boundary consists of the proposed project site and single-family residential development. Since the project site is the only area within its TAZ that is expected to redevelop, it is reasonable to believe that the proposed project land uses are reflected in the SCAG model. The TAZs in the City of Beverly Hills and project TAZ are shown in the TIR appendix.

As shown in Table 4.9-7, population and the number of households in the TAZ are anticipated to increase by 1,045 and 345, respectively, while VMT per capita is anticipated to decline to 4.2 for residential uses. Total employment in the TAZ is anticipated to increase by 194, while VMT per employee is anticipated to decline to 12.9. Based on this information, the proposed project would

result in no net change, or project effect, in VMT. The project would result in a less than significant operational impact on VMT under cumulative conditions.

**Table 4.9-7 SCAG Growth Assumptions for the Project Transportation Analysis Zone**

SCAG 2016 RTP/SCS	Base Year Data	Year 2040 Data
Tier 2 TAZ	20855300	20855300
Population	495	1,540
Household	125	470
Total Employment	2,012	2,206
Home-Based VMT per capita	6.7	4.2
Home-Base Work VMT per employee	16.0	12.9
TAZ: transportation analysis zone Source: Fehr & Peers 2020 (Appendix G)		

In addition, the project site is designated as Mixed Residential and Commercial in the SCAG RTP/SCS. Therefore, the project is consistent with the RTP/SCS.

## Mitigation Measures

Mitigation Measure MM-TRAF-8/MM-TRAF-9 from the previous environmental documentation (shown as Mitigation Measure MM-TRAF-10 in this document), as revised below, would apply to the proposed project. Revisions to the mitigation measures from the previous environmental documentation are shown as italicized, underlined text for additions and strikethrough for removed text.

- MM-TRAF-10** The applicant for the proposed project shall coordinate with the applicants for certain adjacent projects, including 9900-9908 South Santa Monica Boulevard Project and 140 South Lasky Drive Project ~~The Beverly Hilton Revitalization Plan/9900 Wilshire Plan~~ and the City of Beverly Hills during all phases of construction regarding the following:
- All temporary roadway closures for the proposed project shall be coordinated to limit overlap of roadway closures;
  - All major deliveries for the proposed project shall be coordinated to limit the occurrence of simultaneous deliveries. The applicants shall ensure that deliveries of items such as concrete and other high-volume items shall not be done simultaneously; and
  - The applicants shall coordinate regarding the loading and unloading of delivery vehicles. ~~Any off-site staging areas for delivery vehicles shall be consolidated and shared; and~~
  - ~~Applicants or their representatives shall meet on a regular basis during construction to address any outstanding issues related to construction traffic, deliveries, and worker parking.~~

### **Significance After Mitigation**

Cumulative impacts related to construction activity associated with the proposed project and other planned and pending development would be less than significant with implementation of Mitigation Measure MM-TRAF-10. Regardless of whether compared to existing conditions or Approved Entitlements, the proposed project would not contribute to any unavoidable new or increased severity significant impacts.



*This page intentionally left blank.*

## 4.10 Tribal Cultural Resources

---

This section discusses the regulatory setting, and existing environmental setting, and analyzes the potential tribal cultural resources impacts of the proposed project during both construction and operational phases, respectively. Mitigation measures are proposed in an effort to reduce significant impacts, as needed. Rincon Consultants, Inc. (Rincon) conducted a cultural resources assessment for the project, which included a records search at the South-Central Coastal Information Center (SCCIC) and a review of the Sacred Lands File (SLF). This analysis builds on the analysis included in the Cultural Resources Technical Report completed for the proposed project, which is included in Appendix D.

### 4.10.1 Setting

#### **Ethnography**

The project lies in an area traditionally occupied by the Native American group known as the Gabrieleño (or Gabrieliño or Gabrielino). The name Gabrieleño was applied by the Spanish to those natives that were associated with Mission San Gabriel (Bean and Smith 1978; Kroeber 1925). Today, most contemporary Gabrieleño prefer to identify themselves as Tongva (King 1994); however, one contemporary group, the Gabrieleño Band of Mission Indians – Kizh Nation, prefer the term “Kizh.” Gabrieleño territory included the Los Angeles basin and southern Channel Islands as well as the coast from Aliso Creek in the south to Topanga Creek in the north. The Gabrieleño language belongs to the Takic branch of the Uto-Aztecan language family, which can be traced to the Great Basin region (Heizer 1978; Shipley 1978).

The Gabrieleño established large permanent villages and smaller satellite camps throughout their territory. Society was organized along patrilineal non-localized clans, a common Takic pattern. Gabrieleño subsistence was oriented around acorns supplemented by roots, leaves, seeds, and fruits of a wide variety of plants. Meat sources included large and small mammals, freshwater and saltwater fish, shellfish, birds, reptiles, and insects. Gabrieleño employed a wide variety of tools and implements to gather and hunt food (Blackburn 1963; Kroeber 1925; McCawley 1996). The digging stick, the bow and arrow, traps, nets, blinds, throwing sticks and slings, spears, harpoons, and hooks were common tools. The Gabrieleño also made oceangoing plank canoes (known as *ti'at*) capable of holding six to 14 people and used for fishing, travel, and trade between the mainland and the Channel Islands.

#### **Regulatory Setting**

##### *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),<sup>1</sup> “The intent of SB 18 is to provide California

---

<sup>1</sup> [https://opr.ca.gov/docs/011414\\_Updated\\_Guidelines\\_922.pdf](https://opr.ca.gov/docs/011414_Updated_Guidelines_922.pdf)

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.”

*Assembly Bill 52 of 2014*

California Assembly Bill 52(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” (Public Resources Code [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)(2) 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. The City initiated consultation in accordance with AB 52 and SB 18 early in the environmental clearance process for the proposed project and three tribes responded requesting additional information or to initiate consultation. Consultation with one tribe has concluded, while consultation with the two others is ongoing. A summary of the consultation conducted to date is provided in the subsection, *Impact Analysis*.

#### *City of Beverly Hills General Plan*

The City of Beverly Hills General Plan Historic Preservation Element provides goals and policies pertaining to land use applicable to the proposed project. For a detailed list of these goals and policies, refer to Section 4.3, *Cultural Resources*.

### 4.10.2 Impact Analysis

#### **Methodology and Thresholds of Significance**

##### *Methodology*

##### **ASSEMBLY BILL 52**

Rincon contacted the Native American Heritage Commission (NAHC) on behalf of the City on July 24, 2020 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. The NAHC responded on July 27, 2020, stating that the SLF search was negative, which indicates that no known tribal cultural resources specific to the site and a 0.25 mile radius surrounding it have been previously identified, but that the area may still potentially be sensitive for tribal cultural resources. The NAHC also provided a list of six Native American individuals and tribal organizations that may have knowledge of cultural resources on the project site and/or its vicinity.

The City initiated Native American consultation under AB 52 by sending letters to the identified Native American groups and individuals on August 21, 2020 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. Rincon also conducted a records search of the California Historical Resources Information System (CHRIS) on September 4, 2020 at the SCCIC to identify previously conducted cultural studies and previously recorded cultural resources within a 0.25-mile radius around the project site. The CHRIS included a review of the National Register of Historic Places, the California Register of Historical Resources (CRHR), the California Points of Historical Interest list, the California Historical Landmarks list, and the California State Historic Resources Inventory list.

On August 28, 2020, the Gabrieleño Band of Mission Indians – Kizh Nation sent an email to the City requesting consultation. On October 7, 2020 consultation was held between the City and representatives of the Gabrieleño Band of Mission Indians – Kizh Nation (representatives included Andy Salas and Matt Teutimez). The Gabrieleño Band of Mission Indians – Kizh Nation followed up with an email including proposed language that could be incorporated into mitigation measures that would address their concerns. The tribe’s proposed language included a mitigation measure that monitoring by the Gabrieleño Band of Mission Indians – Kizh Nation should occur. Additional follow up consultations were held between the City and representatives of the tribe (representatives included Andy Salas, Matt Teutimez and Kara Grant) on November 17, November 22, and December 7, 2020. The continued discussions focused on the wording of potential mitigation measures and the inter-relation of the monitoring and notification requests of the Gabrieleño Band of Mission Indians – Kizh Nation with the monitoring and notification requests of the two other tribes who requested consultation. Consultation with the Gabrieleño Band of Mission Indians – Kizh Nation is ongoing.

On October 16, 2020, the City conducted follow-up calls to five tribes who did not respond to the consultation notification letter. Two additional tribes indicated that they would like to hold an oral consultation: the Gabrieleño/Tongva San Gabriel Band of Mission Indians and the Gabrieleño Tongva Indians of California Tribal Council.

Anthony Morales, the representative of the Gabrieleño/Tongva San Gabriel Band of Mission Indians stated during consultation that they would like a representative of their tribe present for monitoring during ground disturbing activities and would be agreeable with monitoring representation occurring on a rotational basis with other tribal groups. On December 1 and 3, 2020 the City and the Gabrieleño/Tongva San Gabriel Band of Mission Indians held follow-up consultations (tribal representatives included Anthony Morales and Julia Bogany). These follow up consultations focused on the tribe’s cultural and ancestral affiliation with the project site and the inter-relation of the monitoring request of the Gabrieleño/Tongva San Gabriel Band of Mission Indians with the Gabrieleño Band of Mission Indians – Kizh Nation monitoring request. Consultation with the Gabrieleño/Tongva San Gabriel Band of Mission Indians is ongoing.

Gabrieleño Tongva Indians of California Tribal Council (representative Robert Dorame) asked for additional information regarding the CHRIS records search at SCCIC. Based on the records search information, this tribal group identified that they would like mitigation to identify that their tribal group should be contacted in the event that any cultural resources are impacted during ground disturbing activities or if any human remains are unearthed. On December 1, 2020, the City sought to continue consultation with The Gabrieleño Tongva Indians of California Tribal Council through email and telephone but was unable to do so due to lack of response from the tribe.

## **SENATE BILL 18**

As required by SB 18, Rincon contacted the NAHC to request a SLF search, which returned negative results. The NAHC also provided a list of six Native American individuals and tribal organizations that may have knowledge of cultural resources on the project site and/or its vicinity. The City sent letters

to each of the six Native American individuals and tribal organizations identified by the NAHC on August 21, 2020. Consultation occurred as summarized under section *Assembly Bill 52* above.

### *Significance Thresholds*

The following are the thresholds for determining the significance of impacts related to tribal cultural resources, and the proposed project's impacts are assessed to determine whether the project would:

1. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC 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 listed or eligible for listing in the CRHR, or in a local register of historical resources as defined in PRC Section 5020.1(k); or
2. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC Section 21074 as either a site, feature, place, 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 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.

## Project Impacts and Mitigation Measures

**Threshold 1:** Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC 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 listed or eligible for listing in the CRHR, or in a local register of historical resources as defined in PRC Section 5020.1(k)?

**Threshold 2:** Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC Section 21074 as either a site, feature, place, 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 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.

**Impact TCR-1** NO TRIBAL CULTURAL RESOURCES ARE KNOWN TO BE PRESENT ON-SITE. HOWEVER, BASED ON THE INFORMATION PROVIDED DURING TRIBAL CONSULTATION FOR THE PROPOSED PROJECT, THE PROJECT SITE AND VICINITY ARE CONSIDERED TO BE HIGHLY SENSITIVE TO TRIBAL CULTURAL RESOURCES BY TWO CONSULTED TRIBAL ORGANIZATIONS. CONSTRUCTION OF THE PROPOSED PROJECT WOULD INVOLVE GROUND-DISTURBING ACTIVITIES SUCH AS GRADING AND SURFACE EXCAVATION, WHICH HAVE THE POTENTIAL TO UNEARTH OR ADVERSELY AFFECT PREVIOUSLY UNIDENTIFIED SIGNIFICANT TRIBAL CULTURAL RESOURCES. THIS POTENTIAL WOULD BE SIMILAR TO THAT OF BUILDOUT OF THE APPROVED ENTITLEMENTS. REGARDLESS OF WHETHER THE PROJECT IS COMPARED TO EXISTING CONDITIONS OR APPROVED ENTITLEMENTS, THE PROPOSED PROJECT'S IMPACT WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED.

## Existing Conditions

### *Construction Impacts*

The project site is in an urbanized area. Neither the CHRIS records search nor SLF identified any tribal cultural resources on or near the project site that are listed or previously identified as eligible for listing in the CRHR, or in a local register of historical resources. The majority of project site has been previously graded and disturbed, including mass excavation of the approximately westerly half of the site. The approximately eastern half of the project site is covered by buildings and paved surfaces such as parking lots and sidewalks. The surface of the project site has been previously graded and disturbed, and the majority has been developed and no tribal cultural resources are known to have been discovered. Nevertheless, based on information provided to the City during the tribal consultation process, the project site is located in the ancestral tribal territory of the Gabrieleño/Tongva San Gabriel Band of Mission Indians (Morales and Bogany 2020), and the Gabrieleño Band of Mission Indians – Kizh Nation (Salas and Teutimez 2020) and both tribes consider this area, including the project site, to be highly sensitive to tribal cultural resources. Construction of the proposed project would require substantial ground disturbance and excavation. As such, the proposed project would have the potential to uncover as yet undiscovered significant tribal cultural resources. Therefore, the proposed project would require mitigation to ensure that

any undiscovered tribal cultural resources that could potentially be unearthed during construction would be properly treated.

### *Operational Impacts*

Operation of the proposed project would not include on-going ground disturbing activities; therefore, operation of the project would not impact as yet undiscovered significant tribal cultural resources. Impacts from operation of the project would be less than significant.

## **Approved Entitlements**

### *Construction Impacts*

As discussed above under *Existing Conditions*, construction of the proposed project would involve ground disturbance during grading and excavation activities. Construction required for buildout of the Approved Entitlements would similarly involve ground disturbing activities for grading and excavation associated with new roadways, belowground parking structures, and building foundations. Therefore, both the Approved Entitlements and proposed project have the potential to significantly impact previously undiscovered tribal cultural resources. The proposed project would include mitigation measures to reduce potential construction impacts to tribal cultural resources to a less than significant level.

### *Operation*

The Approved Entitlements and proposed project involve the same program of land uses and development intensity. As described above under *Existing Conditions*, operation of the project would not involve on-going ground disturbing activities. Therefore, operation of both Approved Entitlements and the proposed project would not result in significant impacts to previously undiscovered tribal cultural resources.

## **Mitigation Measures**

The following mitigation measures would reduce potential impacts to tribal cultural resources to less than significant levels. These mitigation measures have been developed based on the required SB 18 and AB 52 consultation processes conducted between the City and tribes that requested consultation. As consultation is still on-going with the Gabrieleño/Tongva San Gabriel Band of Mission Indians and the Gabrieleño Band of Mission Indians – Kizh Nation, both tribes will be provided the following mitigation measures as part of the circulation and review of the Draft SEIR.

- MM-TCR-1      Retain a Qualified Principal Investigator.** A qualified principal investigator, defined as an archaeologist who meets the Secretary of the Interior's Standards for professional archaeology and has had a minimum of 10 years of experience as a principal investigator working with Native American archaeological sites in southern California, shall be retained to carry out all mitigation measures related to archaeological and historical resources (hereafter qualified archaeologist). The qualified archaeologist shall be contacted in the event of an inadvertent archaeological discovery.
- MM-TCR-2      Preconstruction Worker Training.** At the project kickoff and before construction activities begin, the qualified archaeologist or their designee shall provide training to construction personnel on information regarding regulatory requirements for the protection of cultural resources including tribal cultural resources. As part of this



training, construction personnel will be briefed on proper procedures to follow should unanticipated cultural resources discoveries be made during construction. Workers will be provided contact information and protocols to follow in the event that inadvertent discoveries are made. If necessary, the qualified archaeologist can create a training video, PowerPoint presentation, or printed literature that can be shown to new workers and contractors to avoid continuous training throughout the course of the project.

**MM-TCR-3      Retain Native American Monitoring.** Native American monitoring shall be conducted by a representative of the Gabrieleño Band of Mission Indians-Kizh Nation and a representative of the Gabrieleño/Tongva San Gabriel Band of Mission Indians, hereafter referred to collectively as “Monitoring Tribes”). Monitoring shall occur during all project-related, initial ground-disturbing construction activities (i.e., grubbing, tree removal, boring, grading, excavation, potholing, drilling and trenching etc.). The tribal monitors shall complete daily monitoring logs that shall provide descriptions of the day’s activities, including construction activities, locations, soil and any cultural materials identified. Once excavation is completed for a portion of the project site and entered into the daily monitoring log, the monitoring of an area shall be considered complete. The on-site monitoring shall end when all ground-disturbing activities at the project site are completed, or when the representatives of one or both Monitoring Tribes have indicated that all upcoming ground-disturbing activities at the project site have little to no potential for impacting Tribal Cultural Resources of their respective Tribe. Additionally, the qualified archaeologist, in consultation with the City and the Native American monitor, may recommend the reduction or termination of monitoring depending upon observed conditions (e.g., no resources encountered within the first 50 percent of ground disturbance). Should neither the Gabrieleño Band of Mission Indians – Kizh Nation and/or the Gabrieleño/Tongva San Gabriel Band of Mission Indians not have sufficient qualified staff, or not provide monitoring services at market rates, after consultation between the two tribes and the City’s Director of Community Development, the applicant may contract with a different firm to provide a Native American monitor, subject to approval by the City of Beverly Hills Director of Community Development. If one of the Monitoring Tribes opts not to engage in monitoring activities required herein, Developer can proceed with the project provided that the other Monitoring Tribe provides the monitoring required by this mitigation measure.

**MM-TCR-4      Unanticipated Discovery of Tribal Cultural Resources.** In the event a Native American monitor identifies cultural or archeological resources, the monitor shall be given the authority to temporarily halt construction in the immediate vicinity and within 50 feet of the discovery and to contact the qualified archaeologist to investigate the find and determine if it is a tribal cultural resource under CEQA by the City of Beverly Hills in consultation with the ancestrally related tribe(s) and qualified archaeologist. Construction activities can continue in areas 50 feet away from the find and not associated with the cultural resource location. In the event of a find during ground disturbing activities, the Gabrieleño Band of Mission Indians-Kizh Nation and the Gabrieleño/Tongva San Gabriel Band of Mission Indians shall be notified by the City to provide recommendations as to the treatment and

disposition of the find(s). Cultural Resources Monitoring and Mitigation Plan shall be developed to outline monitor procedures.

**MM-TCR-5 Unanticipated Discovery of Human Remains.** In the event that human remains are encountered at the project site, all work in the immediate vicinity of the burial must cease, and any necessary steps to ensure the integrity of the immediate area shall be taken. The Los Angeles County Coroner will be immediately notified. The Coroner must then determine whether the remains are Native American. Should the Coroner determine the remains are Native American, the Coroner has 24 hours to notify the Native American Heritage Commission (NAHC), who shall in turn, notify the person they identify as the most likely descendent (MLD). Further actions shall be determined in part by the recommendations of the MLD. The MLD has 48 hours of being granted access to the project site to complete their inspection and make recommendations or preferences for treatment of the remains. If the MLD does not make recommendations within 48 hours, the owner shall, with appropriate dignity, re-inter the remains in an area of the property secure from further disturbance. Alternatively, if the owner does not accept the MLD's recommendations, the owner or the descendent may request mediation by the NAHC. Procedures of conduct following the discovery of human remains have been mandated by Health and Safety Code Section 7050.5, PRC Section 5097.98, and the California Code of Regulations Section 15064.5(e) (CEQA).

**MM-TCR-6 Reburial Treatment Measures.** Prior to the continuation of ground disturbing activities where human remains and/or ceremonial object has been identified, the Developer shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains shall be covered with muslin cloth and a steel plate that can be moved by heavy equipment shall be placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard shall be posted outside of working hours. If feasible, the project shall be diverted to keep the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed. The MLD shall work with the qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the MLD, documentation shall be taken which includes at a minimum detailed descriptive notes and sketches. Additional types of documentation shall be approved by the MLD for data recovery purposes. Cremations shall either be removed in bulk or by means as necessary to ensure complete recovery of all material. If the discovery of human remains includes four or more burials, the location is considered a cemetery and a separate treatment plan shall be created. Once complete, a final report of all activities is to be submitted to the MLD and NAHC. The MLD does not authorize any scientific study or utilization of any invasive and/or destructive diagnostics on human remains. Each occurrence of human remains and associated funerary objects shall be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony shall be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a

location agreed upon between the MLD and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.

### **Significance After Mitigation**

As consultation is still on-going with the Gabrieleño/Tongva San Gabriel Band of Mission Indians and the Gabrieleño Band of Mission Indians – Kizh Nation, both tribes will be provided the mitigation measures as part of the circulation and review of the Draft SEIR. Nonetheless, implementation of Mitigation Measures MM-TCR-1 through MM-TCR-6 would ensure that unknown and unanticipated significant tribal cultural resources that may be discovered during project construction would be handled in a suitable manner. Therefore, regardless of whether compared to existing conditions or Approved Entitlements, impacts to tribal cultural resources would be reduced to less than significant levels.

### **4.10.3 Cumulative Impacts**

The planned and pending projects in the vicinity of the project site are listed in Section 3, *Environmental Setting*, and include apartment or condominium projects; mixed-use projects; commercial/retail projects; hotel projects; and various other uses including medical offices, restaurants, and office buildings. All sites of planned and pending developments are urbanized, and none are known to contain tribal cultural resources. The proposed project, in conjunction with planned and pending projects, would not have the potential to create significant impacts to tribal cultural resources upon implementation of required mitigation.

Any significant artifacts or other resources found on the project site would be surrendered to the appropriate Native American representative or reburied on the project site as described under Mitigation Measures MM-TCR-5 and MM-TCR-6. This mitigation, when combined with the unlikelihood of such artifacts or other resources being found as a result of the site being previously disturbed, would ensure that cumulative impacts would be less than significant. In addition, individual development proposals are reviewed separately by the appropriate jurisdiction and undergo environmental review when it is determined that the potential for significant impacts exist. In the event that future cumulative projects would result in impacts to known or unknown tribal cultural resources, impacts to such resources would be addressed on a case-by-case basis. Therefore, cumulative impacts related to tribal cultural resources would be less than significant.

## 4.11 Utilities and Service Systems

---

This section discusses regulatory setting, and existing environmental setting, and analyzes the project's potential impacts to water supply and water facilities (water main providing fire flow to hydrants serving the project site) during both construction and operational phases, respectively. Mitigation measures are proposed in an effort to reduce significant impacts, as needed. Impacts related to other utilities, including wastewater, storm water drainage, and solid waste, were determined to be less than significant in the Initial Study prepared for the proposed project (refer to Appendix A) and, therefore, are not further analyzed in this SEIR.

### 4.11.1 Setting

#### **Water Supply and Demand**

Information provided herein is from the City's Final Draft 2015 Urban Water Management Plan<sup>1</sup> (UWMP; City of Beverly Hills 2016b). The City's Public Works Department (PWD) provides water service to a 6.35-square mile service area, including the entire City of Beverly Hills and a portion of the City of West Hollywood. In 2015, a total of 43,189 people resided in the service area, with 43,833 residing inside the City of Beverly Hills (City of Beverly Hills 2016b).

The City obtains its water through purchases from the Metropolitan Water District of Southern California (MWD) and pumping of local groundwater. In 2015, nearly 100 percent of the City's total water supply was purchased from MWD, which, in turn, receives its supply from the State Water Project (SWP) and the Colorado River. Historically, the City has pumped groundwater from the local Hollywood Basin, which is then treated at the City's water treatment plant before being distributed to the City's water system. In 2015, the City imported 10,389 acre-feet (AF) of water from MWD and extracted 43 AF from groundwater, for a total supply of 10,432 AF. Water use in the City totaled 10,254 AF in 2015. The residential sector accounts for approximately 70 percent of total water use, while the commercial, institutional, and industrial sectors account for the other 30 percent of use (City of Beverly Hills 2016b).

The City's Treatment Plant has been closed for operational improvements since 2016 and 100 percent of the City's water supply is currently provided by MWD (City of Beverly Hills 2017a; 2018b; and 2019). Although MWD's water supply has been reliable and cost effective, the recent drought increased the City's need to develop additional water supply reliability. The City plans to implement three new groundwater supply projects that would involve developing three new groundwater wells in the adjudicated portion of the Central Basin (La Brea Subarea [LBSA]), developing two shallow water wells to increase groundwater production from the Hollywood Basin, and participating in a water bank. It is expected that the new wells in the LBSA and Hollywood Basin would be capable of producing approximately 1,700 acre-feet per year (AFY) and 2,000 AFY, respectively (City of Beverly Hills 2016b).

In the UWMP, the City projects that annual water demand for the City and the portion of West Hollywood served by the City under normal conditions will be 11,428 AFY in 2040. This represents an increase of 1,174 AFY (11 percent) from 2015 demand. The projected increases between 2015 and 2040 account for the impact of projected development on water demand with ongoing conservation measures in place.

---

<sup>1</sup> A 2020 UWMP is in preparation, but has not yet been completed.

Table 4.11-1 and Table 4.11-2 show forecast water supplies under normal, single dry year, and multiple dry year conditions. The City projects that, under non-drought conditions, MWD purchases will increase to 7,728 AFY in 2040 and that the City can have a constant groundwater extraction rate of 3,700 AFY,<sup>2</sup> for a total supply of 11,428 in 2040 (see Table 4.11-1). The minimum available annual water supply for a scenario involving multiple dry years from 2038 to 2040 is estimated at 11,999 AF, including 8,299 AF of imported water and 3,700 AF of groundwater (see Table 4.11-2; City of Beverly Hills 2016b). The City’s planned supply accommodates the projected demand for the service area under both normal and multiple-year drought conditions.<sup>3</sup>

**Table 4.11-1 Projected Water Supply in Beverly Hills – Normal Water Year**

Year	Water Supply (AF)			Total
	Imported	Groundwater (Hollywood Basin)	Groundwater (LBSA of Central Basin)	
2025	7,482	2,000	1,700	11,182
2030	7,562	2,000	1,700	11,262
2035	7,644	2,000	1,700	11,344
2040	7,728	2,000	1,700	11,428

Source: City of Beverly Hills UWMP (City of Beverly Hills 2016b)

**Table 4.11-2 Projected Water Supply in Beverly Hills – Single and Multiple Dry Years**

Year	Water Supply (AF)			Total
	Imported	Groundwater (Hollywood Basin)	Groundwater (LBSA of Central Basin)	
2025	8,041	2,000	1,700	11,741
2030	8,125	2,000	1,700	11,825
2035	8,211	2,000	1,700	11,911
2040	8,299	2,000	1,700	11,999

Source: City of Beverly Hills UWMP (City of Beverly Hills 2016b)

## Metropolitan Water District of Southern California

MWD provides water to southern California from northern California via the SWP and from the Colorado River via the Colorado River Aqueduct. MWD is composed of 26 public agencies that provide water to more than 19 million people in Los Angeles, Orange, Riverside, San Bernardino, San Diego, and Ventura counties. These agencies use and develop local water supplies as much as possible to meet demand and purchase the remainder from MWD when necessary (MWD 2020a).

<sup>2</sup> The 3,700 AFY consists of the existing groundwater capacity, as well as the addition of 2,050 AFY from the new wells in the LBSA and Hollywood Basin.

<sup>3</sup> According to the UWMP, City demands are estimated to increase by 5 percent during single- and multiple dry-year scenarios. Increased demands during dry-year scenarios are projected to be met with imported water and groundwater supplies.

MWD has prepared an Integrated Water Resource Plan that provides overall supply reliability targets for the SWP, Colorado River Aqueduct, local water supplies, and conservation (MWD 2016). The supply plan provides water supply and demand figures for the MWD service area. As indicated in this report, the average year target supply would be 4.539 million AFY by 2040, while the total demand in the MWD service area is estimated at 4.273 million AFY for this same period. This represents a potential reserve or excess capacity of approximately 266,000 AF in average years. Near-term supplies are also sufficient to meet current and future demand during a multiple dry year scenario. Year 2025 supplies are projected to total approximately 4.240 million AFY, while demand is predicted at 4.196 million AFY. This represents a short-term reserve or excess supply of approximately 44,000 AFY in multiple dry years (MWD 2016).

MWD supplies are delivered to the PWD by the Santa Monica Feeder Line through two service connections located on the east side of the Sunset Reservoir between Rexford and Alpine Drives. Each connection has a capacity of 40 cubic feet per second or 23,000 AFY (at 80 percent capacity).

## **Hollywood Basin**

In addition to imported surface water purchased from MWD, the City has historically utilized local groundwater extracted from the local Hollywood Basin. The Hollywood Basin underlies the northeastern part of the Coastal Plain of the Los Angeles Groundwater Basin and covers a surface area of 10,500 acres, or 16.4 square miles (California Department of Water Resources 2004). The basin is bounded on the north by the Santa Monica Mountains and the Hollywood Fault, on the east by the Elysian Hills, on the west by the Inglewood Fault Zone, and on the south by the La Brea High, which is a surface divide in the basin formed by an anticline that brings impermeable rocks close to the surface. Surface drainage flows southward to join Ballona Creek, then westward to the Pacific Ocean.

The Hollywood Basin is replenished by precipitation and stream flow from the higher areas to the north. However, paving of streets and lining of drainage channels have greatly increased impermeable surface and reduced percolation. Subsurface inflow may take place to a limited extent from underflow through fractured rock in the Santa Monica Mountains and through the La Brea High. The storage capacity of the basin is estimated at approximately 200,000 AF, although current storage in the basin is unknown (California Department of Water Resources 2004). The Hollywood Basin is not currently adjudicated and is presently managed by the City of Beverly Hills through municipal ordinances. The natural safe yield of the basin is estimated at 3,000 AFY and annual pumping limits are equal to 3,000 AFY (City of Beverly Hills 2016b).

In 2004, the City of Beverly Hills opened a reverse osmosis water treatment plant subsidized by MWD to develop local groundwater supplies, thereby reducing demand on MWD's resources. The plant has a 2.7 million gallon per day (MGD) capacity and may be expanded to 5.4 MGD at a future date, if economically feasible (City of Beverly Hills 2005b). As noted above, the treatment plant is currently undergoing operational upgrades and is expected to be operational in September 2021 (City of Beverly Hills 2017a, 2018b, and 2019).

## **Water Distribution System**

The Beverly Hills water distribution system is gravity-based and made up of 16 pressure zones (City of Beverly Hills 2016b). As discussed above, the primary water supply is provided by MWD. In addition, the City is served by three emergency water system interconnections provided by the City of Los Angeles Department of Water and Power (LADWP). To ensure that enough supply is on hand to meet customer needs, the distribution system includes ten reservoirs with a combined storage

capacity of 43.5 million gallons (City of Beverly Hills 2016b). The project site is served by the Coldwater Canyon Reservoir, with a capacity of 8.5 million gallons, and the Woodland Reservoir, with a capacity of 2 million gallons (City of Beverly Hills 2008a).

The project site is served by existing City water lines. To the north, the site is served by an eight-inch ductile iron line beneath Wilshire Boulevard, which is fed by 12-inch and 10-inch concrete/cast iron lines. To the south, a 12-inch line lies beneath North Santa Monica Boulevard. Figure 4.11-1, Figure 4.11-2, and Figure 4.11-3, respectively, depict conceptual plans of proposed utility connections to Beverly Hills Domestic Water, Metropolitan Water District Water, and Beverly Hills Fire Water.

