



Draft Environmental Impact Report

City of Beverly Hills
9908 South Santa Monica Boulevard
Condominium Project
SCH #2016041035



Rincon Consultants Inc.
Environmental Scientists . Planners . Engineers

August 2016

DRAFT
ENVIRONMENTAL IMPACT REPORT

9908 SOUTH SANTA MONICA BOULEVARD
CONDOMINIUM PROJECT

SCH #2016041035

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EXECUTIVE SUMMARY

This document is an Environmental Impact Report (EIR) analyzing the environmental effects of the proposed 9908 South Santa Monica Boulevard Condominium Project (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

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Project Description

This EIR has been prepared to examine the potential environmental effects of the 9908 South Santa Monica Boulevard Condominium Project. The following is a summary of the full project description, which can be found in Section 2, *Project Description*.

The Project site is comprised of five lots located on the southwest corner of South Santa Monica Boulevard and Charleville Boulevard. The Proposed Project would involve the construction of a residential condominium building on the currently vacant lot. The site is located in a C-3A Commercial Zone, which does not allow multi-family residential uses. Thus, the Proposed Project would require amendments to the City's General Plan and the Beverly Hills Municipal Code (BHMC) in order to create a Residential Overlay Zone, as well as a Planned Development Permit. The proposed Overlay would include development standards to, among other things, allow the use of automatic car lifts, increase the height limit, and increase the allowed floor to area ratio (FAR) to accommodate the Proposed Project.

Project Characteristics

The Proposed Project would involve the construction of a new 27-unit luxury condominium building with units ranging from one to four bedrooms. The Project would include approximately 89,988 square feet of floor area and would include four full stories of residential units plus a setback fifth penthouse level. The Project would also include one level of subterranean parking, as well as a gym, bike storage, and a total of 74 parking spaces for



residents and guests. Rooftop areas of the Project would include one common pool and a garden on the roof of the fifth floor as well as private terrace space and two private pools on the roof of the fourth floor, accessible from the penthouse level. The Project would be 66 feet in height and would have a floor area ratio (FAR) of approximately 2.5:1. The table below summarizes the basic Project characteristics.

Project Characteristics

Assessor's Parcel No.	4328-002-010 4328-002-011 4328-002-012 4328-002-013 4328-002-034
Project Site Size	36,002 sf (0.83 acres)
Building Floor Area	89,988 sf
1-Bedroom Units	5
2-Bedroom Units	18
4-Bedroom Units	<u>4</u>
Total Units	27
Parking	74
Proposed FAR	2.5:1
Max Building Height/Stories	66 ft / 5 stories

Note: sf = square feet, ft = feet

Site Access and Parking

A total of 74 parking spaces would be provided in a subterranean parking garage. Parking would include 3 accessible spaces, 43 standard single spaces, 11 tandem spaces (vehicles are positioned behind a single space), and 17 stacker spaces (a vehicle is positioned above or below another parking space and is accessed by an elevating device). Vehicular access would be provided from two driveways on South Santa Monica Boulevard. One driveway would be designated for inbound movement and the other driveway would be designated for outbound movement. The outbound movement driveway would be controlled by a stop sign. Pedestrians would access the proposed condominium building from the north side at the primary entry on South Santa Monica Boulevard.

Sustainability Features

The Proposed Project would comply with CalGreen and the California Energy Code. As a part of California Energy Code 2013, the roof of the proposed condominium building would be "Solar Ready," with provision of pathways, connectivity and 15% of the total roof area designated for future harnessing of solar energy via photovoltaic panels for onsite electricity generation and/or a solar thermal system integrated with water heating system (CEC, 2013). The Project would provide EV charging stations, the number of stations will be determined at a later time. Based on example building codes for EV charging stations, new multiple-family projects of more than 10 dwelling units, 10% of the total parking spaces required (all of the 10% shall be located within the required covered parking) shall be provided with a listed cabinet, box, or enclosure connected to a conduit linking the covered parking spaces or garages with the electrical service, in a manner approved by the building and safety official (OPR, 2013).