## **Conservation**

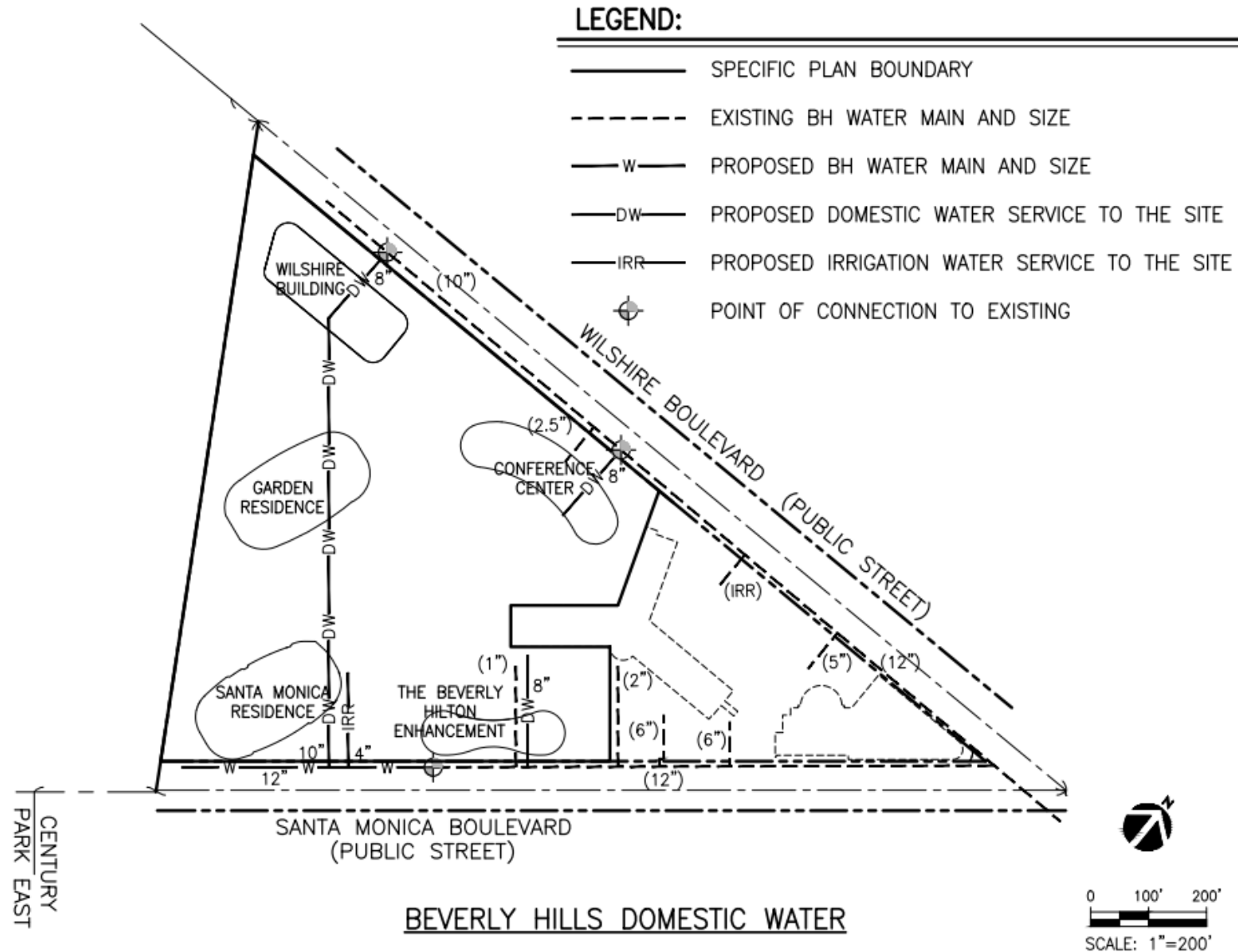
In response to drought conditions and mandatory statewide urban water conservation, MWD provides a water savings incentive program to member agencies, such as the City of Beverly Hills, for water conservation programs. The incentive program funds conservation projects for all MWD member agencies, including:

- Residential and commercial turf removal
- Low flow/high-efficiency toilet distribution and replacement
- Direct installation of clothes washers and residential water audits
- Multi-stream rotating nozzle distribution

MWD has also implemented rebate programs to incentivize the use of water efficient fixtures and equipment for residences, businesses, industry, institutions, and large landscapes in southern California. MWD's rebate programs include SoCal Water\$mart that assists customers with installing high-efficiency toilets, clothes washers, plumbing fixtures, HVAC, sprinkler controllers, soil moisture sensors, and other water saving devices (MWD 2020b).

In 1992, the City adopted an Emergency Water Conservation Ordinance (updated in 2015), that establishes five stages of water shortage severity and implements certain initiatives to optimize water supply during water shortages or drought conditions. The City is currently in Stage C of the Contingency Plan, which determines that a 20 percent reduction in potable water is required. Stage C also includes mandatory measures such as requiring restaurants to serve water only upon request; requiring all public restrooms and private bathrooms in hotels to provide notices to patrons and employees of water conservation goals; requiring repair of plumbing and irrigation leaks as soon as practicable; requiring all users (except for tier 1) to reduce water usage to 80 percent of the amount in the baseline period; and enforcement of strict outdoor watering schedules (City of Beverly Hills 2017b). Rebates are available to residential and commercial customers through the City for turf removal and installation of high efficiency appliances including toilets, clothes washers, and weather-based irrigation controllers (City of Beverly Hills 2020). The City requires new development to comply with its water efficient landscaping ordinance where all new developments must submit a landscaping design plan, irrigation design plan, grading design plan, and soil management report, which must be approved by the City in order to receive a building permit (City of Beverly Hills 2018c).

**Figure 4.11-1 Conceptual Utility Exhibit – Beverly Hills Domestic Water**





**Figure 4.11-2 Conceptual Utility Exhibit – Metropolitan Water District Water**

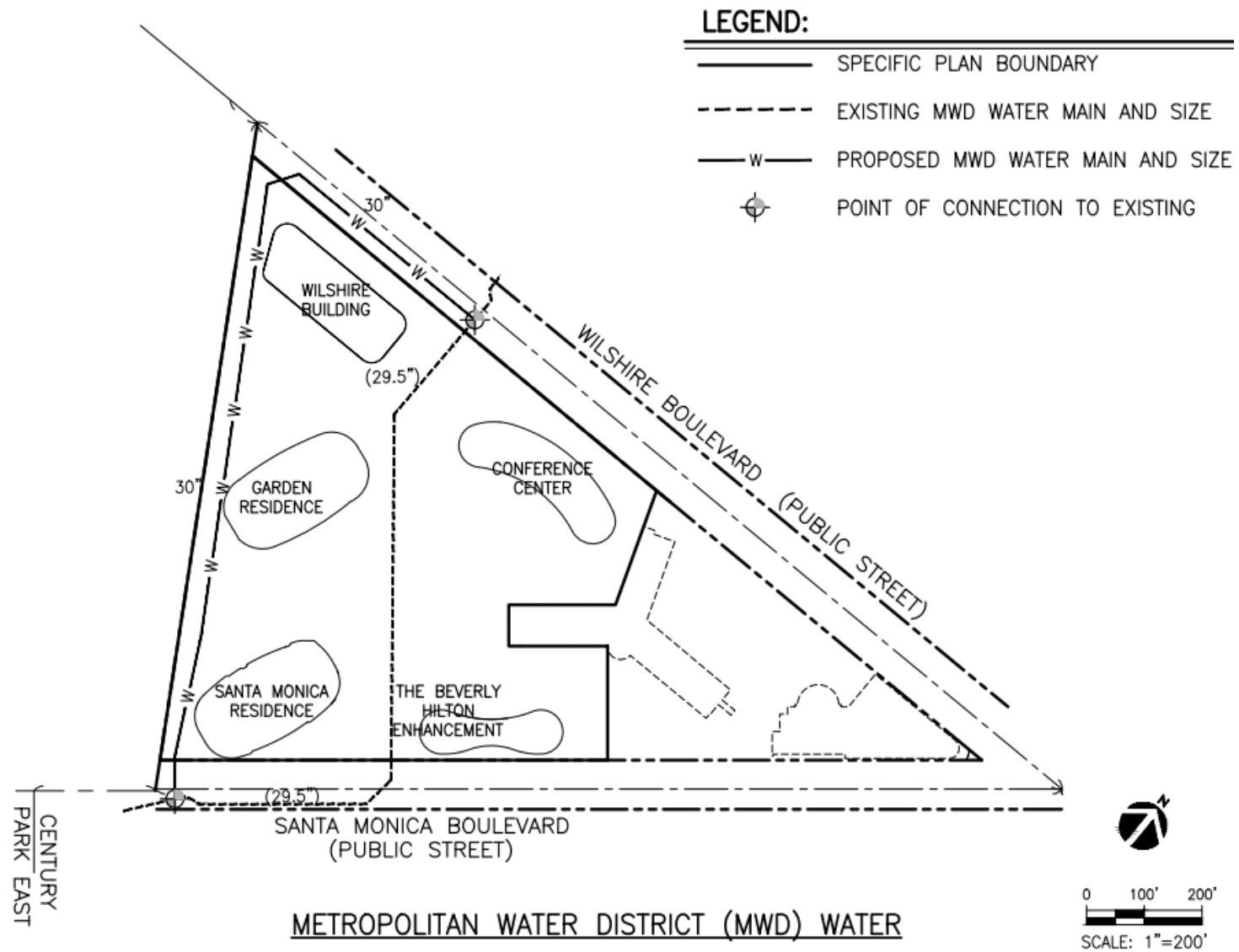
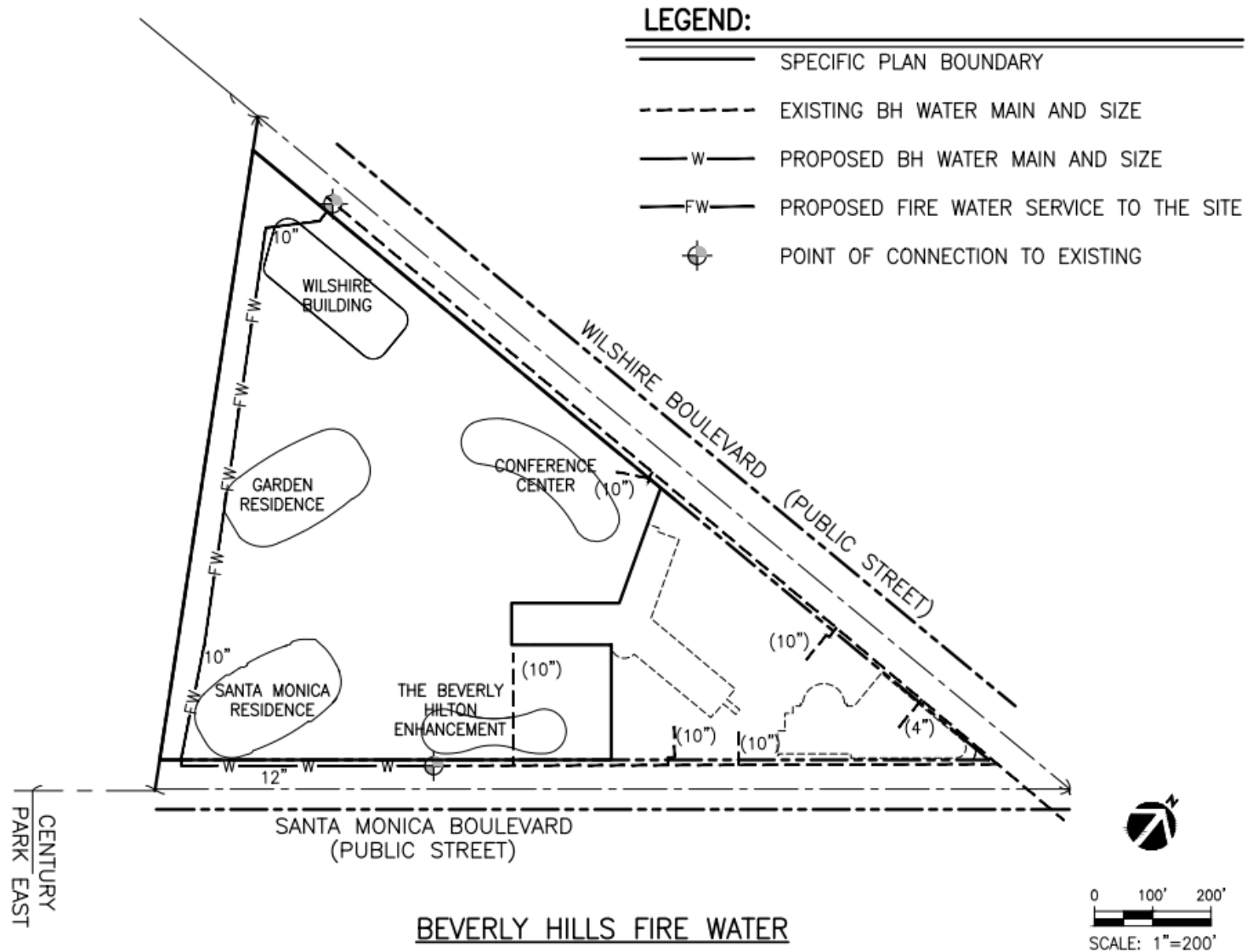


Figure 4.11-3 Conceptual Utility Exhibit – Beverly Hills Fire Water



## 4.11.2 Regulatory Setting

### **State Regulations**

#### *Senate Bill 610*

Senate Bill (SB) 610 was signed into law in 2001. This law requires cities and counties to develop water supply assessments (WSAs) when considering approval of applicable development projects to determine whether projected water supplies can meet the project's anticipated water demand. Triggers requiring the preparation of a WSA include residential developments of more than 500 dwelling units, shopping centers or business establishments employing more than 1,000 persons or having more than 500,000 sf of floor space, commercial office buildings employing more than 1,000 persons or having more than 250,000 sf of floor space, and projects that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500 dwelling unit project. The proposed project does not involve this much new development and therefore does not require preparation of a WSA pursuant to SB 610. Nevertheless, water supply reliability is assessed in this Section 4.11.2.

#### *Senate Bill 221*

Whereas SB 610 requires a written assessment of water supply availability, SB 221 requires lead agencies to obtain an affirmative written verification of sufficient water supply prior to approval of certain specified subdivision projects. For this purpose, water suppliers may rely on an Urban Water Management Plan (if the project is accounted for within such a plan), a Water Supply Assessment, or other acceptable information that constitutes "substantial evidence." "Sufficient water supply" is defined in SB 221 as the total water supplies available during normal, single-dry, and multiple-dry water years within the 20-year (or greater) projection period that are available to meet the projected demand associated with the proposed project, in addition to existing and planned future uses. WSAs are required for residential projects of more than 500 units and hotels of more than 500 rooms. The proposed project does not involve this much development and therefore does not require preparation of a WSA pursuant to SB 221. Therefore, the City may rely on its UWMP for compliance with SB 221.

#### *Water Conservation in Landscaping Act*

The Water Conservation in Landscaping Act, enacted in 2006, required the DWR to update the Model Water Efficient Landscape Ordinance (MWELO). In 2009, the Office of Administrative Law (OAL) approved the updated MWELO, which required a retail water supplier or a county to adopt the provisions of the MWELO by January 1, 2010, or enact its own provisions equal to or more restrictive than the MWELO provisions. The City has adopted a Water Efficient Landscape Ordinance that also applies to new construction with landscape area greater than 2,500 square feet (Beverly Hills Municipal Code Title 9, Chapter 4, Article 4).

#### *Green Building Standards Code*

In January 2010, the California Building Standards Commission adopted the statewide mandatory Green Building Standards Code (herein referred to as "CAL Green Code") that requires the installation of water-efficient indoor infrastructure for all new projects beginning after January 1, 2011. CAL Green Code was revised in 2016 with the revisions taking effect on January 1, 2017. However, these revisions do not have substantial implications to the water use already

contemplated by the 2010 CAL Green Code. The CAL Green Code applies to the planning, design, operation, construction, use, and occupancy of every newly constructed building or structure. All new development must satisfy the indoor water use infrastructure standards necessary to meet the CAL Green Code.

The CAL Green Code requires residential and nonresidential water efficiency and conservation measures for new buildings and structures that will reduce the overall potable water use inside the building by 20 percent. The 20 percent water savings can be achieved in one of the following ways: (1) installation of plumbing fixtures and fittings that meet the 20 percent reduced flow rate specified in the CAL Green Code, or (2) by demonstrating a 20 percent reduction in water use from the building “water use baseline.”

#### *Urban Water Management Plan Act*

The California Urban Water Management Planning Act (California Water Code Division 6, Part 2.6 Sections 10610-10656) applies to municipal water suppliers, like the PWD, that serve more than 3,000 customers or provide more than 3,000 AFY of water. The Act requires water suppliers to update their UWMP every five years to identify short-term and long-term water demand management measures to meet growing water demands during the normal, single-dry, and multiple-dry years. The plan should include a description of existing and planned water sources, alternative sources, conservation efforts, reliability and vulnerability assessments, and a water shortage contingency analysis. Details of the City’s efforts to promote the efficient use and management of its water resources are contained in its 2015 UWMP (City of Beverly Hills 2016b).

#### *Executive Order B-37-16*

On May 9, 2016, the governor signed Executive Order (EO) B-37-16, which directs the State Water Board and Department of Water Resources (DWR) to build on previous temporary statewide emergency water restrictions to establish longer-term water conservation measures. In addition, EO B-37-16 intends to accomplish the following:

- Require monthly reporting by urban water suppliers on a permanent basis including information regarding water use, conservation, and enforcement;
- Develop new water use efficiency targets as part of the long-term conservation framework for urban water agencies;
- Permanently prohibit wasteful practices, such as hosing off sidewalks, driveways, and other hardscapes, washing automobiles without a shut-off nozzle, and watering lawns in a manner that causes runoff;
- Minimize water system leaks across the state that continues to waste large amounts of water;
- Strengthen standards for local Water Shortage Contingency Plans including requiring districts to plan for droughts lasting at least five years, as well as more frequent and severe periods of drought; and
- Update existing requirements for Agricultural Water Management Plans so that irrigation districts quantify their customers’ water use efficiency and plan for water supply shortages.

#### *Executive Order B-40-17*

On April 7, 2017, the governor signed EO B-40-17, which terminated the January 17, 2014 drought state of emergency for all counties except for Fresno, Kings, Tulare, and Tuolumne counties. In addition, the EO rescinded the orders and provisions contained in the April 25, 2014 Emergency

Proclamation, as well as EOs B-26-14, B-28-14, B-29-15, and B-36-15. Under EO B-40-17, the orders and provisions contained in EO B-37-16 remain in full force and effect except for the portions of its existing emergency regulations that require a water supply stress test or mandatory conservation standard for urban water agencies.

## **Local Regulations**

### *Beverly Hills General Plan*

The City's General Plan was updated in 2010. The Conservation Element of the General Plan identifies the City's goals for maintaining existing resources, while assuring an adequate supply to meet future needs. General Plan goals and policies pertaining to water supply include:

- **CON 1 Water Supply System.** High-quality reliable water supply, treatment, distribution, pumping and storage systems that provide water as affordably as possible and meet current and future daily and peak water demands of the City, considering the sustainability goals and policies in this general plan.
- **CON 1.1 Rights to Groundwater.** The City should continue to retain rights to groundwater.
- **CON 1.2 Urban Water Master Plan.** Review, evaluate, and update the City's Urban Water Master Plan and related capital improvement programs on a regular basis in order to maintain plans for expansion and improvement of distribution and storage facilities. The Department of Public Works shall determine water facilities needed to service the City, prepare capital improvements plans that include prioritization and identification of funding sources, and upgrade the water supply and distribution system accordingly.
- **CON 1.3 Water Distribution System.** Upgrade, maintain, and expand water supply, distribution, pumping, storage, and treatment including facilities to address potential shortages in water supply from the California State Water Project and the Colorado River
- **CON 1.4 Water Storage.** Maximize the City's access to water supplies, including possible acquisition of wells outside the City, and designate and acquire land, if necessary, for siting future water supply, storage, and distribution facilities.
- **CON 1.6 Development Requirements—Water Service.** Require new development to be served from an approved domestic water supply.
- **CON 1.7 Development Requirements—Groundwater.** Require engineering design and construction practices to ensure that existing and new development does not degrade the City's groundwater supplies.
- **CON 2 Water Conservation through System Improvements.** Provision of a system that minimizes water consumption through conservation methods and other techniques.
- **CON 2.1 Water Conservation Goals.** Continue to establish, review, and update water conservation goals and benchmarks on a continuous basis.
- **CON 2.4 Water Conservation Measures for Private Projects.** Continue providing incentives, and where practical, require the installation of water conserving measures, devices and practices for new private construction projects and major alterations to existing private buildings, including requirements for using reclaimed water for construction watering and for pumping subterranean water back into the ground rather than into the storm drain system.
- **CON 2.5 Water Efficient Landscaping.** Where feasible, encourage installation of drought tolerant landscaping or water-efficient irrigation systems for all private and city landscaping and

parkways. Identify and implement minimum design and installation efficiency criteria for landscape irrigation systems.

- **CON 2.6 New Conservation Technology.** Explore ways to strengthen local building codes for new construction and to implement ordinances that require existing buildings to generate a higher level of water efficiency as a requirement for renovations or additions, and upon sale of the property.
- **CON 3 Water Conservation through Reduced Consumption.** Conservation programs that limit water consumption through site design, the use of water conservation systems and other techniques.
- **CON 3.1 Water Conservation Ordinance.** Review the City's water conservation ordinance and efficient landscaping ordinance regularly, and modify them as appropriate to achieve best management practices.
- **CON 3.2 Green Building Program.** Review the City's green building program to ensure that the program achieves water conservation, energy efficiency of buildings, encourages resource conservation, reduces waste generated by construction projects, and promotes the health and productivity of residents, workers, and visitors to the City.
- **CON 3.3 Rebate Programs.** Continue cooperating with the MWD to offer rebate incentives for the replacement of inefficient plumbing fixtures with water saving fixtures for all residential, commercial, industrial, and institutional uses.
- **CON 3.8 Water Conservation Measures for Private Projects.** Require the installation of water conserving measures, devices and practices that meet "green building" standards for new private construction projects and major alterations to existing private buildings.
- **CON 3.9 Water-Efficient Landscaping.** Encourage and promote drought-tolerant landscaping or water efficient irrigation systems for all private and city landscaping and parkways.
- **CON 3.10. Optimum Timing for Water Irrigation.** Require that all public and private irrigation systems irrigate at optimum times of the day, such as early mornings, or late afternoon and use weather sensors to facilitate optimum irrigation. Develop an enforcement mechanism and regulations to prohibit wasteful irrigation and water use practices, such as watering for street cleaning, and utilize technology to permit monitoring and control.
- **CON 3.11. New Conservation Technology.** Ensure all new private and City Facility projects utilize conservation technologies
- **CON 4 Water Supply Costs.** A system where the costs of improvements to the water supply, transmission, distribution, storage and treatment systems are borne by those who benefit.
- **CON 4.1 Developer Fees.** Require the costs of improvements to the existing water supply, transmission, distribution, pumping, storage and treatment facilities necessitated by new development be borne by those benefiting from the improvements, either through the payment of fees, or by the actual construction of improvements.

### *Beverly Hills Municipal Code*

Development in Beverly Hills is required to comply with Title 6 of the Beverly Hills Municipal Code. Title 6 contains standards for the extension and enlargement of water distribution systems in the City. The City has also established a Water Conservation Ordinance, which establishes the authority for the City Manager to declare that a water shortage exists and to implement a five-stage program to curtail water use during periods of extended drought. Other water conservation programs

include leak reporting and repairs, meter replacements, rate structuring, improvements in landscape irrigation equipment, and equipment rebates.

#### 4.11.3 Previous Environmental Review

Previous environmental documentation concluded that 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 2016a). No mitigation related to water supply was required in previous environmental documentation.

With respect to water distribution, previous environmental documentation stated 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 entire project site and that such an impact would potentially be significant. The previous environmental documentation included Mitigation Measures MM FIRE-2 and MM WTR-1, which both required the 8-inch and 10-inch sections of the water main feeding hydrants near the project site along Wilshire Boulevard to be replaced with a 12-inch main in order to achieve adequate fire flow for the project (City of Beverly Hills 2008a and 2016a). As further discussed under Section 4.11.4, *Impact Analysis*, the proposed project would include a new Mitigation Measure, MM-UTIL-1, to address the issue of fire flow.

#### 4.11.4 Impact Analysis

##### **Methodology and Significance Thresholds**

As discussed in the Initial Study, potential impacts to water supply are assessed in this SEIR because of the potentially increased demand for water associated with the increased number of residential units and landscaping of the proposed project (compared to demand from the approved entitlements), coupled with ongoing drought conditions in the region. In addition, the water main providing fire flow to hydrants serving the project site may not be adequate to serve the proposed project and Mitigation Measures MM WTR-1 and MM FIRE-2 provided in previous environmental documentation may not be sufficient to address this issue. Therefore, potential impacts to water infrastructure are assessed in this SEIR.

The following are the thresholds for determining the significance of impacts related to water service and facilities. The proposed project's impacts related to water supply and facilities are assessed to determine whether the project would:

1. Require or result in the relocation or construction of new or expanded water facilities, the construction or relocation of which could cause significant environmental effects.
2. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years.

The Initial Study concludes that the proposed project would result in less than significant impacts with respect to significance criteria related to wastewater, storm drains, and solid waste (refer to the Initial Study in Appendix A). Therefore, these significance criteria are not addressed in this SEIR.

For the purposes of this analysis, the proposed project's additional water demand was compared to current/future supplies and the adequacy of current water main capacities was evaluated. A construction water consumption rate of 0.89 AF per acre for dry grading techniques is based on historical usage reports and was utilized in the previous environmental documentation (City of Beverly Hills 2008a and 2016a). Previous environmental documentation for the Beverly Hilton

Specific Plan and 9900 Wilshire Specific Plan relied on the City of Los Angeles 2006 Los Angeles CEQA Thresholds Guide (City of Beverly Hills 2008a and 2016a). To maintain consistency with the methodology of the previous environmental documentation, operational water demand rates for the existing conditions, proposed project, and approved entitlements represent 125 percent of the wastewater generation rates provided in the 2006 Los Angeles CEQA Thresholds Guide to match the estimates from the previous environmental documentation (City of Beverly Hills 2008a and 2016a).

## Project Impacts and Mitigation Measures

<b>Threshold 1:</b> Would the project require or result in the relocation or construction of new or expanded water facilities, the construction or relocation of which could cause significant environmental effects?
---

**Impact UTIL-1** THE PROPOSED PROJECT WOULD INTRODUCE ADDITIONAL POPULATION, BUILDING HEIGHT, AND DEVELOPMENT AREA (INCLUDING THE GAS STATION SITE) TO THE PROJECT SITE AS COMPARED TO EXISTING CONDITIONS AND APPROVED ENTITLEMENTS. HOWEVER, SIMILAR TO THE PREVIOUS ENVIRONMENTAL DOCUMENTATION, MITIGATION IS AVAILABLE TO REDUCE POTENTIAL IMPACTS RELATED TO FIRE FLOW FACILITIES TO A LESS THAN SIGNIFICANT LEVEL. REGARDLESS OF WHETHER THE PROJECT IS COMPARED TO EXISTING CONDITIONS OR APPROVED ENTITLEMENTS, THE PROPOSED PROJECT WOULD HAVE A LESS THAN SIGNIFICANT IMPACT TO FIRE FLOW FACILITIES WITH MITIGATION INCORPORATED.

## Existing Conditions

The proposed project would increase development intensity on the project site by adding 340 new residential units, 117,232 sf of additional amenities, 30 new accessory spaces, and 35,236 sf of retail to the project site. Currently, fire hydrants serving the project site have a fire flow of 1,000 to 1,500 gallons per minute (gpm). Increased development on the site would require additional fire flow capacity from nearby hydrants in order to ensure adequate water availability in the event of a fire. As discussed below under *Approved Entitlements*, this concern was also noted for the Existing Specific Plans, and mitigation was proposed to address the issue. With implementation of revised mitigation provided in *Mitigation Measures*, the proposed project would be served by hydrants with adequate fire flow capacity to ensure site safety, and impacts would be less than significant.

## Approved Entitlements

Previous environmental documentation stated that 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 would potentially be significant (City of Beverly Hills 2008a and 2016a). Fire hydrants numbered 339, 340, 341, 342, and 343, which are located along Wilshire Boulevard, are identified as those serving the project site. Based on flow tests conducted in 2000, each hydrant exhibits a flow of approximately 1,000 to 1,500 gallons per minute with a residual pressure of 68 to 70 pounds per square inch (psi). An 8-inch water main, fed by 10-inch and 12-inch lines, beneath Wilshire Boulevard supplies water to the hydrants (City of Beverly Hills 2008a). In order to achieve adequate fire flow for the proposed project, replacement of the 8-inch and 10-inch sections of the water main feeding the fire hydrants with a 12-inch main were required by Mitigation Measures MM FIRE-2 and MM WTR-1 in previous environmental documents (City of Beverly Hills 2008a and 2016a). However, the replacement water main identified in these mitigation measures may no longer be adequate for the proposed project because the water main size specified in the mitigation measure may no longer provide sufficient fire flow for the proposed building heights, population, or building area (Hand 2020). Therefore, the



proposed project would implement Mitigation Measure MM-UTIL-1 to contribute to the utility upgrades required for the fire hydrants. Similar to existing Mitigation Measures MM FIRE-2 and MM WTR-1, Mitigation Measure MM-UTIL-1 would potentially require the replacement of the water main in Wilshire Boulevard adjacent to the project site. Implementation of Mitigation Measure MM-UTIL-1 would be required prior to the commencement of building construction to ensure that sufficient fire flow is available to the project site early in the construction timeframe so that the project site would have adequate fire protection in the event of a fire during the construction period. If required by Mitigation Measure MM-UTIL-1, construction of the replacement main would occur within the previously disturbed area of Wilshire Boulevard adjacent to the project site, which would not result in new or substantially greater adverse environmental effects than those previously identified for the Approved Entitlements.

## **Mitigation Measure**

Mitigation Measure MM-UTIL-1 applies to all development proposed under the Overlay Specific Plan.

**MM-UTIL-1** Prior to issuance of grading permits, the project applicant shall provide a preliminary design for the fire flow infrastructure to the City for review by the PWD and Fire Department. The project applicant shall pay for a hydraulic analysis of the preliminary design to be prepared by the City-selected consultant to ensure adequate fire flow is provided to the project site and water quality of the water main is not adversely impacted by the proposed design. The project applicant shall pay a “fair share” of the cost to upgrade the water main feeding hydrants serving the project site, which may include the entire cost of upgrading the water main. Upgrading of the water main shall be completed prior to project building construction and prior to building occupancy to ensure that adequate fire flow is available during project construction and operation.

## **Significance After Mitigation**

With implementation of Mitigation Measure MM-UTIL-1, water facilities serving the project site would provide sufficient fire flow during project construction and operation.

<p><b>Threshold 2:</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?</p>
---

**Impact UTIL-2** INCREASED DEVELOPMENT ON THE PROJECT SITE WOULD RESULT IN INCREASED WATER DEMAND COMPARED TO EXISTING CONDITIONS. HOWEVER, THE PROJECT WOULD RESULT IN A NET DECREASE IN WATER DEMAND BY APPROXIMATELY 16.5 ACRE-FEET PER YEAR, AS COMPARED TO APPROVED ENTITLEMENTS. REGARDLESS OF WHETHER THE PROJECT IS COMPARED TO EXISTING CONDITIONS OR APPROVED ENTITLEMENTS, THE PROPOSED PROJECT’S WATER DEMAND CAN BE ACCOMMODATED BY THE CURRENT AND PLANNED WATER SUPPLIES AS PRESENTED IN THE 2015 URBAN WATER MANAGEMENT PLAN. THEREFORE, THE PROPOSED PROJECT’S IMPACTS TO WATER SUPPLY WOULD BE LESS THAN SIGNIFICANT.

The proposed project would result in water use during construction for site watering activities and long-term operation of the hotels, residences, and associated uses on the project site. This analysis provides a comparison of the proposed project’s potential impacts compared to existing conditions and buildout of the Approved Entitlements.

## **Existing Conditions**

### *Construction Impacts*

Project construction would occur over approximately 50 months. During construction, water would be used to reduce fugitive dust and aid in earth compaction during grading and earthwork. The previous environmental documentation utilized a water consumption rate for construction-related activities of 0.89 AF per acre for dry grading techniques based on historical usage reports (City of Beverly Hills 2008a and 2016a). Based on this construction water consumption rate, project construction would demand approximately 15.6 AF of water during the construction phase for site watering.

The proposed project would utilize dewatering discharge to provide dust control on the project site and has a permit for dewatering up to 144,000 gallons per day (or 161 AFY), which would be sufficient for providing the dust control watering for the construction period. In the event that municipal water is utilized for site watering, the City's 2015 UWMP accommodates for an increase in water use in its service territory of approximately 324 AF between 2020 and 2040. Additionally, in 2015, water supplied to the City exceeded total annual demand by 178 AF (City of Beverly Hills 2016b). Demand for water during construction would be temporary and spread across the 50-month construction period, and the City would have adequate water supply to accommodate demand. Therefore, temporary impacts to water supply would be less than significant.

### *Operational Impacts*

This analysis of anticipated water demand for the proposed project uses the rates identified in the Beverly Hilton Specific Plan 2008 EIR and 9900 Wilshire Specific Plan 2016 SEIR, which were based on the wastewater generation rates provided in the Los Angeles CEQA Thresholds Guide (City of Beverly Hills 2008a and 2016a; City of Los Angeles 2006). The City has consistently used this methodology in CEQA analyses (City of Beverly Hills 2008a, 2016a, and 2018a). Based on the water use rates utilized in the previous environmental documentation, this analysis assumes 162.5 gpd per hotel guest room and 150 gpd per a single bedroom housing unit, with an addition 50 gpd per each additional bedroom added. Water use for ancillary hotel facilities was separately calculated at 0.1875 gallons per square foot per day, while water demand from hotel restaurant facilities was estimated separately at a rate of 37.5 gallons per day per seat (City of Beverly Hills 2008a and 2016). Table 4.11-3 compares operational water demand associated with the proposed project to that of existing conditions and Approved Entitlements.

As shown in Table 4.11-3, existing uses consume an estimated 220.9 AFY. In comparison, the estimated operational water demand for the proposed project would be 317.7 AFY, which represents a net increase of 96.8 AFY from existing uses. This increase in water demand would be due to increased development on the project site compared to existing conditions. However, the calculations provided in Table 4.11-3 do not account for the use of captured rainwater and recycled greywater for irrigating the project's landscaping; therefore, these estimates are conservative.

**Table 4.11-3 Projected Water Demand**

Land Use	Quantity	Demand Factor (gallons per day) <sup>1</sup>	Daily Demand (gallons per day)	Annual Demand (gallons per year)	Annual Demand (AFY) <sup>2</sup>
<b>Existing Conditions</b>					
Hotel	739 rooms	162.5	120,088	43,831,938	134.5
Retail/Gas Station	13,016 sf	0.1	1,302	475,084	1.5
Meeting Rooms/Office Space/Hotel Support	286,800 sf	0.1875	53,775	19,627,875	60.2
Restaurants	530 seats <sup>4</sup>	37.5	19,875	7,254,375	22.3
Landscaping	43,562 sf <sup>5</sup>	0.04958	2,160	788,328	2.4
<b>Total</b>	<b>–</b>	<b>–</b>	<b>197,200</b>	<b>71,978,000</b>	<b>220.9</b>
<b>Approved Entitlements</b>					
Residential Units (1 BD)	41 du	150	6,150	2,244,750	6.9
Residential Units (2 BD)	72 du	200	14,400	5,256,000	16.1
Residential Units (3 BD)	168 du <sup>3</sup>	250	42,000	15,330,000	47.0
Residential Units (4 BD)	15 du	300	4,500	1,642,500	5.0
Residential Units (5 BD)	7 du	350	2,450	894,250	2.7
Hotel	656 rooms	162.5	106,600	38,909,000	119.4
Retail	58,357 sf	0.1	5,836	2,130,031	6.5
Meeting Space/Office Space/Hotel Support	332,187 sf	0.1875	62,285	22,734,048	69.8
Restaurants	1,083 seats <sup>4</sup>	37.5	40,613	14,823,563	45.5
Landscaping	272,250 sf	0.04958	13,498	4,926,827	15.1
<b>Total</b>	<b>–</b>	<b>–</b>	<b>298,331</b>	<b>108,890,967</b>	<b>334.2</b>
<b>Proposed Project</b>					
Residential Units (1 BD)	146 du <sup>6</sup>	150	21,900	7,993,500	24.5
Residential Units (2 BD)	122 du	200	24,400	8,906,000	27.3
Residential Units (3 BD)	47 du	250	11,750	4,288,750	13.2
Residential Units (4 BD)	47 du	300	14,100	5,146,500	15.8
Residential Units (6 BD)	8 du	400	3,200	1,168,000	3.6
Hotel	600 rooms	162.5	97,500	35,587,500	109.2
Retail	35,236 sf	0.1	3,523	1,286,114	3.9
Meeting Space/Office Space/Hotel Support	326,404 sf	0.1875	61,201	22,338,274	68.6
Restaurants	750 seats <sup>4</sup>	37.5	28,125	10,265,625	31.5
Landscaping	361,596 sf	0.04958	17,928	6,543,694	20.08
<b>Total</b>	<b>–</b>	<b>–</b>	<b>283,627</b>	<b>103,523,957</b>	<b>317.7</b>

du: dwelling units; BD: bedroom(s); sf: square feet

<sup>1</sup> 125 percent of sewage generation factors from the LA CEQA Thresholds Guide Exhibit M.2-12 (City of Los Angeles 2006)

<sup>2</sup> 1 acre-foot = 325,851 gallons

<sup>3</sup> Assumes that for the approved Beverly Hilton Specific Plan, each residential unit would include 3-bedrooms based on Beverly Hilton Specific Plan 2008 EIR water demand calculations.

<sup>4</sup> Based on industry standard of 1 seat per 20 sf of restaurant space, assuming that 60 percent of restaurant space is used for dining area (Total Food Service 2013).

<sup>5</sup> Existing landscaping is from the Draft Supplemental Environmental Impact Report for the Beverly Hills Specific Plan Amendment (2018a) and does not include existing gas station landscaping, which is assumed to be minimal.

<sup>6</sup> Conservatively assumes that all 30 accessory spaces are 1-bedroom dwelling units.

Note: Some numbers may not add up due to rounding.

Per the 2015 UWMP, water demand under normal conditions is projected to be 11,428 AFY in 2040. This represents a 324-AFY increase from the projected 2020 water demand of 11,104 AFY. With the combination of imported water resources and local groundwater, the City projects an available water supply of 11,428 AF in 2040 during normal (non-drought) conditions (see Table 4.11-1). Thus, 2040 supplies are forecast to meet demand in a non-drought year. The UWMP also presents a scenario assuming a single-dry year, as well as multiple-dry years (consecutive drought years) between 2020 and 2040 (see Table 4.11-2). Under these scenarios, the UWMP projects a 2040 water supply of 11,999 AFY in 2040 and demand of 11,999 AFY (City of Beverly Hills 2016b).

The UWMP accounts for existing uses and planned and pending development, which includes the existing uses on the project site and buildout of the Approved Entitlements. Although the proposed project would result in increased water demand compared to existing conditions, because the proposed project would result in a net decrease in water demand compared to the Approved Entitlements (which are accounted for in the UWMP), water demand associated with the proposed project can be met with the City's projected water supply and existing water supply entitlements. Impacts to water supply would be less than significant.

## **Approved Entitlements**

### *Construction*

As discussed above under *Existing Conditions*, project construction watering would require 15.6 AF for dust control site watering. The Beverly Hilton Specific Plan 2008 EIR determined that construction over the 9-acre site would require approximately 8.0 AF and the 9900 Wilshire Specific Plan 2016 EIR determined that construction over the 8-acre site would require approximately 7.1 AF. The project site would be 22,343 sf, or approximately 0.5 acre, larger (due to the addition of the gas station site) than the total combined land area considered in the Beverly Hilton Specific Plan 2008 EIR and the 9900 Wilshire Specific Plan 2016 SEIR. Therefore, project construction would demand approximately 0.4 AF (0.89 AF per acre multiplied by 0.5 acres) more than construction considered under the previous environmental documentation. Though the proposed project would demand more water during construction activities, the project would utilize dewatering discharge to provide dust control on the project site and has a permit for dewatering up to 144,000 gallons per day (or 161 AFY), which would be sufficient for providing the dust control watering for the construction period. In the event that municipal water is utilized for site watering. Therefore, project construction is not anticipated to impact municipal water supply. In addition, as discussed under *Existing Conditions*, if construction were to utilize municipal water for construction site watering, the City would have adequate water supply to accommodate demand. Therefore, construction impacts would be less than significant.

### *Operation*

As shown in Table 4.11-3, the Approved Entitlements would result in operational water consumption of 334.2 AFY. In comparison, the estimated operational water demand for the proposed project would be 317.7 AFY, which represents a net decrease of 16.5 AFY from demand associated with Approved Entitlements. This reduction in water demand in comparison to entitled uses is due to the decreased number of hotel rooms and reduced square footage of retail, hotel office/support/meeting room, and restaurant space, which offsets the increased number of residential units and landscaped area associated with the project. In addition, the calculations provided in Table 4.11-3 do not account for the use of captured rainwater and recycled greywater for irrigating the project's landscaping; therefore, these estimates are conservative.

As discussed above under *Existing Conditions*, the UWMP accounts for existing uses and planned and pending development, which includes Approved Entitlements. Because the proposed project would result in a net decrease in water demand compared to the Approved Entitlements, water demand associated with the proposed project can be met with the City's projected water supply and existing water supply entitlements. Impacts to water supply would be less than significant similar to the impact conclusions of the previous environmental documentation.

### **Mitigation Measures**

No mitigation is required for the proposed project because water supply impacts would be less than significant. Similar to all development in Beverly Hills, the proposed project would be subject to the City of Beverly Hills' Water Conservation Ordinance and citywide water conservation programs set forth by the PWD.

### **Significance After Mitigation**

The proposed project's impact would be less than significant without mitigation. Therefore, no new or increased severity significant impact would occur above those identified in the Beverly Hilton Specific Plan 2008 EIR and 9900 Wilshire Specific Plan 2016 SEIR.

#### **4.11.5 Cumulative Impacts**

The potential for cumulative impacts to water supply and fire flow facilities is assessed based upon consideration of the proposed project in combination with the cumulative projects identified in Table 3-1 in Section 3, *Environmental Setting*. Forecasted development in the City (including the proposed project and planned and pending development within the City of Beverly Hills and the City of West Hollywood located within the service area of the City's Public Works Department, listed in Table 3-1) would generate an increased demand of approximately 670 AFY<sup>4</sup> of water between 2020 and 2040 under normal conditions, bringing overall demand to 11,852 AF in 2040 (11,182 AFY projected demand in 2025 plus 670 AFY). In a single dry year and in a multiple dry year scenario in 2040, future demand is estimated at 11,999 AFY. Because no additional entitlements or resources would be required to meet cumulative water demand from planned and pending development, including the proposed project, cumulative impacts to water supply would be less than significant. In addition, similar to the proposed project, all planned and pending development in the City would be subject to applicable water conservation requirements contained in the Water Efficient

---

<sup>4</sup> Calculated using water demand factors derived from the 2006 LA CEQA Thresholds Guide's sewage generation factors (Exhibit M.2-12), assuming that water demand factors are 125 percent of sewage generation factors.

Landscape Ordinance (Beverly Hills Municipal Code Title 9, Chapter 4, Article 4) and the Green Building Standards Code.

Impacts related to the extension of water supply facilities to individual development projects are typically generated in the immediate vicinity of a project. The nearest anticipated development project is a mixed-use project at 9900-9908 South Santa Monica Boulevard located south across North and South Santa Monica Boulevards from the project site, a distance of approximately 250 feet (project number 16 in Table 3-1). This project is on an infill site; therefore, similar to the proposed project, construction of water supply facilities would not result in significant disturbance beyond the boundaries of individual sites or previously disturbed areas immediately adjacent to sites (i.e., roadways). Therefore, no significant cumulative impact related to water supply facilities would occur.

*This page intentionally left blank.*

## 5 Other CEQA-Required Discussions

---

This section discusses growth-inducing impact and irreversible environmental impacts associated with the proposed project.

### 5.1 Growth Inducement

Section 15126(d) of the *CEQA Guidelines* requires a discussion of a proposed project's growth-inducing impact. Pursuant to Section 15126.2(e) of the *CEQA Guidelines*, this includes ways in which a project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment, including ways in which a project could remove an obstacle to population growth. Induced growth is any growth that exceeds planned growth and results from new development that would not have taken place without the implementation of the proposed project. Typically, the growth-inducing potential of a project would be considered significant if it results in growth or population concentration that exceeds those assumptions included in pertinent master plans, land use plans, or projections made by regional planning authorities. However, the creation of growth-inducing potentials does not automatically lead to growth, whether it would be below or in exceedance of a projected level.

Growth does not necessarily create significant physical changes to the environment. However, depending upon the type, magnitude, and location of growth, it can result in significant adverse environmental effects. The environmental effects of induced growth are secondary or indirect impacts of the proposed project. Secondary effects of growth could include increased demand on community public services, increased traffic and noise, degradation of air and water quality, and conversion of agricultural land and open space to developed uses. The proposed project's growth inducing potential is therefore considered significant if project-induced growth could result in significant physical effects in one or more environmental issue areas.

#### 5.1.1 Population Growth

##### **Existing Conditions**

SCAG forecasts that 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; California Department of Finance [CDOF] 2020a). SCAG's 2045 population forecasts are based on land use, general plans, and zoning as of 2015 (SCAG 2020). The Beverly Hilton Specific Plan and the original 2008 9900 Wilshire Specific Plan were developments anticipated in the City's 2010 General Plan and are thus accounted for in population growth projections for the City; however, the 9900 Wilshire Specific Plan as amended in 2016 was not. Though the amended 9900 Wilshire Specific Plan is not accounted for in the City's growth projections, the amendment resulted in a reduction of housing units from the original 9900 Wilshire Specific Plan (193 housing units compared to 252 units originally planned) and therefore any potential population growth generated by the amended 9900 Wilshire Specific Plan would not exceed the existing growth projections associated with the original 2008 9900 Wilshire Specific Plan.

The proposed project would provide 340 new residential units plus 30 accessory spaces that could potentially be utilized as staff living quarters. The City currently has approximately 2.30 people per



dwelling unit (CDOF 2020a). The proposed project would therefore accommodate an estimated 782 residents within the 340 residential units (340 dwelling units x 2.30 people per dwelling unit) plus potentially, an additional 69 residents within the 30 accessory spaces (30 dwelling units x 2.30 people per dwelling unit) for a total residential population of 851 residents. In addition, cumulative projects detailed in Section 3, *Environmental Setting*, would add an additional 126 net new dwelling units in the City with an estimated associated population increase of 290 residents (126 dwelling units x 2.30 people per dwelling unit). The proposed project along with cumulative development would add an additional 1,141 residents, which would fall within the anticipated population growth in the City.

Moreover, as discussed in Section 4.1, *Air Quality*, and Section 4.5, *Greenhouse Gas Emissions*, development and operation of the proposed project would not generate air pollutant or GHG emissions that would result in a significant impact with implementation of mitigation. In addition, the proposed project involves redevelopment in a fully urbanized area that lacks significant native biological habitats, known cultural resource remains, surface water, or other environmental resources. Therefore, population growth associated with the proposed project would not result in significant long-term physical environmental effects. Therefore, compared to existing conditions, population growth associated with the proposed project would not result in significant long-term physical environmental effects.

### **Approved Entitlements**

As detailed in Section 4.1, *Air Quality*, the proposed project would result in approximately 41 additional residents (conservatively assuming all accessory spaces are used as staff housing) when compared to the Existing Specific Plans as of the 2010 General Plan. Cumulative projects would add an additional 290 residents to the City. Compared to buildout of the Approved Entitlements, the additional 41 residents associated with the proposed project plus the additional 290 residents associated with cumulative development would result in a population increase of approximately 331 residents for a total population of 34,106 persons (33,775 + 331), which is within SCAG's forecasted 2045 population of 35,800 residents for Beverly Hills.

Moreover, as discussed in Section 4.1, *Air Quality*, and Section 4.5, *Greenhouse Gas Emissions*, development and operation of the proposed project would not generate air pollutant or GHG emissions that would result in a significant impact beyond that identified in the Beverly Hilton Specific Plan 2008 EIR and 9900 Wilshire Specific Plan 2016 SEIR (hereafter referred to collectively as "previous environmental documentation"). In addition, the proposed project involves redevelopment in a fully urbanized area that lacks significant native biological habitats, known cultural resource remains, surface water, or other environmental resources. Therefore, population growth associated with the proposed project would not result in significant long-term physical environmental effects when compared to Approved Entitlements.

## **5.1.2 Economic Growth**

### **Existing Conditions**

The proposed project would generate temporary employment opportunities during construction. Because construction workers would be expected to be drawn from the existing regional workforce, construction of the project would not be growth-inducing from a temporary employment standpoint. Operation of the proposed project would also add long-term employment opportunities; however, SCAG's employment forecast for the City in 2045 is 81,300 jobs, which

would be an increase of approximately 27,450 jobs as compared to the City's existing 53,850 jobs opportunities (United States Census 2017). According to the project applicant, the existing Beverly Hilton hotel currently has 257 full-time and full-time equivalent employees, and the proposed project would require approximately 79 new employees. Assuming the existing gas station (although not currently operational) employs six persons (two persons per shift with three 8-hour shifts), the project would result in a net increase of 73 employees on-site as compared to existing on-site conditions. This would represent less than 1 percent of the anticipated employment growth within the City.

As discussed above under Section 5.1.1, *Population Growth*, new residents accommodated by the proposed project would not lead to substantial unplanned population growth within the City. New residents associated with the proposed project would incrementally increase demand for goods and services and the 340 additional dwelling units would generate incrementally more residential tax revenues for the City (see Section 4.1, *Air Quality*, Table 4.1-6). Future residents would also incrementally increase the local workforce, as compared to existing conditions. Because the project site is located in an urbanized area and is adjacent to a California Air Resources Board-designated Central Business District,<sup>1</sup> residents seeking employment within the City would likely be primarily accommodated by existing employment opportunities in the area. Therefore, compared to existing conditions, the proposed project would not induce substantial economic expansion beyond that which is already anticipated for the City to the extent that direct physical environmental effects would result. Moreover, the environmental effects associated with any future development in or around the City would be addressed as part of the CEQA environmental review for such development projects.

## Approved Entitlements

As shown in Section 4.1, *Air Quality*, Table 4.1-6, the net increase in employment opportunities associated with the proposed project would be approximately 31 to 53 persons greater than employment opportunities anticipated under the remaining building of the Approved Entitlements. Nevertheless, the net increase in employment opportunities under the proposed project would represent approximately 0.3 percent of job growth projected for Beverly Hills by 2045 (73 of 27,450 jobs) and would not exceed SCAG employment forecasts.

Compared to the Existing Specific Plans as of the 2010 General Plan, the 41 additional residents that would be accommodated by the proposed project would incrementally increase demand for goods and services and the 18 additional dwelling units would generate incrementally more residential tax revenues for the City (see Section 4.1, *Air Quality*, Table 4.1-6). Future residents would also incrementally increase the local workforce, as compared to Approved Entitlements. Because the project site is located in an urbanized area and is adjacent to a California Air Resources Board-designated Central Business District<sup>2</sup>, residents seeking employment within the City would likely be primarily accommodated by existing employment opportunities in the area. Therefore, because the proposed project would only accommodate 41 more residents than the Approved Entitlements, it would not induce substantial economic expansion beyond that which would occur under the Approved Entitlements to the extent that direct physical environmental effects would result. Moreover, the environmental effects associated with any future development in or around the City would be addressed as part of the CEQA environmental review for such development projects.

<sup>1</sup> A Central Business District is defined as a census tract with at least 5,000 jobs per square mile (using 2011 census data) (ARB 2015).

<sup>2</sup> A Central Business District is defined as a census tract with at least 5,000 jobs per square mile (using 2011 census data) (ARB 2015).

### 5.1.3 Removal of Obstacles to Growth

#### **Existing Conditions**

The proposed project involves infill development on a site located in a fully urbanized area and would require upgrades to existing infrastructure to support the new proposed land uses on-site. As discussed in Section 4.11, *Utilities and Service Systems*, the project would be required to implement Mitigation Measure MM-UTIL-1, which requires the project applicant to pay a “fair share” of the cost to upgrade water main infrastructure that feeds fire hydrants serving the site in order to maintain sufficient fire flow to the project site. However, the project site is located in a fully built-out area of the City and this improvement would not remove an obstacle to additional growth in the vicinity. The project would not otherwise include expansion of infrastructure beyond what is required to ensure the safety of the project site and would not result in excess infrastructure capacity that could induce increased development in the area.

Furthermore, as discussed in Section XVIII, *Utilities and Service Systems*, of the Initial Study (Appendix A), as well as Section 4.11, *Utilities and Service Systems*, and Section 4.9, *Transportation and Traffic*, of this SEIR, other existing infrastructure servicing the project site, including the transportation network, water and wastewater treatment facilities, and landfills, would be adequate to serve the proposed project. Though the proposed project would include a new private residential access road along the western edge of the project site and reconfiguration of Merv Griffin Way and its intersection with Santa Monica Boulevard, the project would not add any new public roadways to the area. No other new or expanded roads or other infrastructure would be required to serve the project; therefore, it would not remove any obstacles to growth compared to existing conditions.

#### **Approved Entitlements**

The proposed project involves the same program of land uses and development intensity as the development envisioned under the Existing Specific Plans. As discussed above under *Existing Conditions*, the proposed project would require upgrades to the water main infrastructure that feeds fire hydrants serving the site in order to maintain sufficient fire flow to the project site. The Existing Specific Plans also required upgrades to ensure sufficient fire flow to the project site. However, the project site is located in a fully built-out area of the City and this improvement would not remove an obstacle to additional growth in the vicinity. The project would not otherwise include expansion of infrastructure beyond what is required to ensure the safety of the project site and would not result in excess infrastructure capacity that could induce increased development in the area.

As discussed above under *Existing Conditions*, the proposed project would include a new private residential access road along the western edge of the project site and reconfiguration of Merv Griffin Way and its intersection with Santa Monica Boulevard, these improvements are also contained in the Existing Specific Plans. Other than the addition of the private residential access road, the project would no new or expanded roads or other infrastructure would be required to serve the project; therefore, it would not remove any obstacles to growth in comparison to Approved Entitlements.

## 5.2 Irreversible Environmental Effects

Public Resources Code Section 21100(b)(2)(B) and Section 15126.2(c) of the *CEQA Guidelines* require that an EIR analyze the extent to which the proposed project's primary and secondary effects would impact the environment and commit nonrenewable resources to uses that future generations would not be able to reverse. CEQA also requires decisionmakers to balance the benefits of a project against its unavoidable environmental risks in determining whether to approve a project. This section addresses non-renewable resources, the commitment of future generations to the proposed uses, and irreversible impacts associated with the proposed project.

### Existing Conditions

The proposed project involves infill development on a currently, partially developed site in the City on which similar development (the Existing Specific Plans) have already been entitled or commercial uses already operate (the existing Waldorf-Astoria Beverly Hills hotel, Beverly Hilton hotel, and gas station). Construction and operation of the proposed project would involve an irreversible commitment of construction materials and non-renewable energy resources. The proposed project would involve the use of building materials and energy, some of which are non-renewable resources. Consumption of these resources would occur with any development in the region and are not unique to the proposed project.

The proposed project would add 340 new residential units, 117,232 sf of amenities, 30 accessory spaces, and 35,236 sf of retail. In addition, 129 existing hotel rooms and the gas station would be removed from the project site. Increased development intensity on the site would irreversibly increase local demand for non-renewable energy resources such as petroleum products and natural gas. However, increasingly efficient building design and automobile engines would offset this demand to some degree by reducing the amount of energy required to operate the project's buildings and the gasoline consumed by vehicles accessing the project site. As discussed in Section 2, *Project Description*, the proposed project's design features would meet LEED Gold and WELL Certification or equivalent standards, using less water and energy and reducing greenhouse gas emissions when compared to a commercial building that is not built to LEED standards. In addition, the project would 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, and the Green Building Standards Code requires solar access, natural ventilation, and stormwater capture.

Though the proposed project would result in increased vehicle trips and GHG emissions compared to the currently partially developed condition of the site, the project would include features to incentivize use of sustainable modes of transportation for residents and visitors accessing the site including EV charging infrastructure, secured bicycle parking and connections to the existing bike lanes throughout the City, pedestrian walking paths, and a dedicated ride sharing drop off and pickup zone. These features would help reduce vehicle fuel use associated with the proposed project. Consequently, the project would not use unusual amounts of energy and impacts related to consumption of non-renewable and slowly renewable resources would be less than significant. Again, consumption of these resources would occur with any development in the region and is not unique to the proposed project.

The proposed project would require a commitment of law enforcement, fire protection, water supply, wastewater treatment, and solid waste disposal services. However, as discussed in Section XIV, *Public Services*, and Section XVIII, *Utilities and Service Systems*, of the Initial Study (Appendix A), and Section 4.11, *Utilities*, of this SEIR, impacts to public services, utilities, and service systems would be less than significant with the incorporation of mitigation.

## **Approved Entitlements**

As with the Approved Entitlements, the proposed project would irreversibly increase local demand for non-renewable energy resources such as petroleum products and natural gas. However, as discussed above under *Existing Conditions*, the proposed project's design features would meet LEED Gold and WELL Certification or equivalent standards, as well as the latest Title 24 and CALGreen requirements, which would result in less energy and water consumption and fewer greenhouse gas emissions than buildings constructed as part of the Approved Entitlements.

As detailed in Section 4.5, *Greenhouse Gas Emissions*, the single greatest source of GHG emissions and greatest consumer of nonrenewable resources associated with both the Approved Entitlements and the proposed project is automobile use generated by the project. In comparison to the Approved Entitlements, the proposed project would generate fewer daily vehicle trips, which would incrementally decrease petroleum consumption, local traffic, and regional air pollutant and GHG emissions, as discussed in Section 4.1, *Air Quality*, Section 4.5, *Greenhouse Gas Emissions*, and Section 4.9, *Transportation and Traffic*. Furthermore, as discussed above under *Existing Conditions*, the project would include features to incentivize use of sustainable modes of transportation for residents and visitors accessing the site. Consequently, the project would not use substantially more energy or construction materials compared to buildout of the Approved Entitlements, and impacts related to consumption of non-renewable and slowly renewable resources would be less than significant.

As discussed under *Existing Conditions*, the proposed project would require a commitment of law enforcement, fire protection, water supply, wastewater treatment, and solid waste disposal services. However, the commitment of these resources would occur under both the Approved Entitlements and the proposed project. Both the Approved Entitlements and the proposed project would have a less than significant impacts to these resources with implementation of mitigation (City of Beverly Hills 2008a and 2016a).

Beverly Hilton Specific Plan 2008 EIR identified significant and unavoidable impacts in the areas of aesthetics (visual character and quality, and views), air quality (temporary construction impacts), cultural resources (demolition of potential historic resources), land use and planning (inconsistencies with land use and conservation policies), and noise/vibration (temporary construction impacts). The 9900 Wilshire Specific Plan 2008 EIR identified significant and unavoidable impacts in the areas of aesthetics (visual character and quality, and views), air quality (temporary construction impacts), cultural resources (demolition of potential historic resources), land use and planning (inconsistencies with land use and conservation policies), and noise/vibration (temporary construction impacts). The 9900 Wilshire Specific Plan 2016 SEIR identified increased severity significant and unavoidable impacts in the areas of air quality (temporary construction impacts) and vibration (temporary construction impacts). As detailed in this SEIR, the proposed project would not increase the severity of irreversible environmental impacts relative to the Approved Entitlements.

## 6 Alternatives

---

Section 15126.6 of the *CEQA Guidelines* provides guidance for the identification and evaluation of project alternatives in an EIR. The *CEQA Guidelines* (Section 15126.6[a]) state that an “EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.” *CEQA Guidelines* Section 15126.6(a) also states that “an EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation.” The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Other alternatives can be considered but are not required to satisfy the requirements of CEQA.

In defining feasibility of alternatives, *CEQA Guidelines* state that among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (*CEQA Guidelines* Section 15126.6[f](1)).

As required by Section 15126.6 of the *CEQA Guidelines*, this Supplemental Environmental Impact Report (SEIR) examines a range of reasonable alternatives to the proposed project that would attain most of the basic project objectives (stated in Section 2, *Project Description*, of this SEIR), but would avoid or substantially lessen significant adverse impacts identified for the project. As discussed in Section 4.3, *Cultural Resources*, one significant and unavoidable impact was identified for the project related to historical resources. As discussed in Section 2, *Project Description*, the objectives for the proposed project, are as follows:

- Preserve the Existing Specific Plans while allowing for a comprehensive and coordinated master plan for the project site, through the Overlay Specific Plan, that increases the amount of open space as compared to the Existing Specific Plans and takes advantage of the physical, social, and economic potential of the project site
- Define a comprehensive and coordinated master plan for the project site, through the Overlay Specific Plan, generally consistent with the uses and floor area provided for by the Existing Specific Plans and zoning that enhances the City’s western gateway and views of the project site from Wilshire and North Santa Monica boulevards
- Establish a new architectural gateway to the City of Beverly Hills at its westernmost entrance
- Allow the hotels on the project site to remain competitive in the hotel industry and local and regional marketplaces through the replacement of rooms in detached buildings, increasing the supply of luxury hotel rooms, and adding appealing new retail and amenities to the site. These features would encourage Beverly Hills visitors to continue to shop, stay, and dine in Beverly Hills
- Maintain the integrity of the existing Welton Becket-designed Beverly Hilton Wilshire Tower and the existing Waldorf-Astoria Beverly Hills and ancillary uses
- Minimize building footprints to create approximately 13.4 acres of open space, including publicly accessible botanical gardens, for the use and enjoyment of the Beverly Hills community and project residents and guests by constructing an unifying landscaped elevated platform over

Merv Griffin Way from the Beverly Hilton to the new residential components of the Overlay Specific Plan

- Open the project site from Wilshire Boulevard and North Santa Monica Boulevard to pedestrians and provide bicycle parking and connections to the City's existing bike paths to promote active transportation and pedestrian activity in and around the project site
- Increase open space along Wilshire Boulevard through the development of a sculpture garden for the use and enjoyment of the public and which complements the existing Beverly Gardens Park on the north side of Wilshire Boulevard
- Create a Beverly Hilton conference center that meets the needs of today's business travelers, hotel guests, and meeting attendees
- Improve traffic circulation in and around the project site by providing additional vehicular access points on Wilshire Boulevard and North Santa Monica Boulevard for project residents and guests to reduce travel on Merv Griffin Way
- Establish environmental and sustainability goals that will meet or exceed LEED Gold and WELL requirements, implement capture and reuse of rainwater and greywater, and add green roofs to new buildings
- Provide new housing opportunities within the City, in close proximity to nearby office and retail areas, and at a location well-served by existing and under construction public transit options
- Provide full service residential units with hotel-like amenities that are competitive with existing and proposed residential projects in the Wilshire Corridor and Century City, and have comparable views
- Provide annual net revenue to the City that substantially exceeds the revenue the City would receive under the Existing Specific Plans or other commercial uses on the project site

Included in this analysis are five alternatives, including the CEQA-required "no project" alternative, that involve changes to the proposed project that may reduce the project-related environmental impacts as identified in this SEIR. Alternatives have been developed to provide a reasonable range of options to consider that would help decision makers and the public understand the general implications of revising or eliminating certain components of the proposed project.

The following alternatives are evaluated in this SEIR:

- Alternative 1: No Project (Buildout of Approved Entitlements)
- Alternative 2: No Further Development
- Alternative 3: One Residential/Hotel Tower and One Residential Tower
- Alternative 4: Preservation of the Wilshire Edge Building, Swimming Pool and Lanai Rooms
- Alternative 5: Reduced Building Heights

Table 6-1 provides a summary comparison of the development characteristics of the proposed project and each of the alternatives considered. Detailed descriptions of the alternatives are included in the impact analysis for each alternative. The potential environmental impacts of each alternative are analyzed in Section 6.1, *Alternative 1: No Project (Buildout of Approved Entitlements)*, through Section 6.5, *Alternative 5: Reduced Building Heights*.

**Table 6-1 Characteristics of Alternatives Compared to the Proposed Project**

Specific Plan Characteristic	Proposed Project	Alternative 1: No Project (Buildout of Approved Entitlements)	Alternative 2: No Further Development	Alternative 3: One Residential/ Hotel Tower and One Residential Tower	Alternative 4: Preservation of the Wilshire Edge Building, Swimming Pool and Lanai Rooms	Alternative 5: Reduced Building Height
Demolition Area	Palm/Oasis Court, Swimming Pool and Lanai Rooms, parking garage, Wilshire Edge building, Gas Station	Palm/Oasis Court, Swimming Pool and Lanai Rooms, parking garage, Wilshire Edge building	None	Palm/Oasis Court, Swimming Pool and Lanai Rooms, parking garage, Wilshire Edge building, Gas Station	Palm/Oasis Court, parking garage, Gas Station	Palm/Oasis Court, parking garage, Gas Station
<b>Floor Areas</b>						
Residential Uses (sf)	1,024,553	1,068,676	0	1,024,553	1,024,553	1,024,553
Hotel Uses (sf)	746,323	806,403	724,649	746,323	746,323	746,323
Shared Hotel/Residential Amenities (sf)	117,232	0	0	117,232	117,232	117,232
Accessory Spaces (sf)	10,092	0	0	10,092	10,092	10,092
Retail (sf)	35,236	46,686 <sup>4</sup>	3,521 <sup>5</sup>	35,236	35,236	35,236
Total Floor Area (sf)	1,933,436	1,875,079	728,170	1,933,436	1,933,436	1,933,436
Lot Area (sf)	758,064	758,064	758,064	758,064	758,064	758,064
Sitewide Floor Area Ratio	2.55:1	2.54:1	0.96:1	2.55:1	2.55:1	2.55:1
<b>Maximum Building Height</b>						
Beverly Hilton <sup>1</sup>	79'-1" (8 stories)	79'-1" (8 stories)	79'-1" (8 stories)	79'-1" (8 stories)	79'-1" (8 stories)	79'-1" (8 stories)
Waldorf-Astoria Beverly Hills <sup>1</sup>	124'-0" (12 stories)	124'-0" (12 stories)	124'-0" (12 stories)	124'-0" (12 stories)	124'-0" (12 stories)	124'-0" (12 stories)
Beverly Hilton Conference Center	31'-0" (2 stories) <sup>1</sup>	29' (2 stories) <sup>2</sup>	Not constructed (existing Conference Center/Wilshire Edge building is 18'-6" and 2 stories) <sup>1</sup>	31'-0" (2 stories) <sup>1</sup>	Not constructed (existing Conference Center/Wilshire Edge building is 18'-6" and 2 stories) <sup>1</sup>	Not constructed (existing Conference Center/Wilshire Edge building is 18'-6" and 2 stories) <sup>1</sup>



City of Beverly Hills  
**One Beverly Hills Overlay Specific Plan**

Specific Plan Characteristic	Proposed Project	Alternative 1: No Project (Buildout of Approved Entitlements)	Alternative 2: No Further Development	Alternative 3: One Residential/ Hotel Tower and One Residential Tower	Alternative 4: Preservation of the Wilshire Edge Building, Swimming Pool and Lanai Rooms	Alternative 5: Reduced Building Height
Beverly Hilton Enhancement <sup>1</sup>	19'-6" (1 story)	–	–	19'-6" (1 story)	–	–
Santa Monica Residence <sup>1</sup>	410'-0" (32 stories)	–	–	440'-0" (35 stories)	410'-0" (32 stories)	–
Garden Residence <sup>1</sup>	369'-0" (28 stories)	–	–	409'-0" (32 stories)	369'-0" (28 stories)	–
Wilshire Building <sup>1</sup>	124'-0" (10 stories)	–	–	–	–	–
Residences A <sup>2</sup>	–	97'-0" (8 stories)	–	–	–	–
Residences B <sup>2</sup>	–	200'-0" (18 stories)	–	–	–	–
North Residential Building <sup>3</sup>	–	161'-0" (13 stories)	–	–	–	–
South Residential Building <sup>3</sup>	–	185'-0" (15 stories stories)	–	–	–	–
Alternative 4 New Building <sup>1</sup>	–	–	–	–	110'-0" (14 stories) <sup>4</sup>	–
Alternative 5 Building A <sup>1</sup>	–	–	–	–	–	89'-0" (9 stories)
Alternative 5 Buildings B and C <sup>1</sup>	–	–	–	–	–	174'-0" (17 stories)
Alternative 5 Building D	–	–	–	–	–	174'-0" (18 stories)
Alternative 5 Buildings E and F <sup>1</sup>	–	–	–	–	–	110'-0" (12 stories)
Tallest Building On-site	410'-0" <sup>1</sup>	200'-0" <sup>2</sup>	124'-0" <sup>1</sup>	440'-0" <sup>1</sup>	410'-0" <sup>1</sup>	174'-0" <sup>1</sup>
<b>Number of Hotel Rooms and Residential Units</b>						
Hotels Rooms	600	656	739	600	600	600
Residential Units	340	303	0	340	340	340
<b>Other Features</b>						
Open Space (acres)	13.4 <sup>6</sup>	8.0	3.7 <sup>7</sup>	14.1	11.6	10.8
Parking Spaces	2,179	3,323	1,239	2,179	2,179	2,179

Specific Plan Characteristic	Proposed Project	Alternative 1: No Project (Buildout of Approved Entitlements)	Alternative 2: No Further Development	Alternative 3: One Residential/ Hotel Tower and One Residential Tower	Alternative 4: Preservation of the Wilshire Edge Building, Swimming Pool and Lanai Rooms	Alternative 5: Reduced Building Height
---------------------------------	------------------	---	---	---	---	--

(sf) = square feet

<sup>1</sup> Height measured from +301 datum

<sup>2</sup> Height measured from +285 datum

<sup>3</sup> Height measured from +290 datum

<sup>4</sup> The retail floor area estimate is based on this 2.0 FAR allowable under C-3 zoning plus the retail floor area included in the Existing Specific Plans.

<sup>5</sup> Square footage of gas station

<sup>6</sup> Open space includes the gardens and other landscaped areas, water features and pools, publicly accessible roadways/walking paths, and similar areas. Public open space area is inclusive of the 10 acres associated with portions of the project site proposed to be modified and 3.4 acres of unmodified open space areas associated with the existing Beverly Hilton and the existing Waldorf-Astoria Beverly Hills.

<sup>7</sup> This open space number does not include the vacant undeveloped 9900 Wilshire site and does not include the 9988 Wilshire gas station site.

## 6.1 Alternative 1: No Project Alternative

### 6.1.1 Description

This alternative assumes that the proposed project would not move forward. Development under the Approved Entitlements would continue on the project site, including construction of the 8-story Residences A building, 18-story Residences B building, and two-story Beverly Hilton conference/hotel facilities building on the Beverly Hilton site; and construction on the 9900 Wilshire Boulevard site 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 space, 7,940 sf of meeting space, 14,435 sf of spa and fitness, and other guest amenities. Further, the gas station would become operational again. The No Project (Approved Entitlements) Alternative would involve construction of 37 fewer residential units, 56 more hotel rooms, no accessory spaces, and 11,450 additional sf of retail. While maximum floor area would remain the same under both the proposed project and Approved Entitlements, the maximum building heights would be shorter on the 9900 Wilshire Boulevard site (maximum of 185 feet) and the gas station site (maximum of 45 feet), and taller on the Beverly Hilton site (maximum of 200 feet) under the No Project Alternative. As noted in Table 6-1, this alternative would provide 5.4 acres less of open space in comparison to the proposed project. Figure 6-1 provides a site plan for Alternative 1 and Figure 6-2 provides a massing diagram.

**Figure 6-1 Conceptual Site Plan for Alternative 1**

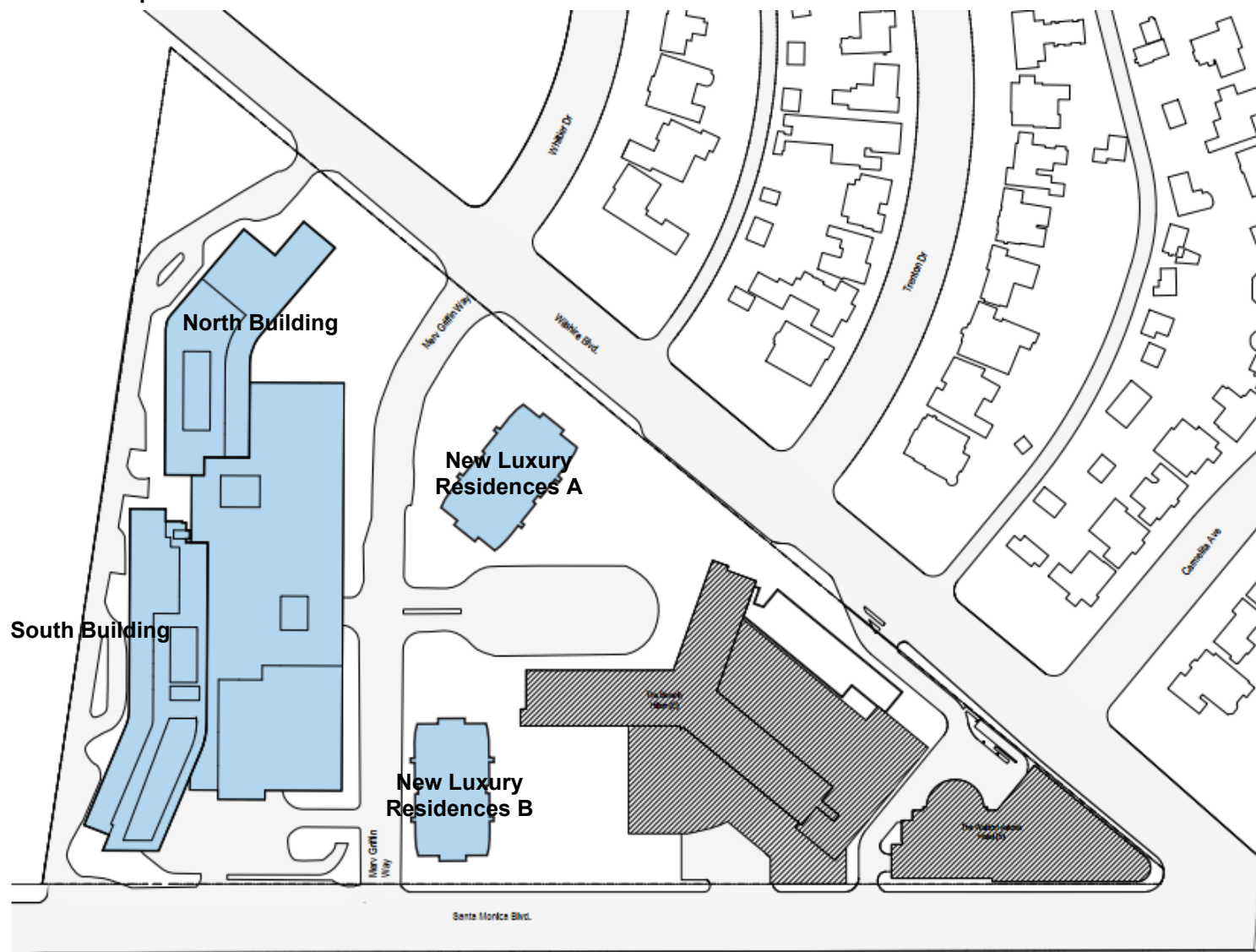
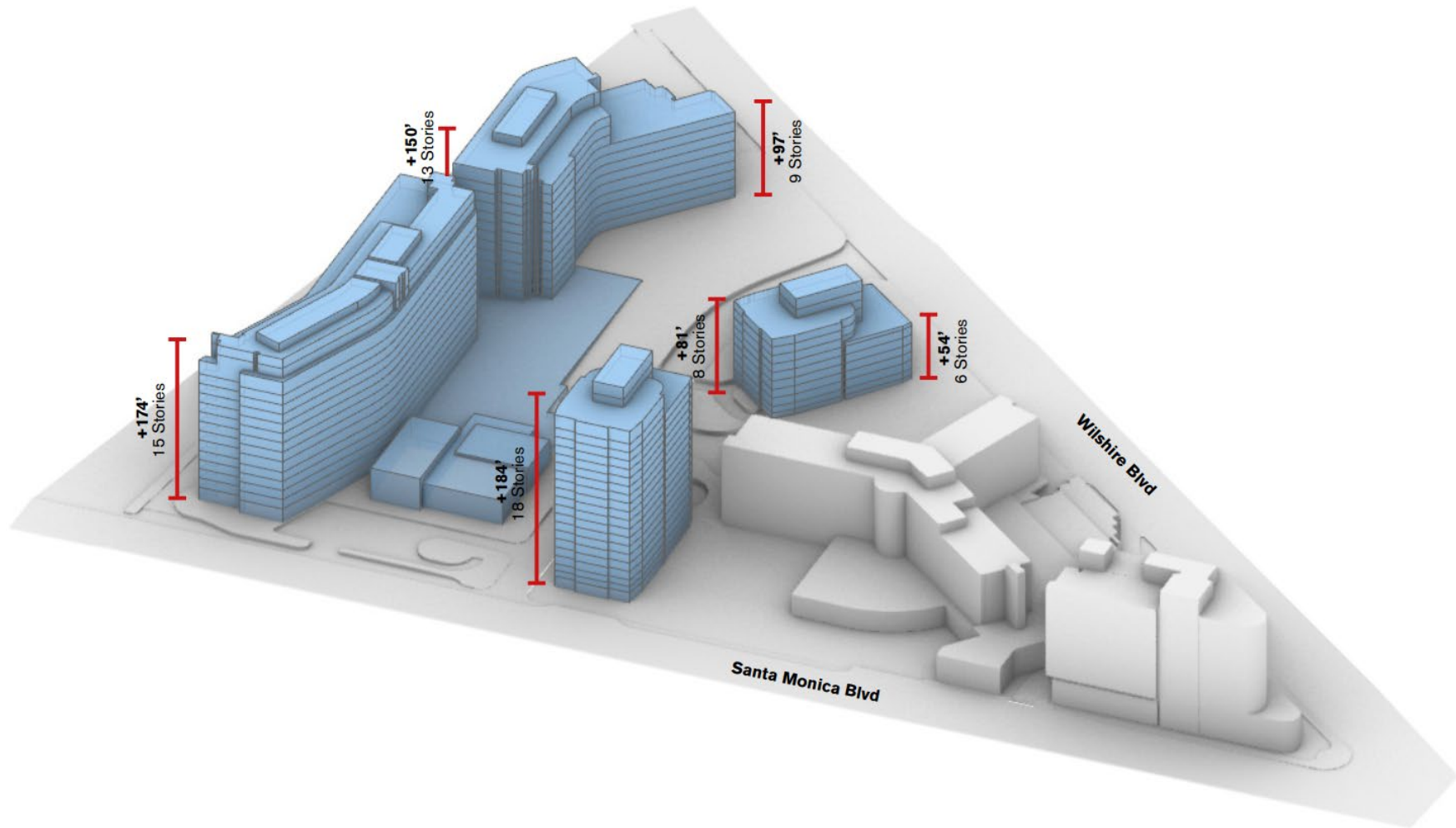


Figure 6-2 Massing Diagram for Alternative 1



Note: All heights shown are measured from +301 datum.

## 6.1.2 Impact Analysis

### a. Air Quality

As discussed in Section 4.1, *Air Quality*, remaining development under the Approved Entitlements would generate greater maximum daily construction-related criteria air pollutant emissions than the proposed project and greater maximum daily on-site emissions of volatile organic compounds, primarily because the Approved Entitlements would include greater soil export and greater total square footage due to more parking spaces. The remaining development under the Approved Entitlements would result in an exceedance of the South Coast Air Quality Management District's (SCAQMD) regional threshold for nitrogen oxide (NO<sub>x</sub>) emissions during construction. All mitigation from the Beverly Hilton Specific Plan 2008 EIR and the 9900 Wilshire Specific Plan 2016 SEIR would continue to apply. However, this mitigation would be less stringent than that required for the proposed project and would not be sufficient to reduce construction-related NO<sub>x</sub> emissions below the threshold of significance. Therefore, impacts related to maximum daily criteria pollutant emissions during construction of Alternative 1 would be significant and unavoidable and greater than those of the proposed project.

As shown Section 4.1, *Air Quality*, both the remaining development under the Approved Entitlements and the proposed project would generate greater long-term operational emissions than existing uses.<sup>1</sup> Operation of the remaining development under the Approved Entitlements would generate fewer net new volatile organic compound, NO<sub>x</sub>, carbon monoxide, and sulfur dioxide emissions and greater particulate matter emissions as compared to the proposed project. The increase in particulate matter emissions is because the remaining development under the Approved Entitlements would generate more vehicle trips than the proposed project because the proposed project would include fewer hotel rooms and less restaurant space and would include demolition of the existing gas station and convenience store, all of which are high trip-generating land uses (Appendix G). Nevertheless, net new operational emissions associated with the remaining development under the Approved Entitlements would not exceed the SCAQMD daily emissions thresholds, and similar to the proposed project, impacts would be less than significant.

As discussed in Section 4.1, *Air Quality*, the remaining development under the Approved Entitlements would not conflict with the SCAQMD's 2016 Air Quality Management Plan (AQMP) or expose sensitive receptors to substantial concentrations of carbon monoxide or toxic air contaminants (TACs). Overall, air quality impacts associated with Alternative 1 would be greater than those of the proposed project due to the significant and unavoidable impact associated with maximum daily NO<sub>x</sub> emissions during construction.

### b. Biological Resources

Similar to the proposed project, previous environmental documentation concluded that the Approved Entitlements would not conflict with any habitat conservation plans or local ordinances, as the project site is not within or nearby the boundaries of a habitat conservation plan and no heritage trees are located on the project site. Likewise, previous environmental documentation determined that the Approved Entitlements would not result in significant impacts to protected

---

<sup>1</sup> As noted in Section 4.1, *Air Quality*, existing uses to be demolished under remaining development of the Approved Entitlements include 217 hotel rooms, 17,315 sf of meeting room space, 1,239 parking spaces, a swimming pool, 2,556 sf of mercantile retail, 2,610 sf of hotel restaurant, and one acre of landscaping. In addition to these, existing uses to be demolished under the proposed project would include a 14-pump gas station and convenience store.

species, riparian and wetland habitat, and migratory wildlife corridors (City of Beverly Hills 2008a and 2016a). As discussed in Section 4.2, *Biological Resources*, a field reconnaissance survey and Focused Bat Survey were both conducted in 2020. Neither found evidence of the presence of protected species on the site, including birds and bats, riparian habitat or other sensitive natural community, wetlands, or heritage trees. However, structures and mature trees on the project site, as well as trees and structures in the vicinity of the project site, could potentially be utilized by nesting birds or roosting bats, though no nests or roosts were observed during the site surveys. Compliance with Migratory Bird Treaty Act (MBTA) and California Fish and Game (CFG) Codes 3503, 3503.3, 3511, and 3513, which provide protection for nesting birds, would reduce impacts related to nesting birds under Alternative 1. However, previous environmental documentation does not contain mitigation for nesting birds or bat pre-construction surveys and avoidance; therefore, Alternative 1 could have a potentially significant impact to biological resources, which would be a greater impact than the proposed project.

### **c. Cultural Resources**

As discussed in Section 4.3, *Cultural Resources*, buildout of both the Approved Entitlements and the proposed project would result in a significant and unavoidable impact to a historical resource (the Beverly Hilton Property) due to demolition and construction activities. Under both the Approved Entitlements and the proposed project, demolition of the Wilshire Edge Building (existing conference center), the Lanai Rooms and Swimming Pool, the Palm/Oasis Court Building, and the parking garage would materially impair the resource and alter physical characteristics that help to convey the Beverly Hilton Property's historic significance. Under both the Approved Entitlements and the proposed project, the Beverly Hilton Property would no longer be eligible for designation in the California Register of Historical Resources (CRHR); however, the Wilshire Tower individually may remain eligible for listing in the National Register of Historic Places (NRHP), CRHR and as a City of Beverly Hills Landmark.

In addition, both the Approved Entitlements and proposed project would have significant and unavoidable impacts related to the loss of significant viewsheds of the Wilshire Tower. Buildout of the Approved Entitlements would result in the loss of the two remaining significant views of the Wilshire Tower from the west from Wilshire Boulevard and from the south and west from North Santa Monica Boulevard. Likewise, the proposed project's residential towers, Wilshire Building, and the Park Pavilion Building within the promenade would significantly alter views both to and from the property generally and, more specifically, to and from the Wilshire Tower. The loss of character-defining views would alter the immediate surroundings of the Wilshire Tower, such that the significance of the Beverly Hilton Property would be materially impaired. Therefore, both Alternative 1 and the proposed project would result in a significant and unavoidable impact to historical resources.

Potential impacts of buildout of the Approved Entitlements (Alternative 1) on the Los Angeles Country Club (LACC) property as a historical resource were not considered in previous environmental documents. Alternative 1 would construct buildings in close proximity to and visible from the LACC property; however, Alternative 1 would not result in material impairment of the LACC's significance and impacts to the property as a result of Alternative 1 would be less than significant, similar to the proposed project. Overall, Alternative 1 would have similar significant and unavoidable impacts to cultural resources (historical resources specifically) as the proposed project.

#### **d. Geology and Soils**

The Approved Entitlements would be constructed on the same project site as the proposed project, excluding the gas station site. As discussed in Section 4.4, *Geology and Soils*, although the project site is within 300 feet of the Santa Monica Fault Zone, it is not located within 50 feet of an Alquist-Priolo Special Study Zone. In addition, no active faults are present on-site, and no active faults are trending toward the project site. Therefore, both the Approved Entitlements and the proposed project would have a less than significant impact related to surface rupture.

Due to the close proximity of several faults, both the Approved Entitlements and the proposed project would have a significant but mitigable impact related to seismic ground shaking. Both projects would be required to implement mitigation measures that require construction in accordance with recommendations made in their respective geotechnical investigation reports. Therefore, the impact of the Approved Entitlements would be similar to that of the proposed project and both would have a less than significant geologic impact with mitigation incorporated.

#### **e. Greenhouse Gas Emissions**

Similar to the proposed project, the remaining development under the Approved Entitlements would not conflict with applicable plans or policies related to greenhouse gas (GHG) emissions because it would consist of infill development that would comply with applicable energy conservation requirements and incorporate sustainability features while being consistent with regional efforts to reduce vehicle miles traveled (VMT) by providing housing and services in an already urbanized area well-served by transit, bicycle, and pedestrian facilities.

As shown in Section 4.5, *Greenhouse Gas Emissions*, construction and operation of remaining development under the Approved Entitlements would generate incrementally less GHG emissions as compared to the proposed project.<sup>2</sup> GHG emissions associated with Alternative 1 would not exceed the SCAQMD bright-line threshold of 3,000 MT of CO<sub>2</sub>e or the locally-applicable, project-specific efficiency threshold of 3.2 MT of CO<sub>2</sub>e per service person per year. Therefore, GHG emissions associated with Alternative 1 would remain less than significant, similar to the proposed project.

Overall, impacts related to GHG emissions for the Approved Entitlements would be decreased in comparison to the proposed project due to the incremental decrease in GHG emissions. Impacts would be less than significant.

#### **f. Hazards and Hazardous Materials**

As discussed in Section 4.6, *Hazards and Hazardous Materials*, both the Approved Entitlements and proposed project would involve demolition of buildings that, due to their age, may contain asbestos, lead-based paint, and polychlorinated biphenyls. Previous environmental documentation included mitigation measures to ensure the proper testing of building materials in order to identify potentially hazardous materials within buildings planned for demolition or renovation, and the proper handling and disposal of any hazardous materials discovered during construction (City of Beverly Hills 2008a and 2016a). Neither the operation of the Approved Entitlements nor the proposed project would involve the use, storage, or disposal of significant quantities of hazardous materials, and would therefore not pose a risk to the environment or nearby land uses. However,

---

<sup>2</sup> As noted in Section 4.5, *Greenhouse Gas Emissions*, existing uses to be demolished under remaining development of the Approved Entitlements include 217 hotel rooms, 17,315 sf of meeting room space, 1,239 parking spaces, a swimming pool, 2,556 sf of mercantile retail, 2,610 sf of hotel restaurant, and one acre of landscaping. In addition to these, existing uses to be demolished under the proposed project would include a 14-pump gas station and convenience store.



under Alternative 1, it is assumed that the gas station would operate and would store gasoline in the three USTs onsite. As discussed in Section 4.6, *Hazards and Hazardous Materials*, there are no open leaking UST cases on the project site, although there has previously been a case of a leak at the site, which was remediated and closed in 2016. Compared to the proposed project, Alternative 1 would continue storage of petroleum products at the gas station site, which represents a potential risk to the environment and nearby land uses from release of hazardous materials, similar to the risk posed by any gas station of a similar size in the region. Unlike the proposed project, Alternative 1 would not be required to implement mitigation measures related to the removal of underground storage tanks. Continued operation of the gas station would be required to comply with all federal, State, and local regulations, which would reduce risks related to potential release of hazardous materials. Because operation of the gas station is an existing condition, Alternative 1 would not result in an impact related to release of hazardous materials. Overall, impacts related to hazards and hazardous materials would be reduced in comparison to the proposed project because this alternative would not result in a potential risk to the environment and nearby land uses from release of hazardous materials due to removal of the USTs; however, impacts would remain less than significant with mitigation for both Alternative 1 and the proposed project.

#### **g. Land Use and Planning**

Alternative 1 includes buildout of the Approved Entitlements and continued operation of the existing gas station; therefore, it is consistent with the Beverly Hilton Specific Plan and the 9900 Wilshire Specific Plan, as well as the C-3 zoning standards for the gas station site, and is already fully entitled by the City. As such, it would have no conflicts with respect to applicable land use plans or policies. The proposed project, by comparison, would require adoption of the Overlay Specific Plan and additional required approvals. As discussed in Section 4.7, *Land Use and Planning*, adoption of these amendments would not conflict with other City plans or policies. Impacts would be less than significant with mitigation for both the proposed project and Alternative 1. Nevertheless, the overall impact of Alternative 1 would be incrementally less because no further changes to adopted plans would be required.

#### **h. Noise**

As discussed in Section 4.8, *Noise*, construction activities for remaining development under the Approved Entitlements would be substantially similar to those of the proposed project. Therefore, construction noise and vibration impacts would be significant, similar to those of the proposed project, and all mitigation from the Beverly Hilton Specific Plan 2008 EIR and the 9900 Wilshire Specific Plan 2016 SEIR would continue to apply. However, this mitigation would be less stringent than that required for the proposed project because it does not include as strict of requirements for mufflers, portable sound enclosures, and construction phasing restrictions. As a result, this mitigation would not be sufficient to reduce construction noise and vibration impacts below the threshold of significance. Therefore, construction noise and vibration impacts would be significant and unavoidable under remaining development of the Approved Entitlements and greater than those of the proposed project. This finding is consistent with the significant and unavoidable construction noise impact identified in the Beverly Hilton Specific Plan 2008 EIR and the significant and unavoidable construction vibration impacts identified in the Beverly Hilton Specific Plan 2008 EIR and the 9900 Wilshire Specific Plan 2016 SEIR.

Alternative 1 would result in a different distribution of operational noise sources such as heating, ventilation, and air conditioning (HVAC) equipment, swimming pools, outdoor dining areas, and

recreational space across the project site. However, given that operational noise levels under the proposed project are considerably lower than existing ambient noise levels, this redistribution would be unlikely to result in a substantial increase in operational noise as compared to the proposed project such that Alternative 1 would result in more than a one decibel (dBA) increase in ambient noise levels at the nearest sensitive receivers. Therefore, operational noise impacts would be less than significant, similar to the proposed project.

As discussed in Section 4.8, *Noise*, remaining development under the Approved Entitlements would increase existing traffic-related noise by less than 1 dBA along nearby roadways; therefore, off-site traffic noise impacts would be less than significant, similar to the proposed project.

Exposure of the proposed land uses under Alternative 1 to ambient noise levels in excess of the City's exterior and interior noise level standards would be similar to that of the proposed project. All mitigation from the Beverly Hilton Specific Plan 2008 EIR and the 9900 Wilshire Specific Plan 2016 SEIR would continue to apply, which would achieve noise/land use compatibility. Overall, noise impacts would be increased in comparison to the proposed project because of the significant and unavoidable impacts related to both construction noise and vibration under this alternative.

## **i. Transportation and Traffic**

Previous environmental documentation concluded that construction of the Approved Entitlements could potentially have significant impacts to the transportation system related to construction worker trips and parking, construction equipment and debris hauling, and temporary lane and sidewalk closures (City of Beverly Hills 2008a and 2016a). However, mitigation measures included in the previous environmental documentation, such as implementation of a Construction Traffic Management Plan and Construction Workers Parking Plan, were determined to reduce potential impacts to a less than significant level (City of Beverly Hills 2008a and 2016a). Therefore, similar to the proposed project, construction under Alternative 1 would have a less than significant construction impact to the transportation system with implementation of Mitigation Measures MM-TRAF-1 through MM-TRAF-6 from the Beverly Hilton Specific Plan 2008 EIR and 9900 Wilshire Specific Plan 2016 SEIR.

Previous environmental documentation determined that the Approved Entitlements would have less than significant operational impacts to programs, plans, ordinances and policies addressing the circulation system, including policies related to public transit and active transportation (City of Beverly Hills 2008a and 2016a). As discussed in Section 4.9, *Transportation and Traffic*, increased development intensity on the project site under both the Approved Entitlements and the proposed project would lead to increased vehicle trips and traffic on nearby roadways compared to existing conditions at the site. As detailed under Impact T-2, buildout of the Approved Entitlements would result in greater vehicle trips and VMT than the proposed project. The City has adopted four screening criteria to determine whether projects may have significant VMT impacts. Screening Criterion 4 indicates that projects located in a Transit Priority Area (TPA) may also be screened out from conducting a VMT analysis because they are presumed to have a less than significant impact. Based on existing transit service in Beverly Hills, the project site is located in a commercial zone within the boundary of four existing TPAs, less than a half-mile from four Metro Rapid bus stops, including the Santa Monica/Wilshire stop of Metro Rapid Line 704 and the Wilshire/Santa Monica stop of Metro Rapid Line 720 on both directions. Alternative 1's FAR is 2.54 and meets the 0.75 minimum requirement established in the OPR *Technical Advisory on Evaluating Transportation Impacts in CEQA* (2018). The project site is designated as Mixed Residential and Commercial in the SCAG RTP/SCS. Therefore, Alternative 1 is consistent with the RTP/SCS. Based on this information,

Alternative 1 is presumed to have a less than significant VMT impact and can be screened out from further VMT analysis. Based on the screening criteria, similar to the proposed project, Alternative 1 would not conflict with or be inconsistent with *CEQA Guidelines* Section 15064.3(b) and would not result in a significant transportation impact related to VMT.

The project site has a high level of accessibility for emergency vehicles, both from a regional and a site perspective due to the project site's location adjacent to North Santa Monica Boulevard and Wilshire Boulevard and the numerous site access points provided throughout. Previous environmental documentation included mitigation for the inclusion of Opticom devices on the new traffic signal at Merv Griffin Way and North Santa Monica Boulevard to ensure that the Approved Entitlements would not impair emergency access and response (City of Beverly Hills 2008a and 2016a). Similar to the proposed project, previous environmental documentation determined the Approved Entitlements would not impede emergency access (City of Beverly Hills 2008a and 2016a). In addition, the Beverly Hilton Specific Plan 2008 EIR determined that the Beverly Hilton Specific Plan would not create hazardous conditions due to geometries of proposed driveways and intersections (City of Beverly Hills 2008a). Likewise, the 9900 Wilshire Specific Plan 2016 SEIR included mitigation that would require an adequate turn radius for the site access from Wilshire Boulevard to ensure that vehicles could safely turn right onto the property (City of Beverly Hills 2016a). Similar to the proposed project, Alternative 1 would have less than significant impacts related to project construction, emergency access, and the safety of project driveways and intersections with implementation of Mitigation Measure MM-TRAF-7 from the Beverly Hilton Specific Plan 2008 EIR and Mitigation Measures MM TRAF-7 and MM TRAF-8 from the 9900 Wilshire Specific Plan 2016 SEIR. Overall, impacts related to transportation and traffic would be similar to the proposed project and less than significant with mitigation.

#### **j. Tribal Cultural Resources**

As discussed in Section 4.10, *Tribal Cultural Resources*, ground-disturbing activities during construction would have the potential to unearth or adversely affect previously unidentified significant tribal cultural resources. Implementation of Mitigation Measures MM-TCR-1 through MM-TCR-6 would be required to reduce impacts to a less than significant level. Because Alternative 1 would be constructed on predominately the same site as the proposed project (excluding the gas station site), Alternative 1 would have similar impacts to tribal cultural resources. However, the previous environmental documentation does not contain mitigation for tribal cultural resources; therefore, Alternative 1 would have a potentially significant impact to tribal cultural resources, which would be a greater impact than the proposed project.

#### **k. Utilities**

As discussed in Section 4.11, *Utilities (Water Supply)*, buildout under the Approved Entitlements (Alternative 1) would introduce additional population, housing, height, and development area to the project site as compared to existing conditions. Existing fire flow facilities servicing the project site may not be adequate for redevelopment of the project site. However, Mitigation Measures MM-FIRE-2 and MM-WTR-1 in previous environmental documents require replacement of the water main feeding the fire hydrants servicing the project site to achieve adequate fire flow for buildout under the Approved Entitlements. Therefore, similar to the proposed project, impacts related to fire flow facilities would be less than significant for Alternative 1 with mitigation.

Regarding water supply, Alternative 1 would generate demand for an estimated 334.2 acre-feet per year (AFY) of water. By comparison, the proposed project would generate demand for about

317.7 AFY. Thus, demand associated with Alternative 1 would be about 16.5 AFY (5.2 percent) more than that of the proposed project, and impacts would be incrementally greater. In addition, Alternative 1 would not provide the graywater capture system for landscape irrigation included in the proposed project. Therefore, the proposed project would use less water than Alternative 1 and would include more water sustainability features. However, similar to the proposed project, current and planned water supplies would be adequate to meet the demands of Alternative 1 and impacts would remain less than significant.

## 6.2 Alternative 2: No Further Development

### 6.2.1 Description

Under this alternative, no change to the existing development on the project site would occur and hotel operations would remain largely the same as current conditions, although minor renovations and improvements to existing hotel facilities may occur in the foreseeable future (see Table 6-1). Under this scenario, the existing gas station at 9988 Wilshire Boulevard would become operational again as a gas station. Alternative 2, like Alternative 1, is considered a “no project” alternative as it proposes no further action on the project site.

### 6.2.2 Impact Analysis

This alternative is reflective of a comparison of the proposed project to the existing conditions at the time this analysis was completed. A full comparison of the proposed project to existing conditions (no further development) is provided within the individual resource sections in Chapter 4, *Environmental Impact Analysis*, of this SEIR. No change in environmental conditions would occur under this alternative because no development would occur, and site conditions would not change. This alternative would avoid the proposed project’s significant and unavoidable impacts related to cultural resources (specifically historical resources) and cumulative construction noise, as well as significant, but mitigable impacts related to air quality, biological resources, geology and soils, hazards and hazardous materials, land use and planning, transportation and traffic, tribal cultural resources, and utilities. No significant impacts would occur under this alternative and none of the mitigation measures required for the proposed project or in the previous environmental documentation would apply.

Overall, this alternative’s impacts would be less than those of the proposed project in each environmental category. However, it is noted that selection of the No Further Development would not preclude the future development of the site if the necessary entitlements for site development were obtained. Furthermore, this alternative would not fulfill the applicant’s stated objectives for the project, nor would it meet the 2010 General Plan vision for the project site as an anchor location with higher intensity development with a variety of land uses (Policy LU 9.3 Anchor Locations). In addition, similar alternatives to this no further development alternative were rejected by the City Council in 2008 as socially infeasible for several reasons, including that this alternative does not achieve the objective of increasing the City’s housing stock without eliminating existing housing stock and does not enhance the City’s gateways through open space, landscaping, and a gateway statement at the corner of Wilshire and North Santa Monica Boulevards (City of Beverly Hills Resolution No. 08-R-12600). Further this alternative would leave the 9900 Wilshire site in a vacant, fenced, and partially excavated condition.

## 6.3 Alternative 3: One Residential/Hotel Tower and One Residential Tower

### 6.3.1 Description

This alternative involves the development of the Garden Residence with combined residential/hotel uses and the Santa Monica Residence with residential uses. This alternative would not include construction of the Wilshire Building in order to allow for increased building setbacks from Wilshire Boulevard and North Santa Monica Boulevard. Removing the Wilshire Building would result in an increase in open space under this alternative by 0.7 acre compared to the proposed project. The residential and hotel uses included under the proposed project for the Wilshire Building would be redistributed to the Garden Residences and Santa Monica Residence buildings, increasing their heights by 40 and 30 feet, respectively. Under this alternative, access to the residential and hotel uses would continue to be provided via a new private road along the western property boundary, similar to the proposed project. As detailed in Table 6-1, all other components of this alternative would remain the same as those of the proposed project, including the total FAR of 2.55. Construction techniques, duration, and equipment would be similar to that used for construction of the proposed project. This alternative would have the same program of uses as the proposed project, including the same total building square footages, residential unit counts, and hotel room counts. The purpose of this alternative is to address historical resource impacts related to the historic viewshed of the Wilshire Tower from Wilshire Boulevard and North Santa Monica Boulevard, and views from the Wilshire Tower. Figure 6-3 provides a site plan for Alternative 3 and Figure 6-4 provides a massing diagram.

Figure 6-3 Conceptual Site Plan for Alternative 3

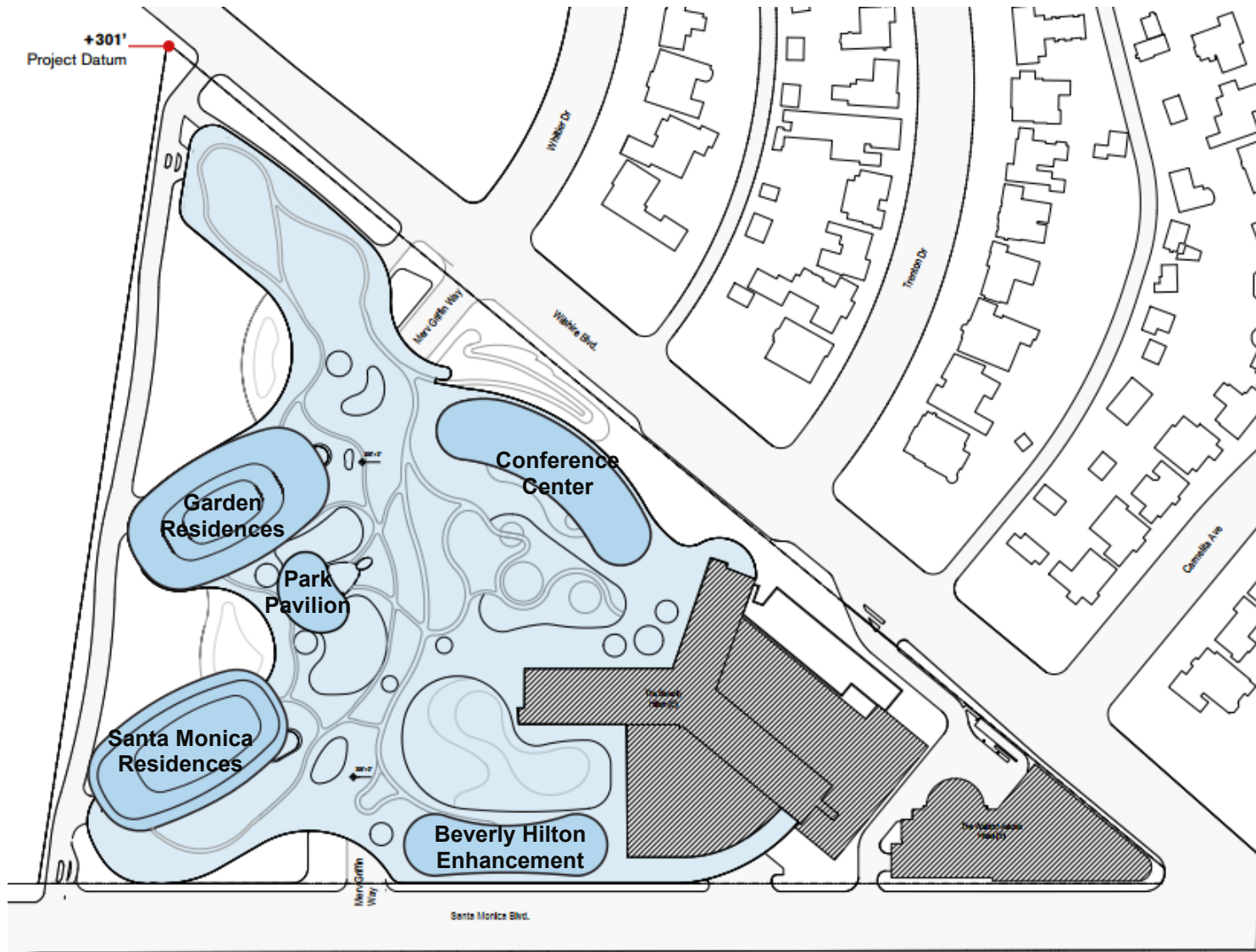
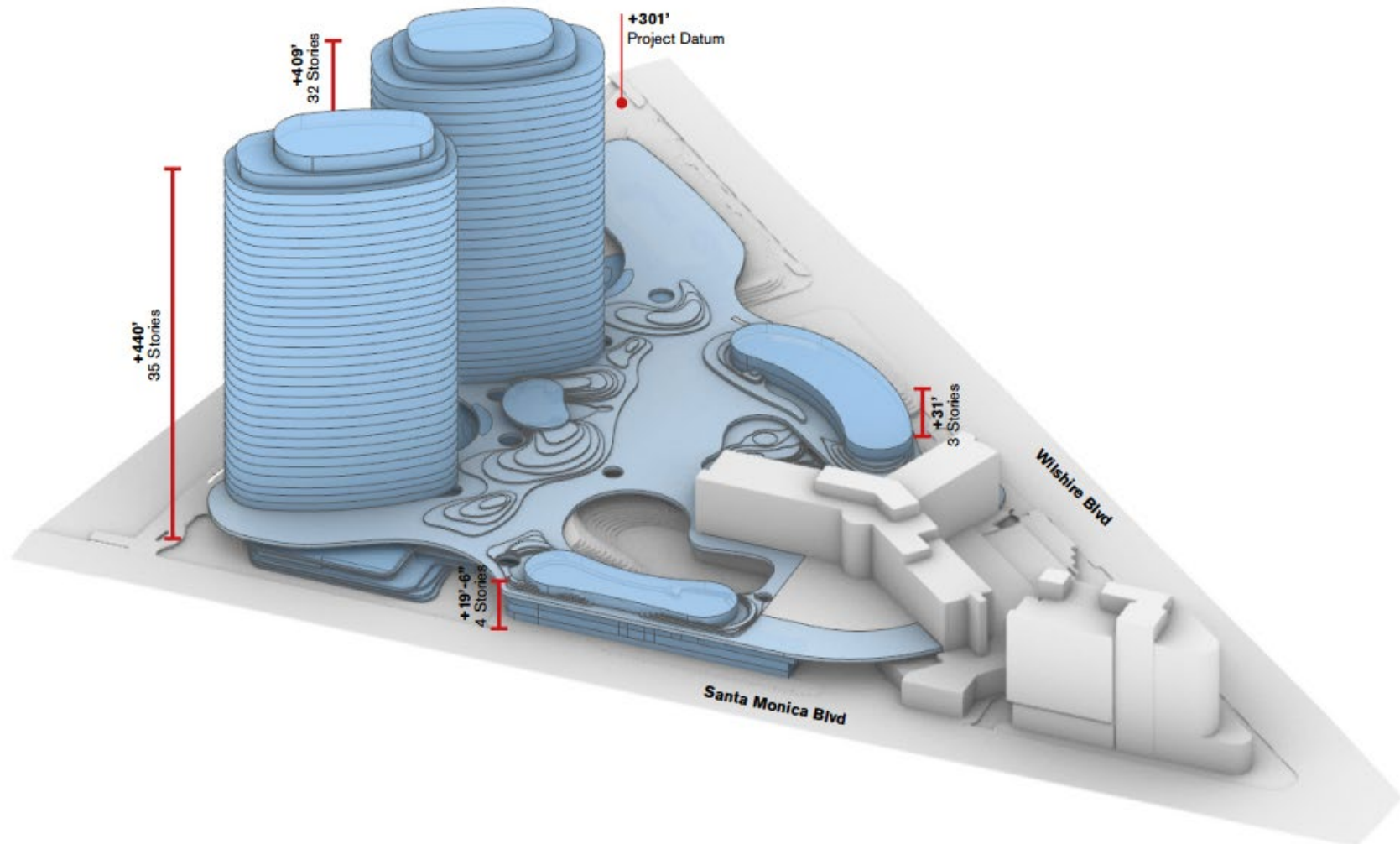


Figure 6-4 Massing Diagram for Alternative 3



## 6.3.2 Impact Analysis

### a. Air Quality

Construction-related and operational air pollutant emissions associated with Alternative 3 would not be substantially different than those of the proposed project despite the increase in building height because the total square footage of all uses would remain the same, and would require similar construction techniques, equipment, and use duration. Similar to the proposed project, Mitigation Measures MM-AQ-1 through MM-AQ-17\*<sup>3</sup> would be required for this alternative to reduce construction-related criteria air pollutant emissions to a less than significant level, and operational emissions would be less than significant without mitigation. Because Alternative 3 would not change the number of residential units or hotel rooms, the square footage of commercial uses, or the proposed land use types, this alternative would accommodate a similar number of residents and employees, generate a similar number of net new vehicle trips, and have a similarly low potential to generate considerable TAC emissions as the proposed project. Therefore, as with the proposed project, Alternative 3 would not conflict with the SCAQMD's 2016 AQMP or expose sensitive receptors to substantial concentrations of carbon monoxide or TACs. Overall air quality impacts associated with Alternative 3 would be similar to those of the proposed project and would, therefore, be less than significant with mitigation incorporated.

### b. Biological Resources

Alternative 3 would include a similar construction footprint, including the underground parking structure configuration, promenade structure, and building locations, and the same mix of land uses as the proposed project, but would remove the Wilshire Building located at the northwest corner of the project site and extend the botanical gardens in this area of the project site. As the site configuration, construction activities, and land uses would be similar to the proposed project, impacts to biological resources related to construction and operation of Alternative 3 would be similar to the proposed project. As discussed in Section 4.2, *Biological Resources*, a field reconnaissance survey and Focused Bat Survey were both conducted in 2020. Neither found evidence of the presence of protected species on the site, including birds and bats, riparian habitat or other sensitive natural community, wetlands, or heritage trees. However, structures and mature trees on the project site, as well as trees and structures in the vicinity of the project site, could potentially be utilized by nesting birds or roosting bats, though no nests or roosts were observed during the site surveys. Therefore, construction of Alternative 3 would result in similar impacts to biological resources compared to the proposed project. Similar to the proposed project, Alternative 3 would be required to implement Mitigation Measure MM-BIO-1, which requires pre-construction surveys and avoidance of nesting birds, and Mitigation Measure MM-BIO-2, which includes requirements for pre-construction bat surveys and avoidance measures. Overall, impacts to biological resources would be similar to the proposed project and less than significant with mitigation incorporated.

### c. Cultural Resources

Alternative 3 would have incrementally fewer impacts to a historical resource (the Beverly Hilton) than the proposed project. Like the proposed project, Alternative 3 would also include the demolition of Beverly Hilton Property's contributing buildings and features, including the western

---

<sup>3</sup> "\*" indicates a mitigation measure that is carried forward from previous environmental documentation and is required for the proposed project.



Wilshire Edge building, the Swimming Pool and Lanai Rooms, the Palm/Oasis Court, and the parking garage. Demolition of these structures would materially impair the resource and alter physical characteristics that help to convey the Beverly Hilton Property's historic significance. Although the Beverly Hilton Property would no longer be eligible for designation in the CRHR, the Wilshire Tower individually may remain eligible for listing in the NRHP, CRHR and as a City of Beverly Hills Landmark.

Because Alternative 3 would not include construction of the Wilshire Building and would include increased setbacks from North Santa Monica Boulevard and Wilshire Boulevard, Alternative 3 would preserve more of the significant view of the Wilshire Tower from the south and west from North Santa Monica Boulevard and from the north and west from Wilshire Boulevard that would be lost under the proposed project. In addition, views from the Wilshire Tower to the west would be improved because they would not be obstructed by the Wilshire Building under this scenario. Therefore, Alternative 3 would have less of an impact to the significant viewsheds of and from the Wilshire Tower, when compared to the proposed project. Nevertheless, the historical resource impacts of Alternative 3 would remain significant and unavoidable due to the demolition of most of the Beverly Hilton Property's contributing buildings and features.

Adjacent to the LACC, Alternative 3 would construct taller buildings than the proposed project but would construct one less building (because of elimination of the Wilshire Building). While these buildings would alter the immediate surroundings of the LACC property, they would not result in material impairment of the property's significance and impacts to the property as a result of Alternative 3 would be less than significant, similar to the proposed project. Overall, impacts related to cultural resources would be reduced in comparison to the proposed project but would remain significant and unavoidable.

#### **d. Geology and Soils**

Alternative 3 would be constructed on the same project site as the proposed project. As discussed in Section 4.4, *Geology and Soils*, although the project site is within 300 feet of the Santa Monica Fault Zone, it is not located within 50 feet of an Alquist-Priolo Special Study Zone. In addition, no active faults are present on-site, and no active faults are trending toward the project site. Therefore, both Alternative 3 and the proposed project would have a less than significant impact related to surface rupture.

Due to the close proximity of several faults, both Alternative 3 and the proposed project would have a significant but mitigable impact related to seismic ground shaking. Both projects would be required to implement mitigation measures that require construction in accordance with recommendations made in their respective geotechnical investigation reports. Therefore, the impact of Alternative 3 would be similar to that of the proposed project and both would have a less than significant geologic impact with mitigation incorporated.

#### **e. Greenhouse Gas Emissions**

Similar to the proposed project, Alternative 3 would not conflict with the applicable GHG emission reduction measures/policies of the Beverly Hills General Plan and Sustainable City Plan, Southern California Association of Governments (SCAG) 2020-2045 RTP/SCS, 2017 Scoping Plan, and Executive Order (EO) B-55-18 because it would consist of infill development that would comply with applicable energy conservation requirements and incorporate sustainability features, while being consistent with regional efforts to reduce VMT by providing housing and services in an already urbanized area well-served by transit, bicycle, and pedestrian facilities.

Construction-related and operational GHG emissions associated with Alternative 3 would not be substantially different than those of the proposed project despite the increase in building height because the total square footage of all uses would remain the same and a similar number of residents and employees (i.e., a similar service population) would be accommodated. Therefore, similar to the proposed project, GHG emissions associated with Alternative 3 would not exceed the locally-applicable, project-specific threshold of 3.2 MT of CO<sub>2</sub>e per year or the SCAQMD bright-line threshold of 3,000 MT of CO<sub>2</sub>e.

Overall, impacts related to GHG emissions would be similar to the proposed project and less than significant.

#### **f. Hazards and Hazardous Materials**

Similar to the proposed project, Alternative 3 would involve demolition of the Palm/Oasis Court Building, swimming pool, Lanai Rooms, parking garage, gas station, and Wilshire Edge Building. As discussed in Section 4.6, *Hazards and Hazardous Materials*, due to the age of these structures, they may contain asbestos, lead-based paint, and polychlorinated biphenyls. In addition, the gas station site contains three currently empty USTs, which would be removed during demolition of the gas station. Similar to the proposed project, Alternative 3 would be required to comply with mitigation measures to ensure the proper testing of building materials in order to identify potentially hazardous materials within buildings planned for demolition, and the proper handling and disposal of any hazardous materials discovered during construction. Likewise, Alternative 3 would be required to comply with mitigation contained in Section 4.6, *Hazards and Hazardous Materials*, regarding the proper removal and closure of the onsite USTs.

Operation of both Alternative 3 and the proposed project would not involve the use, storage, or disposal of significant quantities of hazardous materials, and would therefore, not pose a risk to the environment or nearby land uses. In addition, Alternative 3 would be required to include an Opticom device on the new traffic signal at Merv Griffin Way and North Santa Monica Boulevard to ensure that the project would not impair emergency evacuation plans and emergency response. Similar to the proposed project, with implementation of mitigation identified Section 4.6, *Hazards and Hazardous Materials*, Alternative 3 would not result in any significant impacts related to hazards and hazardous materials. Overall, impacts related to hazards and hazardous materials would be similar to the proposed project and less than significant with mitigation.

#### **g. Land Use and Planning**

As with the proposed project, Alternative 3 would require a new Overlay Specific Plan and amendments to the General Plan. Similar to the proposed project, Alternative 3 would occur on sites designated for residential, commercial, and hotel uses, and within the City's existing framework. The scale and massing of Alternative 3 would be generally compatible with other urban development on North Santa Monica Boulevard in Century City, where buildings of similar scale are located. The 35-story, 440-foot tall Santa Monica Residences and the 32-story, 409-foot tall Garden Residences under Alternative 3 would be approximately 30 and 40 feet taller than the proposed project's respective buildings. Similar to the proposed project, these buildings would exceed the height of the existing Beverly Hilton (95 feet) and Waldorf-Astoria Beverly Hills (150 feet), and the maximum building heights allowed in the Existing Specific Plans<sup>4</sup>.

---

<sup>4</sup> The maximum building heights entitled by the Beverly Hilton Specific Plan and 9900 Wilshire Specific Plan are 200 feet and 185 feet, respectively.

In comparison to the proposed project, Alternative 3 would increase the height of the Santa Monica Residences by approximately 7 percent and the height of the Garden Residences by approximately 10 percent. The proposed project would contribute to a gradual west-to-east transition in building height along North Santa Monica Boulevard consistent with 2010 General Plan goals and policies LU 1.1 (The Scale of the City), LU 2.1 (City Places: Neighborhoods, Districts, and Corridor), and LU 9.3 (Anchor Locations). In comparison, Alternative 3 would contribute to a more abrupt west-to-east transition along North Santa Monica Boulevard as its buildings are more similar in height to the Ten Thousand, a 40 story, approximately 460-foot tall residential building located at 10000 North Santa Monica Boulevard, approximately 320 feet southwest of the project site. Alternative 3 would be generally consistent with the City's 2010 General Plan, but incrementally less consistent than the proposed project due to the increase in the scale of development on the project site (up to a 10 percent increase in building height) and would be potentially incrementally less consistent with the scale of development envisioned for the City of Beverly Hills. However, Alternative 3 would increase open space within the project site in comparison to the proposed project, consistent with 2010 General Plan goals and policies LU 2.2 (Public Streetscapes and Landscape), LU 7.2 (Amenities), LU 9.4 Anchor Location Design Criteria), LU 13 (Public and Quasi-Public Uses Supporting Resident Needs), LU 13.10 (Parks and Open Spaces), and LU 16.4 (Public Places). Alternative 3 would have less than significant impacts related to land use and planning with approval of a general plan amendment and overlay specific plan, and implementation of mitigation measures identified throughout the SEIR; however, in comparison to the proposed project, it would be incrementally less consistent with the scale of development envisioned for the project site, but would be incrementally more consistent with policies related to provisioning of open space. Overall, land use-related impacts would be greater under Alternative 3, although impacts would remain significant but mitigable similar to the proposed project.

## **h. Noise**

Alternative 3 would require similar construction activities as the proposed project despite the increase in building height because the total square footage of all uses would remain the same; therefore, construction noise and vibration impacts would be similar to those of the proposed project. As with the proposed project, Mitigation Measures MM-NOISE-1 and MM-NOISE-4 would be required for this alternative to reduce construction noise and vibration impacts to a less than significant level.

Alternative 3 would redistribute operational noise sources such as swimming pools across the project site due to increased building setbacks from Wilshire Boulevard and North Santa Monica Boulevard. This modified layout of buildings would site some operational noise sources farther away from sensitive receivers to the north and south. Therefore, operational noise impacts under this alternative would be incrementally less than those of the proposed project and would remain less than significant.

Because the land uses, square footages, and access points would remain the same under Alternative 3, the number and distribution of net new vehicle trips would be the same as the proposed project. Therefore, off-site traffic noise impacts would be similar to those of the proposed project and would be less than significant.

The proposed land uses under Alternative 3 would be exposed to incrementally lower ambient noise levels due to increased building setbacks from Wilshire Boulevard and North Santa Monica Boulevard. Nevertheless, the proposed land uses would likely still be exposed to ambient noise levels in excess of the City's exterior and interior noise level standards, and similar to the proposed

project, MM-NOISE-2\* and Mitigation Measure MM-NOISE-3\*<sup>3</sup> would continue to apply to this alternative to achieve noise/land use compatibility. Overall, noise impacts would be reduced in comparison to the proposed project and would remain less than significant with mitigation.

### **i. Transportation/Traffic**

Because the land uses and square footages would remain the same under Alternative 3, the number and distribution of net new vehicle trips and vehicle miles traveled would be the same as the proposed project. Therefore, similar to the proposed project, Alternative 3 would not conflict with or be inconsistent with *CEQA Guidelines* Section 15064.3(b).

As with the proposed project, construction of Alternative 3 would disrupt the circulation system through temporary roadway closures, lane closures, and sidewalk closures and construction-related trips to and from the site. Implementation of Mitigation Measures MM-TRAF-1 through MM-TRAF-6, and MM-TRAF-10 would minimize disruptions during construction for the both the proposed project and Alternative 3. Therefore, construction of Alternative 3 would have less than significant construction-related impacts to the circulation system.

As discussed in Section 4.9, *Transportation and Traffic*, the project site has a high level of accessibility for emergency vehicles, both from a regional and a site perspective due to the project site's location adjacent to North Santa Monica Boulevard and Wilshire Boulevard and the numerous site access points provided throughout. Alternative 3 would have the same access points as the proposed project; therefore, impacts related to emergency access and safety of project driveways and intersections would be less than significant with implementation of Mitigation Measures MM-TRAF-7 through MM-TRAF-9. Overall, impacts related to transportation and traffic would be similar to the proposed project and less than significant with mitigation.

### **j. Tribal Cultural Resources**

As discussed in Section 4.10, *Tribal Cultural Resources*, ground-disturbing activities during construction would have the potential to unearth or adversely affect previously unidentified significant tribal cultural resources, and implementation of Mitigation Measures MM-TCR-1 through MM-TCR-6 would be required to reduce impacts to a less than significant level. Because Alternative 3 would be constructed on the same site as the proposed project, Alternative 3 would have similar impacts to tribal cultural resources and would be required to implement Mitigation Measures MM-TCR-1 through MM-TCR-6 to reduce impacts to a less than significant level. Overall, impacts related to tribal cultural resources would be similar to the proposed project and less than significant with mitigation.

### **k. Utilities**

Because Alternative 3 would contain the same land use program and square footages as the proposed project, the indoor water demand of Alternative 3 would be similar to that of the proposed project. Alternative 3 would include more open space (0.7 acre) than the proposed project; therefore, it would demand incrementally more water for landscape watering. However, similar to the proposed project, current and planned water supplies would be adequate to meet the demands of Alternative 3 and impacts would remain less than significant.

Similar to the proposed project, the replacement water main identified in the previous environmental documents' mitigation measures (MM FIRE-2 and MM WTR-1) may no longer be adequate for this alternative because the water main size specified in the mitigation measure may

no longer provide sufficient fire flow for the alternative's building heights, population, or building area. Therefore, similar to the proposed project, Alternative 3 would be required to implement Mitigation Measure MM-UTIL-1 to contribute to the utility upgrades required for the fire hydrants. Overall, impacts related to utilities would be similar to the proposed project and less than significant with mitigation.

## 6.4 Alternative 4: Preservation of the Wilshire Edge Building, Swimming Pool and Lanai Rooms

### 6.4.1 Description

This alternative would alter development on the Beverly Hilton site to avoid demolition of the Wilshire Edge building and the Lanai Rooms, and include reconstruction of the Swimming Pool in kind in at the same location as it currently exists. The Wilshire Edge building would continue to be used as a conference center, and no new conference center building would be constructed under this alternative. The parking garage would be demolished under this alternative. Similar to Alternative 3, this alternative would not include construction of the Wilshire Building in order to allow for increased building setbacks from Wilshire Boulevard and North Santa Monica Boulevard. The remaining residential and hotel uses would be redistributed to a new 14-story, 110-foot tall building in the middle of the project site, parallel to Merv Griffin Way. Construction techniques, duration, and equipment would be similar to that used for construction of the proposed project. This building would also include uses previously envisioned for the Beverly Hilton Enhancement building under the proposed project, but the 36 poolside hotel rooms included in the proposed project would not be constructed as the existing Lanai Rooms would remain in place. Under this alternative, access to the residential and hotel uses would continue to be provided via a new private road along the western property boundary, similar to the proposed project. As detailed in Table 6-1, all other components of this alternative would remain the same as those of the proposed project, including the total FAR of 2.55. This alternative would have the same program of uses as the proposed project, including the same total building square footages, residential unit counts, and hotel room counts. However, under this alternative, open space within the project site would be reduced to 8.2 acres. The purpose of this alternative is to address historic resource impacts related to the proposed project's impacts to historic views of Wilshire Tower from Wilshire Boulevard, and contributing buildings and features of the Beverly Hilton. Figure 6-5 provides a site plan for Alternative 4 and Figure 6-6 provides a massing diagram.

Figure 6-5 Conceptual Site Plan for Alternative 4

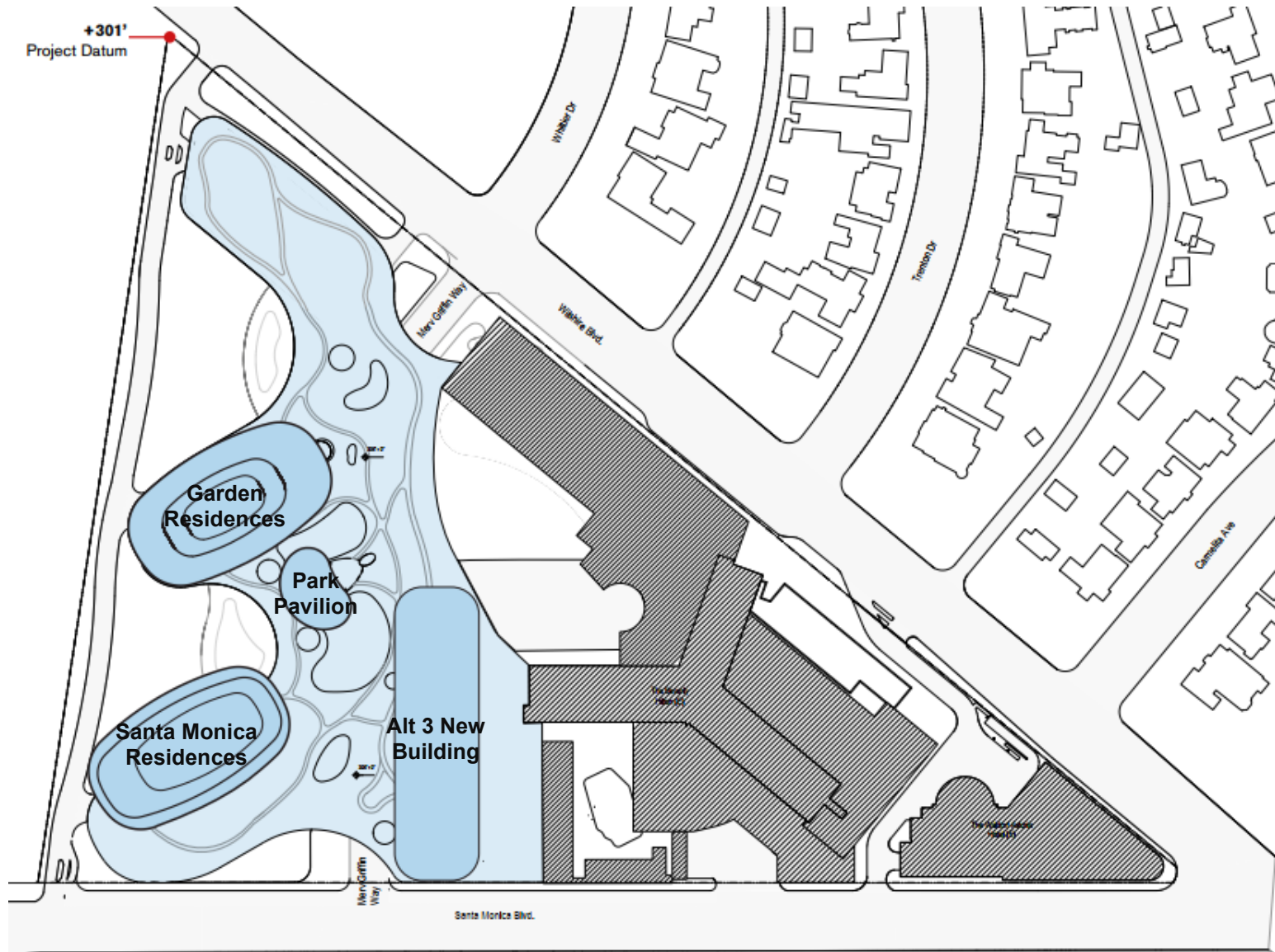
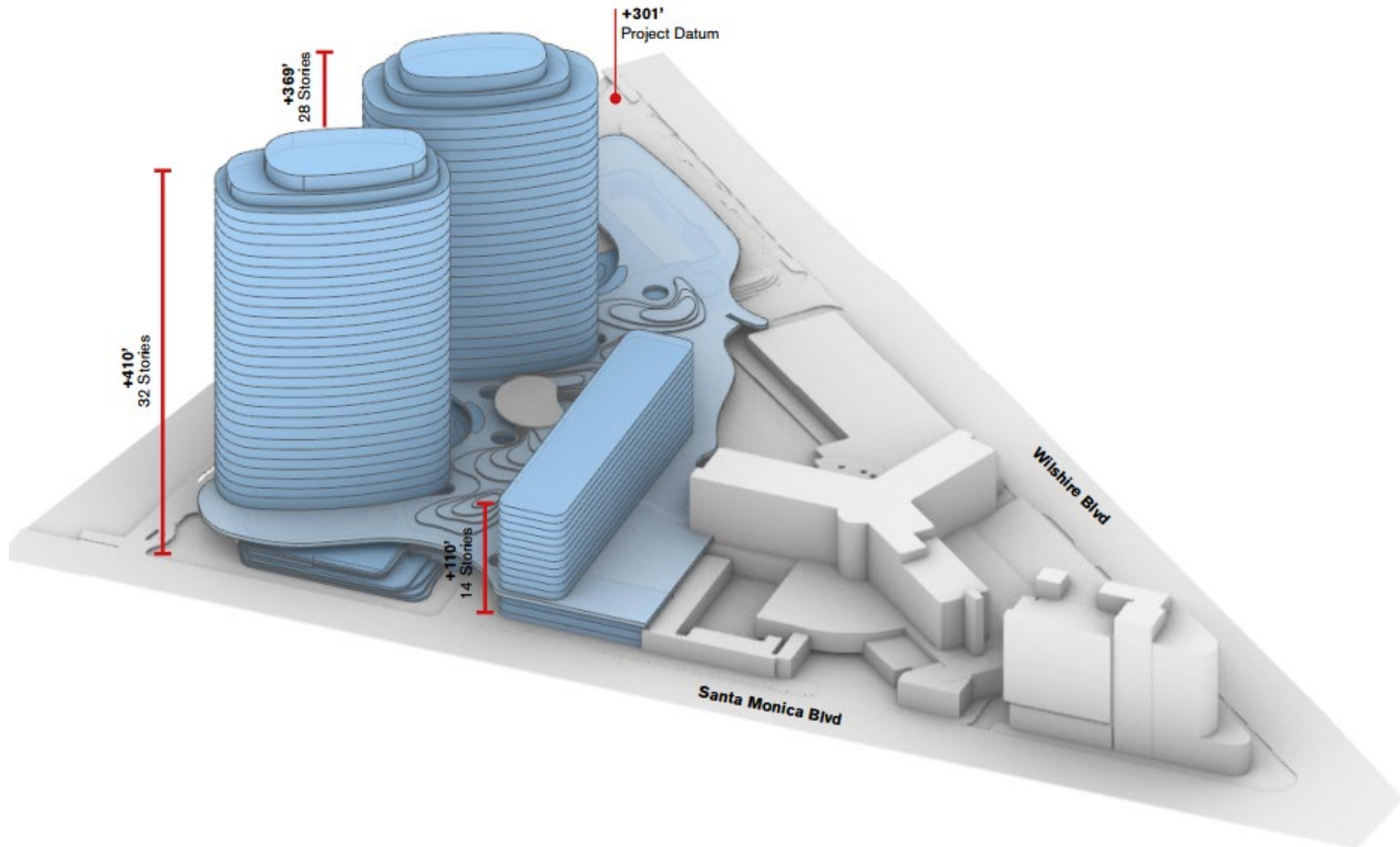


Figure 6-6 Massing Diagram for Alternative 4



## 6.4.2 Impact Analysis

### a. Air Quality

Construction-related air pollutant emissions associated with Alternative 4 would be incrementally less than those of the proposed project because fewer demolition activities would be required given that the Wilshire Edge Building and Lanai Rooms would remain in place. However, similar to the proposed project, Mitigation Measures MM-AQ-1 through MM-AQ-17\*<sup>3</sup> would be required for this alternative to reduce construction-related criteria air pollutant emissions to a less than significant level. Operational air pollutant emissions associated with Alternative 4 would not be substantially different than those of the proposed project despite the increase in building height because the total square footage of all uses would remain the same. Therefore, operational emissions would be less than significant, similar to the proposed project. Because Alternative 4 would not change the number of residential units or hotel rooms, the square footage of commercial uses, or the proposed land use types, this alternative would accommodate a similar number of residents and employees, generate a similar number of net new vehicle trips, and have a similarly low potential to generate TAC emissions as the proposed project. Therefore, as with the proposed project, Alternative 4 would not conflict with the SCAQMD's 2016 AQMP or expose sensitive receptors to substantial concentrations of carbon monoxide or TACs. Overall air quality impacts associated with Alternative 4 would be incrementally reduced in comparison to the proposed project due to the reduction in construction-related emissions, therefore impacts would remain less than significant with mitigation incorporated.

### b. Biological Resources

Alternative 4 would include the same mix of land uses as the proposed project; therefore, impacts to biological resources related to operation of Alternative 4 would be similar to the proposed project. As discussed in Section 4.2, *Biological Resources*, a field reconnaissance survey and Focused Bat Survey were both conducted in 2020. Neither found evidence of the presence of protected species on the site, including birds and bats, riparian habitat or other sensitive natural community, wetlands, or heritage trees. However, structures and mature trees on the project site, as well as trees and structures in the vicinity of the project site, could potentially be utilized by nesting birds or roosting bats, though no nests or roosts were observed during the site surveys. Although the construction footprint under Alternative 4 would be reduced in comparison to the proposed project, Alternative 4 would only avoid construction in existing developed areas within the Beverly Hilton site and would continue to include construction in areas identified in Section 4.2, *Biological Resources*, as potentially supporting bird nests or bats (the gas station site and 9900 Wilshire Boulevard site). Therefore, construction of Alternative 4 would result in similar impacts to biological resources compared to the proposed project. Similar to the proposed project, Alternative 4 would be required to implement Mitigation Measure MM-BIO-1, which requires pre-construction surveys and avoidance of nesting birds, and Mitigation Measure MM-BIO-2, which includes requirements for pre-construction bat surveys and avoidance measures. Overall, impacts to biological resources would be similar to the proposed project and less than significant with mitigation incorporated.

### c. Cultural Resources

Alternative 4 would have fewer impacts to a historical resource (the Beverly Hilton Property) than the proposed project. Alternative 4 would not demolish the western Wilshire Edge building or the Lanai Rooms, which are contributing buildings and features of the Beverly Hilton Property as



discussed in Section 4.3, *Cultural Resources*. Nonetheless, as with the proposed project, the Beverly Hilton Property would not retain substantial integrity from its period of significance and would not remain eligible for designation in the CRHR, but the Wilshire Tower individually may remain eligible for listing in the NRHP, CRHR and as a City of Beverly Hills Landmark. Because Alternative 4 would include increased setbacks from Wilshire Boulevard, it would preserve more of the significant view of the Wilshire Tower from the north and west from Wilshire Boulevard that would be lost under the proposed project. However, as with the proposed project, Alternative 4 would result in the loss of the significant view of the Wilshire Tower from the south and west from North Santa Monica Boulevard. Additionally, like the proposed project views from the Beverly Hilton would be obstructed by the new 14 story, 110-foot tall building that would be built parallel to Merv Griffin Way. Therefore, although Alternative 4 would have fewer impacts to the Beverly Hilton Property by preserving several contributing buildings and features and significant views from Wilshire Boulevard, Alternative 4 would have a significant and unavoidable historical resources impact due to the demolition of the Palm/Oasis Court and Parking Garage, reconstruction of the Swimming Pool, impacts to views of the Wilshire Tower from North Santa Monica Boulevard, and impacts to views from the Beverly Hilton.

Adjacent to the LACC, Alternative 4 would construct buildings of similar height to the proposed project but would construct one less building (the Wilshire Building would not be constructed). While these buildings would alter the immediate surroundings of the LACC property, they would not result in material impairment of the property's significance and impacts to the property as a result of Alternative 4 would be less than significant, similar to the proposed project. Because it would construct fewer buildings than the proposed project, Alternative 4 would have an incrementally lower impact to the historical significance of the LACC property, however, impacts would remain less than significant. Overall, impacts related to cultural resources would be reduced in comparison to the proposed project but would remain significant and unavoidable.

#### **d. Geology and Soils**

Alternative 4 would be constructed on the same project site as the proposed project. As discussed in Section 4.4, *Geology and Soils*, although the project site is within 300 feet of the Santa Monica Fault Zone, it is not located within 50 feet of an Alquist-Priolo Special Study Zone. In addition, no active faults are present on-site, and no active faults are trending toward the project site. Therefore, both Alternative 4 and the proposed project would have a less than significant impact related to surface rupture.

Due to the close proximity of several faults, both Alternative 4 and the proposed project would have a significant but mitigable impact related to seismic ground shaking. Both projects would be required to implement mitigation measures that require construction in accordance with recommendations made in their respective geotechnical investigation reports. Therefore, the impact of Alternative 4 would be similar to that of the proposed project and both would have a less than significant geologic impact with mitigation incorporated.

#### **e. Greenhouse Gas Emissions**

Similar to the proposed project, Alternative 4 would not conflict with the applicable GHG emission reduction measures/policies of the Beverly Hills General Plan and Sustainable City Plan, SCAG 2020-2045 RTP/SCS, 2017 Scoping Plan, and EO B-55-18 because it would consist of infill development that would comply with applicable energy conservation requirements and incorporate sustainability

features while being consistent with regional efforts to reduce VMT by providing housing and services in an already urbanized area well-served by transit, bicycle, and pedestrian facilities.

Construction-related GHG emissions associated with Alternative 4 would be incrementally less than those of the proposed project because fewer demolition activities would be required given that the Wilshire Edge Building and Lanai Rooms would remain in place. Operational GHG emissions associated with Alternative 4 would not be substantially different than those of the proposed project despite the increase in building height because the total square footage of all uses would remain the same and a similar number of residents and employees (i.e., a similar service population) would be accommodated. Therefore, as with the proposed project, GHG emissions associated with Alternative 4 would not exceed the locally-applicable, project-specific threshold of 3.2 MT of CO<sub>2</sub>e per year or the SCAQMD bright-line threshold of 3,000 MT of CO<sub>2</sub>e.

Overall, impacts related to GHG emissions would be incrementally reduced in comparison to the proposed project because of the reduction in construction emissions, but both proposed project and Alternative 4 impacts would be less than significant.

#### **f. Hazards and Hazardous Materials**

Similar to the proposed project, Alternative 4 would involve demolition of the Palm/Oasis Court Building, parking garage, and gas station. As discussed in Section 4.6, *Hazards and Hazardous Materials*, due to the age of these structures, they may contain asbestos, lead-based paint, and polychlorinated biphenyls. In addition, the gas station site contains three currently empty USTs, which would be removed during demolition of the gas station. Similar to the proposed project, Alternative 4 would be required to comply with mitigation measures to ensure the proper testing of building materials in order to identify potentially hazardous materials within buildings planned for demolition, and the proper handling and disposal of any hazardous materials discovered during construction. Likewise, Alternative 4 would be required to comply with mitigation contained in Section 4.6, *Hazards and Hazardous Materials*, regarding the proper removal and closure of the onsite USTs.

Operation of either Alternative 4 or the proposed project would not involve the use, storage, or disposal of significant quantities of hazardous materials, and would therefore, not pose a risk to the environment or nearby land uses. In addition, Alternative 4 would be required to include an Opticom device on the new traffic signal at Merv Griffin Way and North Santa Monica Boulevard to ensure that the project would not impair emergency evacuation plans and emergency response. Similar to the proposed project, with implementation of mitigation identified Section 4.6, *Hazards and Hazardous Materials*, Alternative 4 would not result in any significant impacts related to hazards and hazardous materials. Overall, impacts related to hazards and hazardous materials would be similar to the proposed project and less than significant with mitigation.

#### **g. Land Use and Planning**

As with the proposed project, Alternative 4 would require a new Overlay Specific Plan and amendments to the General Plan. Similar to the proposed project, Alternative 4 would occur on sites designated for residential, commercial, and hotel uses, and within the City's existing framework. The scale and massing of the Alternative 4 would be generally compatible with other urban development on North Santa Monica Boulevard in Century City, where buildings of similar scale are located. Under this alternative the Santa Monica Residences and Garden Residences would be similar in height to the proposed project; however, a new 14 story, 110-foot tall building would be built in the middle of the project site parallel to Merv Griffin Way to accommodate uses

proposed in the Wilshire Building and Beverly Hilton Enhancement building, which would not be built under this alternative. However, the 36 poolside hotel rooms included in the proposed project would not be constructed as the existing Lanai Rooms would remain in place. This new building would exceed the height of the existing Wilshire Tower (95 feet) but would be shorter than the Waldorf-Astoria Beverly Hills (150 feet) and the maximum building heights allowed in the Existing Specific Plans. Similar to the proposed project, this alternative would contribute to a gradual west-to-east transition in building height along North Santa Monica Boulevard consistent with 2010 General Plan goals and policies LU 1.1 (The Scale of the City), LU 2.1 (City Places: Neighborhoods, Districts, and Corridor), and LU 9.3 (Anchor Locations). However, Alternative 4 would decrease open space within the project site by 1.8 acres in comparison to the proposed project, making it incrementally less consistent than the proposed project with 2010 General Plan goals and policies LU 2.2 (Public Streetscapes and Landscape), LU 7.2 (Amenities), LU 9.4 Anchor Location Design Criteria), LU 13 (Public and Quasi-Public Uses Supporting Resident Needs), LU 13.10 (Parks and Open Spaces), and LU 16.4 (Public Places). Alternative 4 would have less than significant impacts related to land use and planning with approval of a General Plan Amendment and Overlay Specific Plan and implementation of mitigation measures identified throughout the SEIR; however, in comparison to the proposed project, it would be incrementally less consistent with policies related to provisioning of open space. Overall, land use-related impacts would be greater under Alternative 4, although impacts would remain significant but mitigable similar to the proposed project.

#### **h. Noise**

Alternative 4 would require similar construction activities as the proposed project despite the increase in some building heights because the total square footage of all uses would remain the same; therefore, construction noise and vibration impacts would be similar to those of the proposed project. As with the proposed project, Mitigation Measures MM-NOISE-1 and MM-NOISE-4 would be required for this alternative to reduce construction noise and vibration impacts to a less than significant level.

Alternative 4 would redistribute operational noise sources such as swimming pools, outdoor dining areas, and recreational space across the project site due to the removal of the Wilshire Building, the relocation of the Beverly Hilton Enhancement building uses, and the retention of the Wilshire Edge building, Lanai Rooms, and Swimming Pool at their current locations. However, given that operational noise levels under the proposed project are considerably lower than existing ambient noise levels, this modified layout would be unlikely to result in a substantial increase in operational noise as compared to the proposed project such that Alternative 4 would result in more than a 1-dBA increase in ambient noise levels at the nearest sensitive receivers. Therefore, operational noise impacts would be less than significant, similar to the proposed project.

Because the land uses, square footages, and access points would remain the same under Alternative 4, the number and distribution of net new vehicle trips would be the same as the proposed project. Therefore, off-site traffic noise impacts would be similar to those of the proposed project and would be less than significant.

The proposed land uses under Alternative 4 would be exposed to incrementally lower ambient noise levels due to increased building setbacks from Wilshire Boulevard. Nevertheless, the proposed land uses would likely still be exposed to ambient noise levels in excess of the City's exterior and interior noise level standards, and similar to the proposed project, Mitigation Measures MM-NOISE-2\* and MM-NOISE-3\*<sup>3</sup> would continue to apply to achieve noise/land use compatibility (City of Beverly Hills

2008a and 2016). Overall, noise impacts would be similar to the proposed project and less than significant with mitigation.

### **i. Transportation/Traffic**

Because the land uses and square footages would remain the same under Alternative 4, the number and distribution of net new vehicle trips and vehicle miles traveled would be the same as the proposed project. Therefore, similar to the proposed project, Alternative 4 would not conflict with or be inconsistent with *CEQA Guidelines* Section 15064.3(b).

As with the proposed project, construction of Alternative 4 would disrupt the circulation system through temporary roadway closures, lane closures, and sidewalk closures and construction-related trips to and from the site. Implementation of Mitigation Measures MM-TRAF-1 through MM-TRAF-6 and MM-TRAF-10 would minimize disruptions during construction for the both the proposed project and Alternative 4. Therefore, construction of Alternative 4 would have less than significant construction-related impacts to the circulation system.

As discussed in Section 4.9, *Transportation and Traffic*, the project site has a high level of accessibility for emergency vehicles, both from a regional and a site perspective due to the project site's location adjacent to North Santa Monica Boulevard and Wilshire Boulevard and the numerous site access points provided throughout. Alternative 4 would have similar access points as the proposed project, with the only difference being the removal of the proposed access driveway for the Wilshire Building which would not be constructed under Alternative 4; therefore, impacts related to emergency access and safety of project driveways and intersections would be less than significant with implementation of Mitigation Measures MM-TRAF-7 through MM-TRAF-9. Overall, impacts related to transportation and traffic would be similar to the proposed project and less than significant with mitigation.

### **j. Tribal Cultural Resources**

As discussed in Section 4.10, *Tribal Cultural Resources*, ground-disturbing activities during construction would have the potential to unearth or adversely affect previously unidentified significant tribal cultural resources, and implementation of Mitigation Measures MM-TCR-1 through MM-TCR-6 would be required to reduce impacts to a less than significant level. Because Alternative 4 would be constructed on the same site as the proposed project, Alternative 4 would have similar impacts to tribal cultural resources and would be required to implement Mitigation Measures MM-TCR-1 through MM-TCR-6 to reduce impacts to a less than significant level. Overall, impacts related to tribal cultural resources would be similar to the proposed project and less than significant with mitigation.

### **k. Utilities**

Because Alternative 4 would contain the same land use program and square footages as the proposed project, the interior water demand of Alternative 4 would be similar to that of the proposed project. Alternative 4 would include less open space than the proposed project; therefore, it would demand proportionally less outdoor water. Therefore, as discussed in Section 4.11, *Utilities*, current and planned water supplies would be adequate to meet the demands of Alternative 4, and impacts would be less than significant. Similar to the proposed project, the replacement water main identified in the previous environmental documents' mitigation measures (MM-FIRE-2 and MM-WTR-1) may no longer be adequate for this alternative because the water main size specified in the mitigation measure may no longer provide sufficient fire flow for the alternative's building

heights, population, or building area. Therefore, similar to the proposed project, Alternative 4 would be required to implement Mitigation Measure MM-UTIL-1 to contribute to the utility upgrades required for the fire hydrants. Overall, impacts related to utilities would be reduced in comparison to the proposed project because this alternative would demand less water for outdoor uses, but impacts would remain less than significant with mitigation.

## 6.5 Alternative 5: Reduced Building Heights

### 6.5.1 Description

Similar to Alternative 4, this alternative would alter development on the Beverly Hilton site to avoid demolition of the Wilshire Edge building and the Lanai Rooms, and include reconstruction of the Swimming Pool in kind at the same location as it currently exists. The Wilshire Edge building would continue to be used as a conference center, and no new conference center building would be constructed under this alternative. The parking garage would be demolished under this alternative. As detailed in Table 6-1, this alternative would include the same program of uses, including a total FAR of 2.55, the same total building square footages, residential unit counts, and hotel room count (e.g., a total of 600 hotel rooms would be provided on the site including the 36 poolside hotel rooms in the existing Lanai Rooms which would remain in place). However, buildings under this alternative would not exceed the heights approved under the 9900 Wilshire Specific Plan (a maximum height of 174 feet measured from the project datum). Uses would be redistributed between six new buildings ranging in height from 9 stories (89 feet) near Wilshire Boulevard to 18 stories (174 feet) near North Santa Monica Boulevard. Under this alternative there is no elevated botanical garden or public open space. Construction techniques, duration, and equipment would be similar to that used for construction of the proposed project. Access to the residential and hotel uses would continue to be provided via a new private road along the western property boundary, similar to the proposed project. Figure 6-7 provides a conceptual site plan for Alternative 5 and Figure 6-8 provides a massing diagram.

Figure 6-7 Conceptual Site Plan for Alternative 5

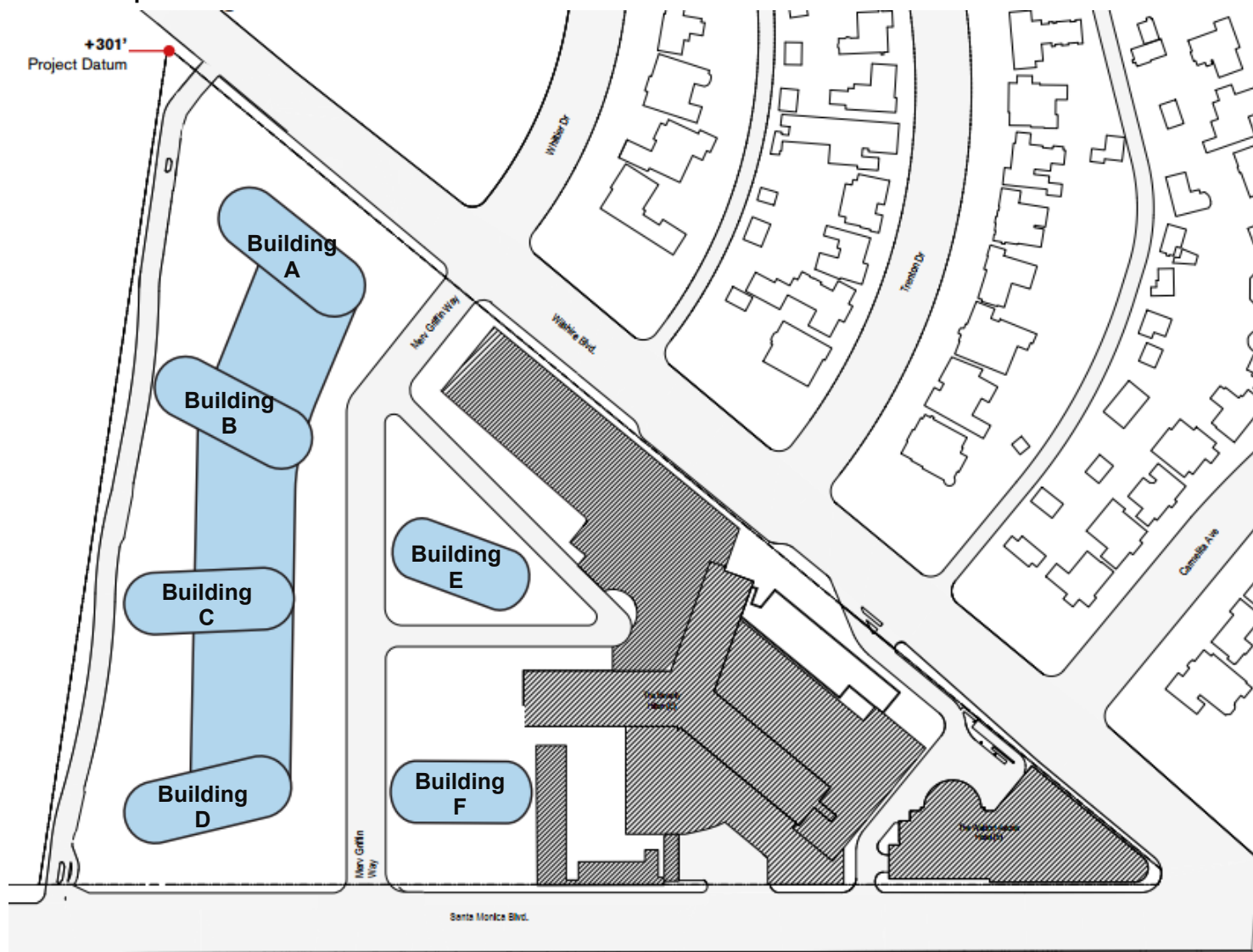
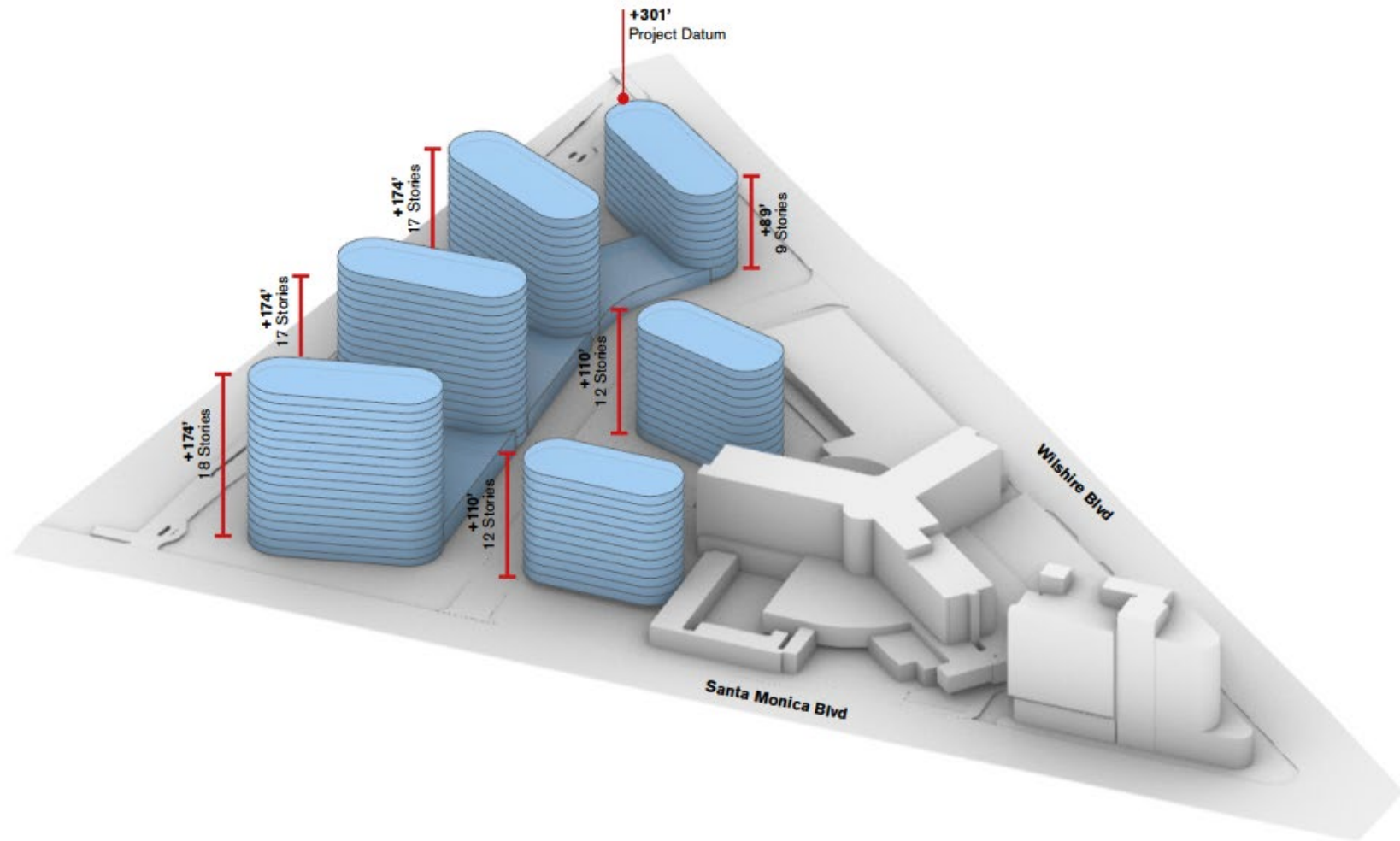


Figure 6-8      Massing Diagram for Alternative 5



## 6.5.2 Impact Analysis

### a. Air Quality

Construction-related and operational air pollutant emissions associated with Alternative 5 would not be substantially different than those of the proposed project despite the decrease in building height because the total square footage of all uses would remain the same even though building massing would change. Similar to the proposed project, Mitigation Measures MM-AQ-1 through MM-AQ-17\*<sup>3</sup> would be required for this alternative to reduce construction-related criteria air pollutant emissions to a less than significant level, and operational emissions would be less than significant. Because Alternative 5 would not change the number of residential units or hotel rooms, the square footage of commercial uses, or the proposed land use types, this alternative would accommodate a similar number of residents and employees, generate a similar number of net new vehicle trips, and have a similarly low potential to generate TAC emissions as the proposed project. Therefore, as with the proposed project, Alternative 5 would not conflict with the SCAQMD's 2016 AQMP or expose sensitive receptors to substantial concentrations of carbon monoxide or TACs. Overall air quality impacts associated with

Alternative 5 would be similar to those of the proposed project and would therefore be less than significant with mitigation incorporated.

### b. Biological Resources

Alternative 5 would include the same mix of land uses as the proposed project; therefore, impacts to biological resources related to operation of Alternative 5 would be similar to the proposed project. As discussed in Section 4.2, *Biological Resources*, a field reconnaissance survey and Focused Bat Survey were both conducted in 2020. Neither found evidence of the presence of protected species on the site, including birds and bats, riparian habitat or other sensitive natural community, wetlands, or heritage trees. However, structures and mature trees on the project site, as well as trees and structures in the vicinity of the project site, could potentially be utilized by nesting birds or roosting bats, though no nests or roosts were observed during the site surveys. Although the construction footprint under Alternative 5 would be reduced in comparison to the proposed project, Alternative 5 would only avoid construction in existing developed areas within the Beverly Hilton site and would continue to include construction in areas identified in Section 4.2, *Biological Resources*, as potentially supporting bird nests or bats (the gas station site and 9900 Wilshire Boulevard site). Therefore, construction of Alternative 5 would result in similar impacts to biological resources compared to the proposed project. Similar to the proposed project, Alternative 5 would be required to implement Mitigation Measure MM-BIO-1, which requires pre-construction surveys and avoidance of nesting birds, and Mitigation Measure MM-BIO-2, which includes requirements for pre-construction bat surveys and avoidance measures. Overall, impacts to biological resources would be similar to the proposed project and less than significant with mitigation incorporated.

### c. Cultural Resources

Alternative 5 would have fewer impacts to a historical resource (the Beverly Hilton Property) than the proposed project. Alternative 5 would not demolish the western Wilshire Edge building or the Lanai Rooms, which are contributing buildings and features of the Beverly Hilton Property as discussed in Section 4.3, *Cultural Resources*. Nonetheless, as with the proposed project, the Beverly Hilton Property would not retain substantial integrity from its period of significance and would not remain eligible for designation in the CRHR, but the Wilshire Tower individually may remain eligible



for listing in the NRHP, CRHR and as a City of Beverly Hills Landmark. Similar to the proposed project, Alternative 5 would impact significant views of the Wilshire Tower from the north and west from Wilshire Boulevard and from the south and west from North Santa Monica Boulevard. Additionally, views from the Beverly Hilton would be obstructed by the six, 9- to 18-story buildings included under this alternative. Therefore, although Alternative 5 would have fewer impacts to the Beverly Hilton Property by preserving several contributing buildings and features, Alternative 5 would have a significant and unavoidable historical resources impact due to the demolition of the Palm/Oasis Court and Parking Garage, reconstruction of the Swimming Pool, impacts to views from North Santa Monica Boulevard and Wilshire Boulevard, and impacts to views from the Beverly Hilton.

Adjacent to the LACC, Alternative 5 would construct shorter buildings in comparison to the proposed project but would construct one more building (four total buildings along the project site's western edge). While these buildings would alter the immediate surroundings of the LACC property, they would not result in material impairment of the property's significance and impacts to the property as a result of Alternative 5 would be less than significant, similar to the proposed project. Overall, impacts related to cultural resources would be reduced in comparison to the proposed project but would remain significant and unavoidable.

#### **d. Geology and Soils**

Alternative 5 would be constructed on the same project site as the proposed project. As discussed in Section 4.4, *Geology and Soils*, although the project site is within 300 feet of the Santa Monica Fault Zone, it is not located within 50 feet of an Alquist-Priolo Special Study Zone. In addition, no active faults are present on-site, and no active faults are trending toward the project site. Therefore, both Alternative 5 and the proposed project would have a less than significant impact related to surface rupture.

Due to the close proximity of several faults, both Alternative 5 and the proposed project would have a significant but mitigable impact related to seismic ground shaking. Both projects would be required to implement mitigation measures that require construction in accordance with recommendations made in their respective geotechnical investigation reports. Therefore, the impact of Alternative 5 would be similar to that of the proposed project and both would have a less than significant geologic impact with mitigation incorporated.

#### **e. Greenhouse Gas Emissions**

Similar to the proposed project, Alternative 5 would not conflict with the applicable GHG emission reduction measures/policies of the Beverly Hills General Plan and Sustainable City Plan, SCAG 2020-2045 RTP/SCS, 2017 Scoping Plan, and EO B-55-18 because it would consist of infill development that would comply with applicable energy conservation requirements and incorporate sustainability features while being consistent with regional efforts to reduce VMT by providing housing and services in an already urbanized area well-served by transit, bicycle, and pedestrian facilities.

Construction-related and operational GHG emissions associated with Alternative 5 would not be substantially different than those of the proposed project despite the decrease in building height because the total square footage of all uses would remain the same and a similar number of residents and employees (i.e., a similar service population) would be accommodated. Therefore, similar to the proposed project, GHG emissions associated with Alternative 5 would not exceed the locally-applicable, project-specific threshold of 3.2 MT of CO<sub>2</sub>e per year or the SCAQMD bright-line

threshold of 3,000 MT of CO<sub>2</sub>e. Overall, impacts related to GHG emissions would be similar to the proposed project and less than significant.

#### **f. Hazards and Hazardous Materials**

Similar to the proposed project, Alternative 5 would involve demolition of the Palm/Oasis Court Building, parking garage, and gas station. As discussed in Section 4.6, *Hazards and Hazardous Materials*, due to the age of these structures, they may contain asbestos, lead-based paint, and polychlorinated biphenyls. In addition, the gas station site contains three currently empty USTs, which would be removed during demolition of the gas station. Similar to the proposed project, Alternative 5 would be required to comply with mitigation measures to ensure the proper testing of building materials in order to identify potentially hazardous materials within buildings planned for demolition, and the proper handling and disposal of any hazardous materials discovered during construction. Likewise, Alternative 5 would be required to comply with mitigation contained in Section 4.6, *Hazards and Hazardous Materials*, regarding the proper removal and closure of the onsite USTs.

Operation of both Alternative 5 and the proposed project would not involve the use, storage, or disposal of significant quantities of hazardous materials, and would therefore, not pose a risk to the environment or nearby land uses. In addition, Alternative 5 would be required to include an Opticom device on the new traffic signal at Merv Griffin Way and North Santa Monica Boulevard to ensure that the project would not impair emergency evacuation plans and emergency response. Similar to the proposed project, with implementation of mitigation identified Section 4.6, *Hazards and Hazardous Materials*, Alternative 5 would not result in any significant impacts related to hazards and hazardous materials. Overall, impacts related to hazards and hazardous materials would be similar to the proposed project and less than significant with mitigation.

#### **g. Land Use and Planning**

As with the proposed project, Alternative 5 would require a new Overlay Specific Plan and amendments to the General Plan. Similar to the proposed project, Alternative 5 would occur on sites designated for residential, commercial, and hotel uses, and within the City's existing framework. The scale and massing of the Alternative 5 would be generally compatible with other urban development on North Santa Monica Boulevard, including within the project site, where buildings of similar scale are located. Under this alternative, six new buildings ranging in height from 9 stories (89 feet) near Wilshire Boulevard to 18 stories (174 feet) near North Santa Monica Boulevard would be built. Five of these new building would exceed the height of the existing Beverly Hilton (95 feet) and three would exceed the height of the Waldorf-Astoria Beverly Hills (150 feet). None of the buildings would exceed the maximum building height allowed under the 9900 Wilshire Specific Plan (a maximum height of 174 feet measured from the project datum). Similar to the proposed project, this alternative would contribute to a gradual west-to-east transition in building height along North Santa Monica Boulevard consistent with 2010 General Plan goals and policies LU 1.1 (The Scale of the City), LU 2.1 (City Places: Neighborhoods, Districts, and Corridor), and LU 9.3 (Anchor Locations). However, Alternative 5 would eliminate the botanical gardens, and overall open space would be reduced by 2.6 acres in comparison to the proposed project, making this alternative less consistent than the proposed project with 2010 General Plan goals and policies LU 2.2 (Public Streetscapes and Landscape), LU 7.2 (Amenities), LU 9.4 Anchor Location Design Criteria), LU 13 (Public and Quasi-Public Uses Supporting Resident Needs), LU 13.10 (Parks and Open Spaces), and LU 16.4 (Public Places). Alternative 5 would have less than significant impacts related to land use

and planning with approval of an overlay specific plan and implementation of mitigation measures identified throughout the SEIR; however, in comparison to the proposed project, it would be less consistent with policies related to provisioning of open space. Overall, land use-related impacts would be greater under Alternative 5, although impacts would remain significant but mitigable similar to the proposed project.

## **h. Noise**

Alternative 5 would require similar construction activities as the proposed project despite the decrease in building height because the total square footage of all uses would remain the same; therefore, construction noise and vibration impacts would be similar to those of the proposed project. As with the proposed project, Mitigation Measures MM-NOISE-1 and MM-NOISE-4 would be required for this alternative to reduce construction noise and vibration impacts to a less than significant level.

Alternative 5 would redistribute operational noise sources such as swimming pools, outdoor dining areas, and recreational space across the project site due to the construction of more structures than the proposed project. However, given that operational noise levels under the proposed project are considerably lower than existing ambient noise levels, this modified layout would be unlikely to result in a substantial increase in operational noise as compared to the proposed project such that Alternative 5 would result in more than a 1-dBA increase in ambient noise levels at the nearest sensitive receivers. Therefore, operational noise impacts would be less than significant, similar to the proposed project.

Because the land uses, square footages, and access points would remain generally the same under Alternative 5, the number and distribution of net new vehicle trips would be the same as the proposed project. Therefore, off-site traffic noise impacts would be similar to those of the proposed project and would be less than significant.

Exposure of the proposed land uses to ambient noise levels in excess of the City's exterior and interior noise level standards would be similar for Alternative 5 as for the proposed project because setbacks from Wilshire Boulevard and North Santa Monica Boulevard (the primary noise sources in the project area) would remain generally the same. As with the proposed project, Mitigation Measure MM-NOISE-2\* and MM-NOISE-3\*<sup>3</sup> from the previous environmental documentation would be required to achieve noise/land use compatibility (City of Beverly Hills 2008a and 2016a). Overall, noise impacts would be reduced in comparison to the proposed project but would remain less than significant with mitigation.

## **i. Transportation/Traffic**

Because the land uses and square footages would remain the same under Alternative 5, the number and distribution of net new vehicle trips and vehicle miles traveled would be the same as the proposed project. Therefore, similar to the proposed project, Alternative 5 would not conflict with or be inconsistent with *CEQA Guidelines* Section 15064.3(b).

As with the proposed project, construction of Alternative 5 would disrupt the circulation system through temporary lane closures and sidewalk closures and construction-related trips to and from the site. Implementation of Mitigation Measures MM-TRAF-1 through MM-TRAF-6, and MM-TRAF-10 would minimize disruptions during construction for the both the proposed project and Alternative 5. Therefore, construction of Alternative 5 would have less than significant construction-related impacts to the circulation system.

As discussed in Section 4.9, *Transportation and Traffic*, the project site has a high level of accessibility for emergency vehicles, both from a regional and a site perspective due to the project site's location adjacent to North Santa Monica Boulevard and Wilshire Boulevard and the numerous site access points provided throughout. Alternative 5 would have the same access points as the proposed project; therefore, impacts related to emergency access and safety of project driveways and intersections would be less than significant with implementation of Mitigation Measures MM-TRAF-1 through MM-TRAF-6. Overall, impacts related to transportation and traffic would be similar to the proposed project and less than significant with mitigation.

#### **j. Tribal Cultural Resources**

As discussed in Section 4.10, *Tribal Cultural Resources*, ground-disturbing activities during construction would have the potential to unearth or adversely affect previously unidentified significant tribal cultural resources, and implementation of Mitigation Measures MM-TCR-1 through MM-TCR-6 would be required to reduce impacts to a less than significant level. Because Alternative 5 would be constructed on the same site as the proposed project, it would have similar impacts to tribal cultural resources and would be required to implement Mitigation Measures MM-TCR-1 through MM-TCR-6 to reduce impacts to a less than significant level. Overall, impacts related to tribal cultural resources would be similar to the proposed project and less than significant with mitigation.

#### **k. Utilities**

Because Alternative 5 would contain the same land use program and square footages as the proposed project, the interior water demand of Alternative 5 would be similar to that of the proposed project. Alternative 5 would reduce open space by 2.6 acres ; therefore, it would be anticipated to require less outdoor water use for landscape irrigation. Therefore, as discussed in Section 4.11, *Utilities*, current and planned water supplies would be adequate to meet the demands of Alternative 5, and impacts would be less than significant. Similar to the proposed project, the replacement water main identified in the previous environmental documents' mitigation measures (MM FIRE-2 and MM WTR-1) may no longer be adequate for this alternative because the water main size specified in the mitigation measure may no longer provide sufficient fire flow for the alternative's building heights, population, or building area. Therefore, similar to the proposed project, Alternative 5 would be required to implement Mitigation Measure MM-UTIL-1 to contribute to the utility upgrades required for the fire hydrants. Overall, impacts related to utilities would be reduced in comparison to the proposed project because this alternative would demand less water for outdoor uses, but impacts would remain less than significant with mitigation.

## **6.6 Alternatives Considered but Rejected**

During the preparation of this SEIR, 3 alternatives were considered but rejected. These alternatives and the reasons that they were eliminated from further consideration are described below.

### **Code-Compliant Retail/Office Alternative (Alternative 2 of the Beverly Hilton Specific Plan 2008 EIR and Alternative 3 9900 Wilshire Specific Plan 2016 SEIR)**

Under the Code-Compliant Retail/Office Alternative, the project would be constructed in compliance with the principal development standards for the C-3 zone under the BHMC, and the gas station site is assumed to remain. The permitted uses in the C-3 zone include a wide range of

commercial uses, including retail shops, restaurants and offices, but do not include residential uses (BHMC Section 10-3-1601). Under this alternative, the maximum development density on site would be limited to the 2:1 FAR permitted in a C-3 zone. Building heights would be reduced under this alternative to the 45-foot height maximum permitted in the C-3 zone. No residential units would be constructed.

As with the proposed project, the Wilshire Tower would remain intact under the Code-Compliant Alternative. The existing Wilshire Edge building, Palm/Oasis Court, Lanai Rooms, Swimming Pool, and parking garage would be demolished. The proposed Conference Center along Wilshire Boulevard and Beverly Hilton Enhancement along North Santa Monica Boulevard would continue to be developed under this alternative, subject to Planning and Zoning Code standards for hotel development, since hotel uses are a conditionally permitted use in the C-3 zone. Under this alternative, the remainder of the project site would be built out with a mix of office and retail space, up to the maximum FAR permitted on site (2:1). The subterranean parking structure would be decreased in capacity and size to reflect the changed parking demand associated with office and retail land uses.

The Code-Compliant Office/Retail Alternative would involve demolition of the same existing hotel buildings as the proposed project and would replace the planned residential uses with a mix of retail and office uses to be housed in two or more buildings. Implementation of this project alternative would achieve the following project objectives:

- Allow hotels on the project site to remain competitive in the hotel industry and local and regional marketplaces through the replacement of rooms in detached buildings, increasing the supply of luxury hotel rooms, and adding appealing new retail and amenities to the site. These features would encourage Beverly Hills visitors to continue to shop, stay, and dine in Beverly Hills
- Maintain the integrity of the existing Welton Becket-designed Beverly Hilton Wilshire Tower and the existing Waldorf-Astoria Beverly Hills and ancillary uses
- Open the project site from Wilshire Boulevard and North Santa Monica Boulevard to pedestrians and provide bicycle parking and connections to the City's existing bike paths to promote active transportation and pedestrian activity in and around the project site
- Create a Beverly Hilton conference center that meets the needs of today's business travelers, hotel guests, and meeting attendees
- Establish environmental and sustainability goals that will meet or exceed LEED Gold and WELL requirements, implement capture and reuse of rainwater and greywater, and add green roofs to new buildings

A different Code Compliant/Office Retail version of the Beverly Hilton Specific Plan was considered in 2008, but this alternative was rejected by the City Council in 2008 as socially infeasible for several reasons, including that this alternative does not achieve the objective of increasing the City's housing stock without eliminating existing housing stock and does not enhance the City's gateways through open space, landscaping, and a gateway statement at the corner of Wilshire and North Santa Monica Boulevards (City of Beverly Hills Resolution No. 08-R-12600). These reasons for eliminating this alternative remain valid, therefore, it was rejected from further consideration in this analysis.

### **Reduced Density Alternative (Alternative 3 of the Beverly Hilton Specific Plan 2008 EIR)**

Under this alternative, selected land uses planned as part of the proposed project would be reduced by 40 percent. To accomplish this density reduction, the residential component of the proposed project would be reduced by 40 percent, from 340 to 204 residential units, and the square footage reduced accordingly. The Santa Monica Residences and Garden Residences towers would be reduced in height and massing to reflect the reduced density, and the number of parking spaces on-site would also be reduced. The Conference Center building, the Wilshire Building, and Beverly Hilton Enhancement would be constructed under this alternative with no reduction in square footage. The Reduced Density Alternative would result in the implementation of project characteristics similar to those of the proposed project; however, the residential density would be reduced by 40 percent. As such, all project objectives would be achieved under this project alternative; however, objectives related to increasing residential uses in the City would be achieved to a lesser extent than the proposed project.

A different Reduced Density version of the Beverly Hilton Specific Plan was considered in 2008, but this alternative was rejected by the City Council in 2008 as socially infeasible because this alternative does not achieve the objective of increasing the City's housing stock without eliminating existing housing stock (City of Beverly Hills Resolution No. 08-R-12600). These reasons for eliminating this alternative remain valid, therefore, the Reduced Density alternative for the proposed project was rejected from further consideration in this analysis.

### **Additional Parking Level (Alternative 7 of the Beverly Hilton Specific Plan 2008 EIR)**

This alternative would increase parking supply and alter the parking structure configuration but would not change any other components of the proposed project. The Additional Parking Level Alternative proposes construction of an additional subterranean parking level. Under this alternative, additional new parking spaces would be provided for use by the general public and employees of the Business Triangle. This alternative keeps all other components of the proposed project unchanged, including building heights, setbacks, floor area ratio, and roadway improvements. This alternative would achieve all of the project objectives. However, this alternative has the potential to result in increased air quality and GHG emissions impacts related to the additional construction required. Furthermore, the proposed project would not have a significant parking impact; therefore, this alternative would not eliminate or substantially reduce any significant impact of the proposed project and was rejected from further consideration in this analysis.

## **6.7 Environmentally Superior Alternative**

Table 6-2 indicates whether each alternative's environmental impact is greater than, less than, or similar to that of the proposed project for each of the issue areas studied. Based on the comparison provided in Table 6-2, Alternative 2, the No Further Development alternative, would be the environmentally superior alternative because, in general, the environmental impacts associated with this alternative would be overall less than any other alternative, including the proposed project and Alternative 1, No Project (Buildout of Approved Entitlements). However, Section 15126.6 of the *CEQA Guidelines* requires that if the environmentally superior alternative is determined to be a "no project" alternative then an EIR must also identify an environmentally superior alternative among

the other alternatives. Alternative 2, like Alternative 1, is considered a “no project” alternative as it proposed no further action on the project site. Therefore, Alternative 4 (Preservation of the Wilshire Edge Building, Swimming Pool and Lanai Rooms), is identified as the environmentally superior alternative because the alternative would reduce impacts to cultural resources (specifically historical resources) in that it would preserve some contributing buildings and features of the Beverly Hilton Property and the significant view of the Wilshire Tower from Wilshire Boulevard that would be lost under the proposed project. Nonetheless, it is noted that the historical resource impacts of Alternative 4 would remain significant and unavoidable due to the continued demolition of buildings that contribute to the significance of the Beverly Hilton Property. In addition, overall air quality impacts and GHG impacts associated with Alternative 4 would be incrementally reduced in comparison to the proposed project due to the reduction in construction-related emissions.

**Table 6-2 Impact Comparison of Alternatives**

Issue	Proposed Project Impact Classification	Alternative 1: No Project (Buildout of Approved Entitlements)	Alternative 2: No Further Development	Alternative 3: One Residential/Hotel Tower and One Residential Tower	Alternative 4: Preservation of the Wilshire Edge Building, Swimming Pool and Lanai Rooms	Alternative 5: Reduced Building Heights
Air Quality	SM	SU -	LTS +	SM =	SM +	SM=
Biological Resources	SM	PS -	LTS +	SM =	SM =	SM =
Cultural Resources	SU	SU =	LTS +	SU +	SU +	SU +
Geology and Soils	SM	SM =	SM =	SM =	SM =	SM =
Greenhouse Gas Emissions	LTS	LTS +	LTS +	LTS =	LTS +	LTS =
Hazards and Hazardous Materials	SM	SM +	LTS +	SM =	SM =	SM =
Land Use and Planning	SM	SM +	LTS +	SM -	SM -	SM -
Noise	SM	SU -	LTS +	SM +	SM =	SM =
Transportation and Traffic	SM	SM =	LTS +	SM =	SM =	SM =
Tribal Cultural Resources	SM	PS -	LTS +	SM =	SM =	SM =
Utilities	SM	SM -	LTS +	SM =	SM +	SM +
<p>Notes: SU = significant and unavoidable, PS = potentially significant, SM = significant and mitigable, LTS = less than significant  + Superior to the proposed project (reduced level of impact)  - Inferior to the proposed project (increased level of impact)  = Similar level of impact to the proposed project</p>						



*This page intentionally left blank.*

## 7 References

---

### 7.1 Bibliography

- Amana Heating & Air Conditioning. 2008. *Amana Bran PTAC Sound Report*. October 24, 2008. <https://www.alpinehomeair.com/related/Amana%20PTAC%20Sound%20Report.pdf> (accessed September 2020).
- AMEC Environment & Infrastructure. 2014a. Report of Fault Surface Rupture Hazard Evaluation – Proposed Waldorf-Astoria Luxury Hotel and Conference Center. July 23, 2014. Prepared for Oasis West Realty, LLC.
- \_\_\_\_\_. 2014b. Supplemental Report of Fault Surface Rupture Hazard Investigation for Phase I of the Beverly Hilton Revitalization Plan. Prepared for Oasis West Realty, LLC.
- American Institute of Architects (AIA). 2017. *College of Fellows History and Directory*. [https://issuu.com/aiacollegeoffellows/docs/faia\\_20directory](https://issuu.com/aiacollegeoffellows/docs/faia_20directory) (accessed September 28, 2017).
- ARUP. 2020. *BH Luxury Residences, LLC 9900 Wilshire Environmental Noise Survey*. March 10, 2020.
- Association of Environmental Professionals (AEP). 2016. *Final White Paper Beyond 2020 and Newhall*. October 18, 2016. [https://califaep.org/docs/AEP-2016\\_Final\\_White\\_Paper.pdf](https://califaep.org/docs/AEP-2016_Final_White_Paper.pdf) (accessed September 2020).
- Bay Area Air Quality Management District. 2017. California Environmental Quality Act: Air Quality Guidelines. San Francisco, CA. May 2017. [http://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa\\_guidelines\\_may2017-pdf.pdf?la=en](http://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en) (accessed September 2020).
- Bean, Lowell J., and Charles R. Smith. 1978. Gabrielino. In *California*, edited by Robert F. Heizer, pp. 538–549. Handbook of North American Indians, Vol. 8, William G. Sturtevant, general editor, Smithsonian Institution, Washington, D.C.
- Beverly Hills, City of (City). 2005a. Technical Background Report for the City of Beverly Hills General Plan Update: Chapter 5. <http://www.beverlyhills.org/cbhfiles/storage/files/filebank/2576--GP-TBR-Chp-5.pdf> (accessed October 2020).
- \_\_\_\_\_. 2005b. Reverse Osmosis Water Treatment Plant. [http://beverlyhills.granicus.com/MetaViewer.php?view\\_id=&event\\_id=1358&meta\\_id=218125#:~:text=The%20City%20of%20Beverly%20Hills%20Reverse%20Osmosis%20Water%20Treatment%20Plant,been%20developed%20by%20the%20City](http://beverlyhills.granicus.com/MetaViewer.php?view_id=&event_id=1358&meta_id=218125#:~:text=The%20City%20of%20Beverly%20Hills%20Reverse%20Osmosis%20Water%20Treatment%20Plant,been%20developed%20by%20the%20City) (accessed September 2020).
- \_\_\_\_\_. 2005c. General Plan Update Technical Background Report. Chapter 2: Land Use and Urban Form. <https://www.beverlyhills.org/cbhfiles/storage/files/filebank/2569--GP-TBR-Chp-2-1.pdf> (accessed September 2020).
- \_\_\_\_\_. 2008a. Final Environmental Impact Report for the Beverly Hilton Revitalization Plan. [http://www.beverlyhills.org/cbhfiles/storage/files/965675880313814047/WilshireBlvd9876-BevHilton\(CCResoNo.08-R-12602\).pdf](http://www.beverlyhills.org/cbhfiles/storage/files/965675880313814047/WilshireBlvd9876-BevHilton(CCResoNo.08-R-12602).pdf) (accessed July 2020).

- \_\_\_\_\_. 2008b. City of Beverly Hills Zoning Map. [map]. Tabular digital data and vector digital data. Beverly Hills, California.  
<https://www.beverlyhills.org/cbhfiles/storage/files/2554733521515265208/BeverlyHillsZoningMap.pdf> (accessed July 2020).
- \_\_\_\_\_. 2008c. Final Environmental Impact Report for 9900 Wilshire Project. Beverly Hills, California. February 2008.  
<https://www.beverlyhills.org/cbhfiles/storage/files/1765390058140563802/CombinedFinalEIR.pdf> (accessed August 2020).
- \_\_\_\_\_. 2008d. General Plan Land Use Designations Map. April 29, 2008.  
[http://www.beverlyhills.org/cbhfiles/storage/files/filebank/8403--03\\_Map\\_LU1\\_GeneralPlanLandUseDesignations\\_45\\_reduced.pdf](http://www.beverlyhills.org/cbhfiles/storage/files/filebank/8403--03_Map_LU1_GeneralPlanLandUseDesignations_45_reduced.pdf) (accessed September 2020).
- \_\_\_\_\_. 2009. Beverly Hills Sustainable City Plan.  
<http://www.beverlyhills.org/cbhfiles/storage/files/24347783778629768/SustainableCityPlan.pdf> (accessed September 2020).
- \_\_\_\_\_. 2010a. City of Beverly Hills. Land Use Element. [online]:  
[http://www.beverlyhills.org/cbhfiles/storage/files/filebank/10278--2\\_LandUse%2001122010.pdf](http://www.beverlyhills.org/cbhfiles/storage/files/filebank/10278--2_LandUse%2001122010.pdf). Accessed October 2016.
- \_\_\_\_\_. 2010b. City of Beverly Hills Historic. Preservation Element. [online]:  
[http://www.beverlyhills.org/cbhfiles/storage/files/filebank/10279--3\\_HistoricPreservation%2001122010.pdf](http://www.beverlyhills.org/cbhfiles/storage/files/filebank/10279--3_HistoricPreservation%2001122010.pdf). Accessed October 2016.
- \_\_\_\_\_. 2010c. City of Beverly Hills Bicycle Master Plan (Appendix A of the City of Beverly Hills General Plan). January 12, 2010.  
[https://www.beverlyhills.org/cbhfiles/storage/files/filebank/10290--14\\_AppendixA\\_BikewayMasterPlan%2001122010.pdf](https://www.beverlyhills.org/cbhfiles/storage/files/filebank/10290--14_AppendixA_BikewayMasterPlan%2001122010.pdf) (accessed September 2020).
- \_\_\_\_\_. 2010d. City of Beverly Hills General Plan Circulation Element. January 12, 2010.  
[https://www.beverlyhills.org/cbhfiles/storage/files/filebank/10281--6\\_Circulation%2001122010.pdf](https://www.beverlyhills.org/cbhfiles/storage/files/filebank/10281--6_Circulation%2001122010.pdf) (accessed September 2020).
- \_\_\_\_\_. 2010e. City of Beverly Hills Hazard Mitigation Action Plan 2010-2015. August 17, 2010.  
[http://www.beverlyhills.org/cbhfiles/storage/files/filebank/10286--9a\\_HazardMitigationPlan%2011152011.pdf](http://www.beverlyhills.org/cbhfiles/storage/files/filebank/10286--9a_HazardMitigationPlan%2011152011.pdf) (accessed October 2020).
- \_\_\_\_\_. 2010f. General Plan Open Space Element.  
[https://www.beverlyhills.org/cbhfiles/storage/files/filebank/10282--5\\_OpenSpace%2001122010.pdf](https://www.beverlyhills.org/cbhfiles/storage/files/filebank/10282--5_OpenSpace%2001122010.pdf) (accessed July 2020).
- \_\_\_\_\_. 2010g. City of Beverly Hills General Plan. April 30, 2010.  
<http://www.beverlyhills.org/departments/communitydevelopment/longrangeplanning/generalplan/generalplandocument/> (accessed September 2020).
- \_\_\_\_\_. 2010h. City of Beverly Hills General Plan Safety Element. January 12, 2010.  
[http://www.beverlyhills.org/cbhfiles/storage/files/filebank/10285--9\\_Safety%2011152011.pdf](http://www.beverlyhills.org/cbhfiles/storage/files/filebank/10285--9_Safety%2011152011.pdf) (accessed October 2020).

- \_\_\_\_\_. 2012a. "History of Beverly Hills".  
<http://www.beverlyhills.org/citygovernment/aboutbeverlyhills/historyofbeverlyhills/>  
 (accessed June 19, 2018).
- \_\_\_\_\_. 2014. City of Beverly Hills General Plan Housing Element. February 2014.  
<http://www.beverlyhills.org/departments/communitydevelopment/longrangeplanning/generalplan/generalplandocument/> (accessed October 2020).
- \_\_\_\_\_. 2015. 9900 Wilshire Specific Plan Initial Study.  
[https://www.beverlyhills.org/cbhfiles/storage/files/904015188785904175/9900Wilshire\(OneBeverlyHills\)IS.pdf](https://www.beverlyhills.org/cbhfiles/storage/files/904015188785904175/9900Wilshire(OneBeverlyHills)IS.pdf) (accessed October 2020).
- \_\_\_\_\_. 2016a. Final Supplemental Environmental Impact Report for the 9900 Wilshire Boulevard (One Beverly Hills) Project.  
[https://www.beverlyhills.org/cbhfiles/storage/files/7187574171425023781/9900Wilshire\(OneBeverlyHills\)FinalSEIR.pdf](https://www.beverlyhills.org/cbhfiles/storage/files/7187574171425023781/9900Wilshire(OneBeverlyHills)FinalSEIR.pdf) (accessed July 2020).
- \_\_\_\_\_. 2016b. 2015 Urban Water Management Plan.  
<https://www.beverlyhills.org/cbhfiles/storage/files/115079846772769831/FinalCityofBeverlyHills2015UWMPReport.pdf> (accessed September 2020).
- \_\_\_\_\_. 2017a. 2017 Annual Water Quality Report.  
<http://www.beverlyhills.org/cbhfiles/storage/files/1968241061505377874/PW-WaterQualityReport-2016-FINALFORPRINT.PDF> (accessed August 2020).
- \_\_\_\_\_. 2017b. Water Conservation Update and Recommendation for Changing Declared Water Conservation Stage. March 9, 2017.  
[http://beverlyhills.granicus.com/MetaViewer.php?view\\_id=&event\\_id=2712&meta\\_id=324039](http://beverlyhills.granicus.com/MetaViewer.php?view_id=&event_id=2712&meta_id=324039) (accessed September 2020).
- \_\_\_\_\_. 2018a. Draft Supplemental Environmental Impact Report for the Beverly Hills Specific Plan Amendment. October 2018.  
[http://www.beverlyhills.org/cbhfiles/storage/files/651346462236771176/BeverlyHiltonDraftSEIR-Oct2018\\_r.pdf](http://www.beverlyhills.org/cbhfiles/storage/files/651346462236771176/BeverlyHiltonDraftSEIR-Oct2018_r.pdf) (accessed August 2020).
- \_\_\_\_\_. 2018b. 2018 Annual Water Quality Report.  
[http://www.beverlyhills.org/cbhfiles/storage/files/389982130638678812/bh\\_ccr\\_web\\_FINAL.pdf](http://www.beverlyhills.org/cbhfiles/storage/files/389982130638678812/bh_ccr_web_FINAL.pdf) (accessed September 2020).
- \_\_\_\_\_. 2018c. Water Efficient Landscaping and Metering Requirements.  
<http://www.beverlyhills.org/cbhfiles/storage/files/1762948761933715757/WATEREFFICIENTLANDSCAPINGANDMETERINGREQUIREMENTSREVISED04.17.2018.pdf> (accessed September 2020).
- \_\_\_\_\_. 2018d. *City of Beverly Hills Economic Indicators 2<sup>nd</sup> Quarter 2018*.  
[http://www.beverlyhills.org/cbhfiles/storage/files/53406837978644013/2ndQuarter\\_EconomicIndicators\\_FINAL.pdf](http://www.beverlyhills.org/cbhfiles/storage/files/53406837978644013/2ndQuarter_EconomicIndicators_FINAL.pdf) (accessed November 2020).
- \_\_\_\_\_. 2019a. 2019 Annual Water Quality Report.  
[http://www.beverlyhills.org/cbhfiles/storage/files/4191935131827956279/bh\\_ccr\\_webFINAL6.18.pdf](http://www.beverlyhills.org/cbhfiles/storage/files/4191935131827956279/bh_ccr_webFINAL6.18.pdf) (accessed September 2020).

- \_\_\_\_\_. 2019b. City of Beverly Hills Complete Streets Plan. Draft.  
[https://beverlyhills.granicus.com/MetaViewer.php?view\\_id=&event\\_id=4623&meta\\_id=415139](https://beverlyhills.granicus.com/MetaViewer.php?view_id=&event_id=4623&meta_id=415139) (accessed September 2020).
- \_\_\_\_\_. 2019c. *Local Transportation Assessment Guidelines*.  
<https://www.beverlyhills.org/cbhfiles/storage/files/4460592531431926648/RFP-20-270-2-ATTACHMENTCITY'SCEQATHRESHOLDS.pdf> (accessed October 2020).
- \_\_\_\_\_. 2019d. *Draft - Beverly Hills Complete Streets Plan*. November 2019.  
<http://completestreets.beverlyhills.org/> (accessed November 2020).
- \_\_\_\_\_. 2020. Water Conservation.  
<http://www.beverlyhills.org/departments/publicworks/recyclingandconservation/waterconservation/web.jsp> (accessed September 2020).
- \_\_\_\_\_. 2020a. Staff Report – Developing a Climate Action and Adaptation Plan.  
[https://beverlyhills.granicus.com/MetaViewer.php?view\\_id=49&event\\_id=4230&meta\\_id=422778](https://beverlyhills.granicus.com/MetaViewer.php?view_id=49&event_id=4230&meta_id=422778) (accessed September 2020).
- \_\_\_\_\_. 2020b. “Residential – Alley Collections.”  
<http://www.beverlyhills.org/departments/publicworks/utilities/solidwasteoperations/residentialalleycollections/> (accessed September 2020).
- \_\_\_\_\_. 2020c. One Beverly Hills Overlay Specific Plan Initial Study.
- \_\_\_\_\_. 2020d. Westside Purple Line Rodeo Station North Portal Draft Environmental Impact Report. Available at  
<https://www.beverlyhills.org/cbhfiles/storage/files/8154514381066113196/2020-08NorthPortalEIR.pdf>
- \_\_\_\_\_. N.d. Municipal Code (BHMC). [online]:  
[http://www.sterlingcodifiers.com/codebook/index.php?book\\_id=466](http://www.sterlingcodifiers.com/codebook/index.php?book_id=466). Accessed October 2020.
- Beverly Hills Historical Society. N.D. “Beverly Hills: A Brief History”.  
<http://www.beverlyhillshistoricalsociety.org/history> (accessed October 2020).
- Beverly Hills Unified School District. 2018. BHUSD Master Plan.  
[https://www.bhusd.org/apps/pages/index.jsp?uREC\\_ID=41863&type=d&pREC\\_ID=1402698](https://www.bhusd.org/apps/pages/index.jsp?uREC_ID=41863&type=d&pREC_ID=1402698)
- Blackburn, Thomas. 1963. *Ethnohistoric Descriptions of Gabrielino Material Culture*. Annual Report, Archaeological Survey. University of California, Los Angeles.
- Byrd, Brian F. and L. Mark Raab. 2007. “Prehistory of the Southern Bight: Models for a New Millennium.” *California Prehistory*, pp. 215-228.
- California Air Pollution Control Officers Association (CAPCOA). 2017. California Emissions Estimator Model User’s Guide Version 2016.3.2.
- California Air Resources Board (CARB). 2005. Air Quality and Land Use Handbook: A Community Health Perspective. April 2005. <https://www.arb.ca.gov/ch/handbook.pdf> (accessed September 2020).
- \_\_\_\_\_. 2008. Climate Change Scoping Plan. Sacramento, CA. December 2008.

- \_\_\_\_\_. 2011. Staff Report: Initial Statement of Reasons for Proposed Rulemaking, Public Hearing to Consider the “LEV III” Amendments to the California Greenhouse Gas and Criteria Pollutant Exhaust and Evaporative Emission Standards and Test Procedures and to the On-Board Diagnostic System Requirements for Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles, and to the Evaporative Emission Requirements for Heavy-Duty Vehicles. December 7, 2011. <http://www.arb.ca.gov/regact/2012/leviiighg2012/levisor.pdf> (accessed December 2020).
- \_\_\_\_\_. 2014. AB 32 Scoping Plan Website. Updated June 2014. <http://www.arb.ca.gov/cc/scopingplan/scopingplan.htm> (accessed September 2020).
- \_\_\_\_\_. 2017. California’s 2017 Climate Change Scoping Plan. December 14, 2017. [https://www.arb.ca.gov/cc/scopingplan/scoping\\_plan\\_2017.pdf](https://www.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf) (accessed September 2020).
- \_\_\_\_\_. 2018. EMFAC2017 Volume III – Technical Documentation v.1.0.2. July 20, 2018. <https://ww3.arb.ca.gov/msei/downloads/emfac2017-volume-iii-technical-documentation.pdf> (accessed September 2020).
- \_\_\_\_\_. 2019. EMFAC2017 Web Database. <https://www.arb.ca.gov/emfac/2017/> (accessed September 2020).
- \_\_\_\_\_. 2020a. “Inhalable Particulate Matter and Health (PM<sub>2.5</sub> and PM<sub>10</sub>).
- [https://ww2.arb.ca.gov/resources/inhalable-particulate-matter-and-health#:~:text=Short%2Dterm%20exposures%20to%20PM10,to%20years\)%20exposure%20to%20PM2](https://ww2.arb.ca.gov/resources/inhalable-particulate-matter-and-health#:~:text=Short%2Dterm%20exposures%20to%20PM10,to%20years)%20exposure%20to%20PM2) (accessed September 2020).
- \_\_\_\_\_. 2020b. “Overview: Diesel Exhaust & Health.” <https://ww2.arb.ca.gov/resources/overview-diesel-exhaust-and-health> (accessed September 2020).
- \_\_\_\_\_. 2020c. Top 4 Summary. <https://www.arb.ca.gov/adam/topfour/topfour1.php> (accessed September 2020).
- \_\_\_\_\_. 2020d. “Summaries of Historical Area Designations for State Standards.” <https://ww2.arb.ca.gov/our-work/programs/state-and-federal-area-designations/state-area-designations/summary-tables> (accessed September 2020).
- \_\_\_\_\_. 2020e. “AHSC Quantification Methodology: Central Business District.” September 1, 2020. <https://ww3.arb.ca.gov/cc/capandtrade/auctionproceeds/kml/jobcentermap.htm> (accessed September 2020).
- \_\_\_\_\_. 2020f. “California Greenhouse Gas Emission Inventory – 2020 Edition. <https://ww2.arb.ca.gov/ghg-inventory-data> (accessed December 2020).
- \_\_\_\_\_. 2020g. *Final Environmental Analysis for the Proposed Advanced Clean Trucks Regulation*. June 23, 2020. <https://ww3.arb.ca.gov/regact/2019/act2019/finalea.pdf> (accessed December 2020).
- California Climate Change Center (CCCC). 2006. Climate Scenarios for California.
- California Department of Finance (CDOF). 2020. “E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011-2020 with 2010 Census Benchmark.” May 2020. <http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-5/> (accessed September 2020).

- \_\_\_\_\_. 2020b. "P1: State Population Projections (2010-2060).  
<http://www.dof.ca.gov/forecasting/demographics/projections/> (accessed September 2020).
- California Department of Food and Agriculture. 2020. "California Agricultural Production Statistics."  
<https://www.cdfa.ca.gov/statistics/> (accessed September 2020).
- California Department of Transportation (Caltrans). 2013. Technical Noise Supplement to the Traffic Noise Analysis Protocol. (CT-HWANP-RT-13-069.25.2) September.
- \_\_\_\_\_. 2020a. Transportation and Construction Vibration Guidance Manual (CT-HWANP-RT-20-365.01.01). April. <https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/env/tcvgm-apr2020-a11y.pdf> (accessed September 2020).
- \_\_\_\_\_. 2020b. "Truck Traffic: Annual Average Daily Truck Traffic."  
<https://dot.ca.gov/programs/traffic-operations/census> (accessed September 2020).
- California Department of Water Resources. 2004. California's Groundwater Bulletin 118. February 27, 2004. [https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Groundwater-Management/Bulletin-118/Files/2003-Basin-Descriptions/4\\_011\\_02\\_HollywoodSubbasin.pdf](https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Groundwater-Management/Bulletin-118/Files/2003-Basin-Descriptions/4_011_02_HollywoodSubbasin.pdf) (accessed September 2020).
- \_\_\_\_\_. 2018. Indicators of Climate Change in California. May 2018.  
<https://oehha.ca.gov/media/downloads/climate-change/report/2018caindicatorsreportmay2018.pdf> (accessed September 2020).
- California Energy Commission (CEC). 2018. "2019 Building Energy Efficiency Standards." March 2018.
- California Geological Survey (CGS). 2018a. Fault Evaluation Report FER 259 – The Hollywood, Santa Monica, and Newport-Inglewood Faults in the Beverly Hills and Topanga 7.5' Quadrangles. January 5, 2018.  
[http://gmw.conservation.ca.gov/SHP/EZRIM/Reports/FER/259/FER\\_259\\_Report\\_20180111.pdf](http://gmw.conservation.ca.gov/SHP/EZRIM/Reports/FER/259/FER_259_Report_20180111.pdf)
- \_\_\_\_\_. 2018b. *Earthquake Zones of Required Investigation Beverly Hills Quadrangle* [map]. Tabular digital data and vector digital data. 1:24,000. January 11, 2018.  
[http://gmw.conservation.ca.gov/SHP/EZRIM/Maps/BEVERLY\\_HILLS\\_EZRIM.pdf](http://gmw.conservation.ca.gov/SHP/EZRIM/Maps/BEVERLY_HILLS_EZRIM.pdf)
- California Governor's Office of Planning and Research (OPR). 2005. *Supplement to General Plan Guidelines*. Sacramento, CA. November 14, 2005.  
[http://gmw.conservation.ca.gov/SHP/EZRIM/Maps/BEVERLY\\_HILLS\\_EZRIM.pdf](http://gmw.conservation.ca.gov/SHP/EZRIM/Maps/BEVERLY_HILLS_EZRIM.pdf)  
[https://opr.ca.gov/docs/011414\\_Updated\\_Guidelines\\_922.pdf](https://opr.ca.gov/docs/011414_Updated_Guidelines_922.pdf) (accessed September 2020).
- California Natural Resources Agency. 2009. 2009 California Climate Adaptation Strategy. March 2009. [http://resources.ca.gov/docs/climate/Statewide\\_Adaptation\\_Strategy.pdf](http://resources.ca.gov/docs/climate/Statewide_Adaptation_Strategy.pdf) (accessed September 2020).
- California Office of Historic Preservation (OHP). 1995. *Instructions for Recording Historical Resources*. Sacramento, CA.
- \_\_\_\_\_. 2006. *California Register and National Register: A Comparison*. Sacramento, CA.
- California Regional Water Quality Control Board Los Angeles Region (RWQCB). 1996. Interim Site Assessment and Cleanup Guidebook. [online]:  
[http://www.swrcb.ca.gov/losangeles/water\\_issues/programs/remediation/brownfields/RBs%201996%20Guide%20Book1\\_1.pdf](http://www.swrcb.ca.gov/losangeles/water_issues/programs/remediation/brownfields/RBs%201996%20Guide%20Book1_1.pdf). Accessed September 2020

- \_\_\_\_\_. 2016. Underground Storage Tank Program – Case Closure. 76 Service Station No. 250703, 9988 Wilshire Boulevard, Beverly Hills. (Case No.R-24652) (Priority C-1 Site).
- Citrus Heights, City of. Environmental Noise Assessment [for the] City of Citrus Heights City Hall and Medical Office Building Project. 2014.  
<http://www.citrusheights.net/DocumentCenter/View/3049> (accessed September 2020).
- City of Los Angeles. 2006. L.A. CEQA Thresholds Guide.  
<https://planning.lacity.org/eir/CrossroadsHwd/deir/files/references/A07.pdf> (accessed September 2020).
- City of Los Angeles Department of City Planning, Office of Historic Resources. 2015. SurveyLA Historic Resources Survey Report Wilshire Community Plan Area.  
[http://preservation.lacity.org/sites/default/files/ARG%20FINAL%20Wilshire%20Report\\_HPLAEdit.pdf](http://preservation.lacity.org/sites/default/files/ARG%20FINAL%20Wilshire%20Report_HPLAEdit.pdf) (accessed June 19, 2018).
- \_\_\_\_\_. 2020. Database accessed online at. <http://zimas.lacity.org/>
- Cleland, Robert Glass. 2005. *The Cattle on a Thousand Hills: Southern California, 1850-80*, second ed., sixth printing. The Huntington Library, San Marino, California.
- Climate Registry, The. 2019. “CRIS Public Reports.” <https://www.theclimateregistry.org/our-members/cris-public-reports/> (accessed September 2020).
- County of Los Angeles Department of Public Health. 2020. Safer at Home Order Issued 2020-03-19, Revised 2020-09-02.  
[http://publichealth.lacounty.gov/media/Coronavirus/docs/HOO/2020\\_09\\_02\\_HOO\\_Safer\\_at\\_Home.pdf](http://publichealth.lacounty.gov/media/Coronavirus/docs/HOO/2020_09_02_HOO_Safer_at_Home.pdf) (accessed September 2020).
- Crocker, Malcolm J. Crocker (Editor). 2007. Handbook of Noise and Vibration Control, ISBN: 978-0-471-39599-7, Wiley-VCH, October.
- Daly, Pamela. 2011. State of California Department of Parks and Recreation 523 Series Forms for Los Angeles Country Club (Primary No. 19-189314). [www.metro.net](http://www.metro.net) (accessed October 2020).
- Drover, Christopher E. 1971. Three Fired-Clay Figurines from 4-Ora-64, Orange County, California. *Pacific Coast Archaeological Society Quarterly* 7(4):73–86.
- \_\_\_\_\_. 1975. Early Ceramics from Southern California. *The Journal of California Anthropology* 2(1):101–107.
- Dumke, Glenn S. 1944. *The Boom of the Eighties in Southern California*. Huntington Library Publications, San Marino, California.
- Earth Consultants International. 2018. Report on a Fault Hazard Investigation for the Properties Located at 9900-9916 South Santa Monica Boulevard, Beverly Hills, CA, 90212. April 6, 2018.
- English, John and Portia E. Lee. 2006. California Department of Parks and Recreation Form for the Post World War II Modern Commercial Office Building District. In *City of Beverly Hills Historic Resources Survey Report, Survey Area 5; Commercial Properties*. Jones & Stokes, 2006, rev. 2007.
- Erlandson, Jon M. 1991. Early Maritime Adaptations on the Northern Channel Islands. In *Hunter-Gatherers of Early Holocene Coastal California*, edited by J.M. Erlandson and R. Colten. Perspectives in California Archaeology, Vol. 1. Institute of Archaeology, University of California, Los Angeles.



- Federal Emergency Management Agency (FEMA). 2008. Flood Map Panel 06037C1585F, Effective 09/26/2008.  
<https://msc.fema.gov/portal/search?AddressQuery=9900%20Wilshire%20Boulevard%2C%20Beverly%20Hills%2C%20CA#searchresultsanchor> (accessed October 2020).
- Federal Highway Administration (FHWA). 2006. Roadway Construction Noise Model.  
[https://www.fhwa.dot.gov/environment/noise/construction\\_noise/rcnm/](https://www.fhwa.dot.gov/environment/noise/construction_noise/rcnm/) (accessed September 2020).
- \_\_\_\_\_. 2011. Highway Traffic Noise: Analysis and Abatement Guidance (FHWA-HEP-10-025).  
[https://www.fhwa.dot.gov/environment/noise/regulations\\_and\\_guidance/analysis\\_and\\_abatement\\_guidance/revguidance.pdf](https://www.fhwa.dot.gov/environment/noise/regulations_and_guidance/analysis_and_abatement_guidance/revguidance.pdf) (accessed September 2020).
- Federal Transit Administration (FTA). 2018. Transit Noise and Vibration Impact Assessment. FTA Report No. 0123. Washington, D.C. September 2018.  
<https://www.transit.dot.gov/regulations-and-guidance/environmental-programs/noise-and-vibration> (accessed September 2020).
- Fehr & Peers. 2007. Traffic Study for Beverly Hilton Revitalization Plan.
- \_\_\_\_\_. 2016. One Beverly Hills Transportation Impact Study Report.  
[https://www.beverlyhills.org/cbhfiles/storage/files/1541805168635951600/9900Wilshire\(OneBeverlyHills\)FinalSEIR\\_AppendixD\\_Traffic.pdf](https://www.beverlyhills.org/cbhfiles/storage/files/1541805168635951600/9900Wilshire(OneBeverlyHills)FinalSEIR_AppendixD_Traffic.pdf) (accessed September 2020).
- \_\_\_\_\_. 2018a. Traffic Counts for North Santa Monica Boulevard East of Roxbury Drive. July 18, 2018.
- \_\_\_\_\_. 2018b. Traffic Counts for Wilshire Boulevard East of Santa Monica Boulevard. June 14, 2018.
- \_\_\_\_\_. 2020. One Beverly Hills Overlay Specific Plan Local Transportation Assessment. November 2020.
- Finke, Nikki. 2011. "UTA Moving to New Beverly Hills Location: 9336-9346 Civic Center Complex Named UTA Plaza". <http://deadline.com/2011/11/uta-moving-to-new-beverly-hills-location-195540/> (accessed May 22, 2017).
- Forster, P., V. Ramaswamy, P. Artaxo, T. Berntsen, R. Betts, D.W. Fahey, J. Haywood, J. Lean, D.C. Lowe, G. Myhre, J. Nganga, R. Prinn, G. Raga, M. Schulz and R. Van Dorland. 2007. Changes in Atmospheric Constituents and in Radiative Forcing. Climate Change 2007: The Physical Science Basis. Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change [Solomon, S., D. Qin, M. Manning, Z. Chen, M. Marquis, K.B. Averyt, M. Tignor and H.L. Miller (eds.)]. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA.  
<https://www.ipcc.ch/site/assets/uploads/2018/02/ar4-wg1-chapter2-1.pdf>
- Geocon West, Inc. 2012. *Report of Fault Rupture Hazard Investigation. 10000 Santa Monica Boulevard, Los Angeles, California*. Prepared for Crescent Heights, 2200 Biscayne Boulevard, Miami, Florida.
- \_\_\_\_\_. 2013. *Fault Rupture Evaluation for 9900 Wilshire Boulevard Beverly Hills, California*. April 22, 2013. Prepared for Allen Matkins Leck Gable Malory & Natsis LLP, Los Angeles, California.

- \_\_\_\_\_. 2014. Phase II Site-Specific Fault Rupture Investigation for 9900 Wilshire Boulevard Beverly Hills, California. May 6, 2014. Prepared for Allen Matkins Leck Gable Malory & Natsis LLP, Los Angeles, California.
- \_\_\_\_\_. 2016. Updated Geotechnical Investigation for Proposed Mixed-Use High Rise Development 9900 Wilshire Boulevard Beverly Hills, California. April 8, 2016. Prepared for Wanda Beverly Hills Properties, LLC, Beverly Hills, California.
- Gin Wong Associates. 2013. "LAX Theme Building Then and Now," Gin Wong Associates Facebook page, post-dated September 28, 2013.
- Glass, Michael A. 1997. Middle Holocene Cultural Development in the Central Santa Barbara Channel Region. In *Archaeology of the California Coast during the Middle Holocene*, pp.73–90. Perspectives in California Archaeology, Vol. 4. Institute of Archaeology, University of California, Los Angeles.
- Glassow, Michael A., L. Wilcoxon, and J.M. Erlandson. 1988. Cultural and Environmental Change during the Early Period of Santa Barbara Channel Prehistory. In *The Archaeology of Prehistoric Coastlines*, edited by G. Bailey and J. Parkington pp. 64–77. Cambridge University Press, Cambridge.
- Google Earth Pro. 2020. Aerial imagery accessed via the time slider tool. June and July 2011.
- Green, Terence M. 1984. "Project Can't Go Up So Goes Down," *Los Angeles Times*, November 11, 1984. newspapers.com.
- Hand, Mike. 2020. Personal communication [email] between Fire Marshal Mike Hand at Beverly Hills Fire Department with Supervising Planner Melissa Whittemore at Rincon Consultants, Inc. August 6, 2020.
- Hanse Golf Design. N.D. "Original Design Projects."  
<https://www.hansegolfdesign.com/projects/original-design-projects/> (accessed October 2020).
- Hasanovic, Aisha. 2006. *2000 architects A-J*. Images Publishing Group Pty Ltd, Mulgrave, Victoria, Australia.
- Heizer, Robert F. 1978. Introduction. In *California*, edited by Robert F. Heizer, pp. 1–6. Handbook of North American Indians, Vol. 8, William G. Sturtevant, general editor, Smithsonian Institution, Washington D.C.
- Historic Resources Group, LLC (HRG). 2006. Cultural Resources Technical Report, Beverly Hilton Redevelopment Plan, 9876 Wilshire Boulevard, Beverly Hills, CA 90210. December. Prepared for Oasis West Realty, LLC, Beverly Hills, CA.
- \_\_\_\_\_. 2014. *Beverly Hilton Historic American Building Survey*. March. Prepared for the City of Beverly Hills, CA.
- Illingworth & Rodkin, Inc. 2009. Wal-Mart Expansion, Williamson Ranch Plaza (Antioch, California) Environmental Noise Assessment. <https://www.antiochca.gov/fc/community-development/planning/Walmart/DEIR-VOLII-APPENDICES-C-H/Appendix%20G%20Noise%20Assessment.pdf> (accessed September 2020).
- Impact Sciences, Inc. 2007. *9900 Wilshire Project Draft Environmental Impact Report Volume I* (SCH No. 2006071107). Prepared for the City of Beverly Hills. August.

- Intergovernmental Panel on Climate Change (IPCC). 2007. Summary for Policymakers. In: Climate Change 2007: The Physical Science Basis. Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change.
- \_\_\_\_\_. 2014a. Climate Change 2014: Mitigation of Climate Change. Summary for Policymakers - Contribution of Working Group III to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA.
- \_\_\_\_\_. 2014b. Climate Change 2014 Synthesis Report. Contribution of Working Groups I, II and III to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change [Core Writing Team, R.K. Pachauri and L.A. Meyer (eds.)]. IPCC, Geneva, Switzerland.
- \_\_\_\_\_. 2018. Summary for Policymakers. In: Global warming of 1.5°C. An IPCC Special Report on the impacts of global warming of 1.5°C above pre-industrial levels and related global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty. <https://www.ipcc.ch/sr15/> (accessed September 2020).
- Johnson Heumann Research Associates. 1986. Beverly Hills Historic Resources Survey, 1985-1986. Prepared for the City of Beverly Hills, CA.
- Jones, J.I.B. 2020. "L.A.C.C. SOUTH Opened on Washington's Birthday 1921." Golf Historical Society. <http://www.golfhistoricalsociety.org/ghswordpress/2020/02/22/l-a-c-c-south-opens-washingtons-birthday-1921/> (accessed October 2020). Johnson, J.R., T.W. Stafford, Jr., H.O. Ajie, and D.P. Morris. 2002. *Proceedings of the Fifth California Islands Symposium*, pp. 541-545.
- Jones & Stokes Associates (Jones & Stokes). 2007a. Cultural Resources Technical Document for the Beverly Hilton Revitalization Plan, Prepared in Support of the Draft Environmental Impact Report.
- \_\_\_\_\_. 2007b. City of Beverly Hills Historic Resources Survey Report, Survey Area 5: Commercial Properties.
- Jones, Terry L., Richard T. Fitzgerald, Douglas J. Kennett, Charles Miksicek, John L. Fagan, John Sharp, and Jon M. Erlandson. 2002. The Cross Creek Site and Its Implications for New World Colonization. *American Antiquity* 67:213-230.
- King, Chester D. 1994. Native American Placenames in the Santa Monica Mountains National Recreation Area, Agoura Hills. Topanga Anthropological Consultants, California.
- Kinsler, Lawrence E. and R. Frey, Austin and B. Coppens, Alan and V. Sanders, James. 1999. Fundamentals of Acoustics, 4th Edition. ISBN 0-471-84789-5. Wiley-VCH, December 1999.
- Koerper, Henry C. and Christopher E. Drover. 1983. Chronology Building for Coastal Orange County: The Case from CA-ORA-119-A. *Pacific Coast Archaeological Society Quarterly* 19(2):1-34.
- Kowta, Makoto. 1969. The Sayles Complex, A Late Milling Stone Assemblage from the Cajon Pass and the Ecological Implications of its Scraper Planes. *University of California Publications in Anthropology* 6:35-69. Berkeley, California.
- Kroeber, Alfred J. 1925. *Handbook of the Indians of California*. Bureau of American Ethnology Bulletin 78. Dover Publications, Inc., New York.

- Kyle, Douglas E. 2002. *Historic Spots in California*. 5th ed. Stanford University Press, Stanford, California.
- Leighton Consulting, Inc. 2015. Fault Hazard Assessment – El Rodeo K8 School, 655 Whittier Drive, Beverly Hills, California. February 27, 2015. Prepared for Beverly Hills Unified School District.
- \_\_\_\_\_. 2016. Updated Fault Hazard Assessment and Response to CGS Review Letter, El Rodeo K-8 School, 655 Whittier Drive, Beverly Hills, California, unpublished consultant report prepared for Beverly Hills Unified School District, Project No. 10274.006 January 31, 2016
- Lennox. 2020. “VCFB Ceiling and Floor Mount.”  
<https://www.lennoxcommercial.com/products/heating-cooling/lennox-vrf/vcfb-ceiling-floor>  
 (accessed September 2020).
- Lettis Consultants International, Inc. 2020. *Fault Rupture Hazard Investigation – 9988 Wilshire Boulevard, Beverly Hills, California*. November 16, 2020. Prepared for BH Luxury Residences, LLC.
- Longstreth, Richard. 1998. *City Center to Regional Mall: Architecture, the Automobile and Retailing in Los Angeles, 1920-1950*. MIT Press, Cambridge, Massachusetts.
- Los Angeles, City of. 2001. *Brentwood Project/“The Park: Environmental Impact Report*. SCH#1998111036. November 13, 2001.
- \_\_\_\_\_. 2020. ZIMAS map. <http://zimas.lacity.org> (accessed September 2020).
- Los Angeles Conservancy. 2016. “Gin Wong.” <https://www.laconservancy.org/architects/gin-wong> (accessed May 19, 2017).
- Los Angeles County Metropolitan Transportation Authority (Metro). 2020. NextGen Bus Plan. <https://www.metro.net/projects/nextgen/> (accessed November 2020).w
- Los Angeles County Metropolitan Transportation Authority (Metro) and Southern California Association of Governments (SCAG). 2014. First Last Mile Strategic Plan and Planning Guidelines. [https://media.metro.net/docs/First\\_Last\\_Mile\\_Strategic\\_Plan.pdf](https://media.metro.net/docs/First_Last_Mile_Strategic_Plan.pdf) (accessed October 2020).
- Los Angeles County Public Works, Environmental Programs Division. Underground Storage Tank Program: Closure. No date (n.d.) <https://pw.lacounty.gov/epd/UST/closure.cfm> (Accessed September 2020).
- Los Angeles Sanitation and Environment. 2020. “Treatment Process.”  
<https://www.lacitysan.org/san/faces/home/portal/s-lsh-wwd/s-lsh-wwd-cw/s-lsh-wwd-cw-p/s-lsh-wwd-cw-p-tp> (accessed September 2020).
- Los Angeles Times. 2017. “Gin D. Wong, visionary architect of L.A.’s Modernist landmarks, dies at 94,” Los Angeles Times.
- LSA Associates, Inc. 2020. Focused Bat Survey 9850, 9876, 9900, and 9900 Wilshire Boulevard. One Beverly Hills Overlay Specific Plan, City of Beverly Hills, Los Angeles County, California. November 2020.
- McCawley, W. 1996. *The First Angelinos: The Gabrielino Indians of Los Angeles*. Malki Museum Press, Banning California and Ballena Press, Novato, California.
- Meighan, Clement W. 1954. A Late Complex in Southern California Prehistory. *Southwestern Journal of Anthropology* 10(2):215–227.

- Metropolitan Water District of Southern California (MWD). 2016.  
[http://www.mwdh2o.com/PDF\\_About\\_Your\\_Water/2015%20IRP%20Update%20Report%20\(web\).pdf](http://www.mwdh2o.com/PDF_About_Your_Water/2015%20IRP%20Update%20Report%20(web).pdf) (accessed September 2020).
- \_\_\_\_\_. 2020a. Overview and Mission.  
<http://www.mwdh2o.com/WhoWeAre/Mission/Pages/default.aspx> (accessed September 2020).
- \_\_\_\_\_. 2020b. Achievements in Conservation, Recycling, and Groundwater Recharge.  
[http://www.mwdh2o.com/PDF\\_In\\_The\\_Community/3.1\\_1.2\\_Regional\\_Progress\\_Report.pdf](http://www.mwdh2o.com/PDF_In_The_Community/3.1_1.2_Regional_Progress_Report.pdf) (accessed September 2020).
- Moe Golf. 2016. “Los Angeles Country Club – North Course”, 12 February.  
<https://moegolf.net/2016/02/12/los-angeles-country-club-north-course/> (Accessed October 2020).
- Moratto, Michael J. 1984. *California Archaeology*. Academic Press, New York.
- Moriarty, James R., III. 1966. Cultural Phase Divisions Suggested by Typological Change Coordinated with Stratigraphically Controlled Radiocarbon Dating in San Diego. *The Anthropological Journal of Canada* 4(4):20–30.
- National Aeronautics and Space Administration. 2020. “Global Climate Change – Vital Signs of the Planet – Sea Level.” <https://climate.nasa.gov/vital-signs/sea-level/> (accessed September 2020).
- National Highway Traffic Safety Administration. 2020. “Fact Sheet: SAFE Vehicles Rule.”  
<https://www.nhtsa.gov/corporate-average-fuel-economy/safe-fact-sheet> (accessed September 2020).
- National Oceanic and Atmospheric Administration. 2020a. 2019 Local Climatological Data Annual Summary with Comparative Data – Los Angeles International Airport (KLAX).
- \_\_\_\_\_. 2020b. “Global Climate Report for Annual 2019.” State of the Climate. January 2020.  
<https://www.ncdc.noaa.gov/sotc/global/201813> (accessed September 2020).
- National Park Service. 1995. *How to Apply the National Register Criteria for Evaluation*.  
[https://www.nps.gov/subjects/nationalregister/upload/NRB-15\\_web508.pdf](https://www.nps.gov/subjects/nationalregister/upload/NRB-15_web508.pdf) (accessed on October 1, 2020).
- \_\_\_\_\_. 1997. *How to Complete the National Register Registration Form*. National Register Bulletin 16a. U.S. Department of the Interior, Washington D.C.
- Netronline. Var. Aerial images of the project site. <https://www.historicaerials.com/viewer> (accessed October 1, 2020).
- Office of Planning and Research (OPR). 2018. Technical Advisory on Evaluating Transportation Impacts in CEQA. [https://www.opr.ca.gov/docs/20190122-743\\_Technical\\_Advisory.pdf](https://www.opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf) (accessed September 2020).
- Orange County Catholic. 2016. “Christ Cathedral: A Campus in Transition,” March 14, 2016.  
<http://occatholic.com/christ-cathedral-a-campus-in-transition/> (accessed May 22, 2017).
- Parsons Brinkerhoff. 2011. *Century City Area Fault Investigation Report for the Westside Subway Extension project, 2 volumes*, PB report. November 30, 2011.  
<http://www.metro.net/projects/westside/westside-reports/>

- Rice, Richard B., William A. Bullough, Richard J. Orsi, and Mary Ann Irwin. 2012. *The Elusive Eden: A New History of California*, 4th edition.
- Rick, Torben C., Jon M. Erlandson, and René Vellanoweth. 2001. Paleocoastal Marine Fishing on the Pacific Coast of the Americas: Perspectives from Daisy Cave, California. *American Antiquity* 66:595–613.
- Roderick, Kevin J. and Eric Lynxwiler. 2005. *Wilshire Boulevard: The Grand Concourse of Los Angeles by Santa Monica*: Angel City Press, Los Angeles, California.
- Rogers, Malcom J. 1939. Early Lithic Industries of the Lower Basin of the Colorado River and Adjacent Desert Areas. *San Diego Museum of Man Papers* 3.
- \_\_\_\_\_. 1945. An Outline of Yuman Prehistory. *Southwestern Journal of Anthropology* 1(2):167–198.
- Roy J. Shlemon & Associates, Inc. 2020. Recommendation for Acceptance of Literature-Review Report “Fault Rupture Hazard Investigation 9988 Wilshire Boulevard, Beverly Hills, California” By Lettis Consultants International. On behalf of BH Luxury Residences, LLC, Los Angeles.
- Salas, Andy and Matt Teutimez. Personal communication [phone call] between Masa Alkire at Beverly Hills Planning Division with Andy Salas and Matt Teutimez at Gabrieleño Band of Mission Indians – Kizh Nation. October 7, 2020.
- Sandomir, Richard. 2017. “Gin Wong, Who Designed Futuristic Buildings in Los Angeles, Dies at 94,” *The New York Times*, September 17, 2017.
- Shipley, William F. 1978. Native Languages of California. In *California*, edited by Robert F. Heizer, pp. 80–90. *Handbook of North American Indians*, Vol. 8, William G. Sturtevant, general editor, Smithsonian Institution, Washington D.C.
- Parmesan, C. August 2006. Ecological and Evolutionary Responses to Recent Climate Change.
- South Coast Air Quality Management District (SCAQMD). 1993. CEQA Air Quality Handbook. November 1993.
- \_\_\_\_\_. 2003. White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution. August 2003. <http://www.aqmd.gov/docs/default-source/Agendas/Environmental-Justice/cumulative-impacts-working-group/cumulative-impacts-white-paper.pdf?sfvrsn=2> (accessed September 2020).
- \_\_\_\_\_. 2005. Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning. May 6, 2005. <http://www.aqmd.gov/docs/default-source/planning/air-quality-guidance/complete-guidance-document.pdf> (accessed September 2020).
- \_\_\_\_\_. 2008a. Final Localized Significance Threshold Methodology. July 2008. <http://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/final-lst-methodology-document.pdf> (accessed September 2020).
- \_\_\_\_\_. 2008b. *Draft Guidance Document – Interim CEQA Greenhouse Gas (GHG) Significance Threshold*. October 2008. [http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-\(ghg\)-ceqa-significance-thresholds/ghgattachmente.pdf](http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-(ghg)-ceqa-significance-thresholds/ghgattachmente.pdf) (accessed September 2020).

- \_\_\_\_\_. 2009. Appendix C – Mass Rate LST Look-up Tables. Last modified: October 21, 2009. <http://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/appendix-c-mass-rate-lst-look-up-tables.pdf?sfvrsn=2> (accessed September 2020).
- \_\_\_\_\_. 2010. Minutes for the GHG CEQA Significance Threshold Stakeholder Working Group #15. September 28, 2010. [http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-\(ghg\)-ceqa-significance-thresholds/year-2008-2009/ghg-meeting-15/ghg-meeting-15-minutes.pdf?sfvrsn=2](http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-(ghg)-ceqa-significance-thresholds/year-2008-2009/ghg-meeting-15/ghg-meeting-15-minutes.pdf?sfvrsn=2) (accessed November 2020).
- \_\_\_\_\_. 2016. “National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) Attainment Status for South Coast Air Basin.” February 2016. <http://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/naaqs-caaqs-feb2016.pdf> (accessed September 2020).
- \_\_\_\_\_. 2017. Final 2016 Air Quality Management Plan (AQMP). March 3, 2017. (accessed September 2020).
- \_\_\_\_\_. 2019. “South Coast AQMD Air Quality Significance Thresholds.” Last modified: April 2019. <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf> (accessed September 2020).
- Southern California Association of Governments. 2016. 2016 RTP/SCS Appendix: Demographics & Growth Forecast. April 7, 2016. <http://scagrtpscs.net/Pages/FINAL2016RTPSCS.aspx> (accessed September 2020).
- \_\_\_\_\_. 2020a. *Connect SoCal (2020 - 2045 Regional Transportation Plan/Sustainable Communities Strategy)*. <https://www.connectsocal.org/Pages/Connect-SoCal-Final-Plan.aspx> (accessed July 2020).
- Southern California Edison. 2012. 2012 Corporate Responsibility & Sustainability. [https://www1.sce.com/wps/wcm/connect/68145014-2eba-40c2-8587-6482ce056977/CRR\\_08202013.pdf?MOD=AJPERES&ContentCache=NONE](https://www1.sce.com/wps/wcm/connect/68145014-2eba-40c2-8587-6482ce056977/CRR_08202013.pdf?MOD=AJPERES&ContentCache=NONE) (accessed October 2020).
- Southern California Golf Association. 2017. “SCGA History-Part 1: 1899-1919.” [www.scga.org](http://www.scga.org) (accessed October 2020).
- State of California. 2018. California’s Fourth Climate Change Assessment Statewide Summary Report. August 27, 2018. <http://www.climateassessment.ca.gov/state/> (accessed September 2020).
- True, Delbert L. 1993. Bedrock Milling Elements as Indicators of Subsistence and Settlement Patterns in Northern San Diego County, California. *Pacific Coast Archaeological Society Quarterly* 29(2):1–26.
- United States Census. 2017. “Work Area Profile Analysis.” <https://onthemap.ces.census.gov/> (accessed September 2020).
- United States Environmental Protection Agency (U.S. EPA). 2013. Policy Assessment for the Review of the Lead National Ambient Air Quality Standards, External Review Draft. [https://www3.epa.gov/ttn/naaqs/standards/pb/data/010913\\_pb-draft-pa.pdf](https://www3.epa.gov/ttn/naaqs/standards/pb/data/010913_pb-draft-pa.pdf) (accessed September 2020).

- \_\_\_\_\_. 2018. "Criteria Air Pollutants." Last modified: March 8, 2018. <https://ww2.arb.ca.gov/our-work/programs/state-and-federal-area-designations/state-area-designations/summary-tables> (accessed October 2020).
- \_\_\_\_\_. 2020. Regional Screening Levels (RSLs). : <https://www.epa.gov/risk/regional-screening-levels-rsls>. Accessed September 2020 Accessed September 2020.
- \_\_\_\_\_. 2020a. Outdoor Air Quality Data – Monitor Values Report." <https://www.epa.gov/outdoor-air-quality-data/monitor-values-report> (accessed September 2020).
- \_\_\_\_\_. 2020b. Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2018. U. S. EPA #430-R-20-002. April 2020. <https://www.epa.gov/ghgemissions/inventory-us-greenhouse-gas-emissions-and-sinks-1990-2018> (accessed September 2020).
- United States Fish and Wildlife Services. 2020. Wetlands Mapper. Available at <https://www.fws.gov/wetlands/data/mapper.html> (accessed October 2020).
- Veneklasen Associates, Inc. 2014-2017. 9876 Wilshire Boulevard Project - Phase 1 Environmental Services Construction Demolition Noise and Vibration Monitoring at Nearby Receptors Reports. VA Project No. 1637-002. August 1, 2014 through January 9, 2017.
- Wallace, William. 1955. Suggested Chronology for Southern California Coastal Archaeology. *Southwestern Journal of Anthropology* 11:214–230.
- \_\_\_\_\_. 1978. Post-Pleistocene Archaeology, 9000 to 2000 B.C. In *California*, edited by Robert F. Heizer, pp. 25–36. Handbook of North American Indians, Vol. 8, William G. Sturtevant, general editor, Smithsonian Institution, Washington D.C.
- Wanamaker, Marc. 2005. *Early Beverly Hills*. Arcadia Publishing, Mount Pleasant, South Carolina.
- \_\_\_\_\_. 2006. *Beverly Hills, (Ca): 1930-2005*. Arcadia Publishing, Mount Pleasant, South Carolina.
- Warren, Claude N. 1968. Cultural Tradition and Ecological Adaptation on the Southern California Coast. In *Archaic Prehistory in the Western United States*, edited by Cynthia Irwin-Williams, pp. 1–14. Eastern New Mexico University Contributions in Anthropology No. 1. Portales.
- Waugh, John C. 2003. On the Brink of Civil War: The Compromise of 1850 and How It Changed the Course of American History. Scholarly Resources Inc., Wilmington, Delaware.
- Weeks, Kay D. and Anne E. Grimmer. 1995. The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstruction Historic Buildings. Washington D.C.: U.S. Department of the Interior, National Park Service.
- Wharton, David. 2015. "Great Read: Golf designer digs up a classic at L.A. Country Club", Los Angeles Times, 7 August.
- Windeler, Robert. 1997. Links With A Past: The First 100 Years of The Los Angeles Country Club 1897-1997. Published by The Los Angeles Country Club.
- Wood Environment & Infrastructure Solutions, Inc. 2018. Report of Geotechnical Consultation, Beverly Hilton Specific Plan Amendment, Beverly Hills, California. October 2, 2018.
- World Meteorological Organization. 2013. A summary of current and climate change findings and figures: a WMO information note. March 2013. [https://library.wmo.int/opac/index.php?lvl=notice\\_display&id=15892#.Wt9-Z8gvzIU](https://library.wmo.int/opac/index.php?lvl=notice_display&id=15892#.Wt9-Z8gvzIU) (accessed April 2020).



\_\_\_\_\_. 2020. "Greenhouse Gases." <https://public.wmo.int/en/our-mandate/focus-areas/environment/greenhouse%20gases> (accessed September 2020).

## 7.2 List of Preparers

This EIR was prepared by the City of Beverly Hills, with the assistance of Rincon Consultants, Inc. Staff involved in the preparation of the EIR are listed below.

### **CITY OF BEVERLY HILLS**

Masa Alkire, AICP, Principal Planner  
Samer Elayyan, Public Works Project Manager  
Darren Grilley, City Engineer  
Mike Hand, Fire Marshal  
Jesse Holzer, Transportation Planner  
Mark Odell, Urban Designer  
Kevin Riley, Senior Transportation Engineer

### **RINCON CONSULTANTS, INC.**

Deanna Hansen, Principal in Charge  
Joe Power, AICP CEP, Principal Planner  
Lindsey Sarquilla, MESM, Project Manager/Senior Environmental Planner  
Melissa Whittemore, Supervising Planner  
Amanda Antonelli, Environmental Planner  
Emily Marino, Environmental Planner  
Annaliese Miller, Environmental Planner  
Hannah Mize, Environmental Planner  
Daphne Virlar-Knight, Environmental Planner  
Allysen Valencia, GIS Analyst  
Dario Campos, Production Specialist

### **FEHR & PEERS**

Sarah Brandenburg, Principal