Applicant-Proposed Environmental Measures

Applicant-Proposed Biological Resources Condition of Approval: Nesting Bird and Raptor Survey: The City of Beverly Hills General Plan, Chapter 5: Open Space, contains policies intended to protect, enhance, and expand open space resources, remaining natural areas, and significant wildlife and vegetation in the City (Goal OS 1) including nesting birds. Implementation of Biological Condition 1, intended to be applied to the Project permit conditions of approval for consistency with the City's General Plan, would ensure no impacts would occur to nesting birds.

Biological Condition 1 - Avoid Bird Nesting Season or Conduct a Nesting Bird Survey and Provide Buffers. Vegetation removal and initial ground disturbance must occur either:

- a) Outside the bird and raptor breeding season, which is typically February 1 through August 31 (as early as January 1 for some raptors), or
- b) If vegetation clearing occurs during the breeding season, one pre-construction bird nesting survey shall be conducted not more than one week prior to vegetation clearing to determine the locations of nesting birds.

Applicant-Proposed Cultural Resources Conditions of Approval: The surface of the Project site has been previously graded, disturbed, and developed and no archaeological or paleontological resources are known to have been discovered. As a result, the possibility of encountering undisturbed cultural or paleontological resources is unlikely. However, in the unlikely event that such resources are unearthed during construction, implementation of Cultural Conditions 1 and 2 would ensure that the applicable regulatory requirements pertaining to the handling and treatment of such resources would be followed.

Cultural Condition 1 - Unanticipated Discovery of Cultural Resources. Archaeological and Native American monitoring shall be conducted for all ground-disturbing activities within the project site. Monitoring shall be performed under the direction of a qualified, city-approved archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (National Park Service, 1983). If a discovery occurs and proves to be significant under CEQA, as determined by the qualified archaeologist, additional work such as on-site monitoring by a qualified Native American Tribal representative, data recovery excavation, avoidance of the area of the find, documentation, testing, data recovery, reburial, archival review and/or transfer to the appropriate museum or educational institution, or other appropriate actions may be warranted at the discretion of the qualified archaeologist. The archeologist shall complete a report of excavations and findings, and submit the report to the lead agency. After the find is appropriately mitigated, work in the area may resume.

Cultural Condition 2 - Unanticipated Discovery of Human Remains. If human remains are found, 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 Public Resources Code Section 5097.98.



Applicant-Proposed Noise Condition of Approval: During the operation period of the proposed project, with the exception of the rooftop pool area, the exterior living areas along South Santa Monica and Charleville Boulevards, such as patios, balconies, and terraces, may be exposed to excessive noise levels. In addition, all residences facing South Santa Monica Boulevard and residences on floors one through three facing Charleville Boulevard would be exposed to excessive interior noise levels. However, implementation of Noise Condition 1 would ensure that the Proposed Project includes interior noise attenuation features that would minimize the residents' exposure to excessive noise levels.

Noise Condition 1 - Interior Noise Attenuation Features. The applicant shall incorporate building materials and techniques that reduce sound transmission through walls, windows, doors, ceilings, and floors of on-site residences for all floors facing South Santa Monica Boulevard or for floors one through three facing Charleville Boulevard, in order to achieve interior noise levels of a maximum of 45 dBA CNEL. Such building materials and techniques may include double-paned windows, staggered studs, or sound-absorbing blankets incorporated into building wall design. Acoustical analysis shall be performed prior to the issuance of an occupancy permit to demonstrate that noise levels in the interior livable spaces do not exceed state standards for residences. This requirement shall be incorporated into the plans to be submitted by the applicant to the City of Beverly Hills for review and approval prior to the issuance of building permits.

PROJECT OBJECTIVES

The following are the objectives for the Proposed Project:

- *Redevelop a currently vacant urban in-fill site into a luxury residential Project that is compatible with adjoining residential development and adjoining luxury hotel, office and service businesses.*
- *Enhance and activate a currently vacant site in an underutilized area of the City with limited parking, limited circulation, and adjacent sensitive residential uses by bringing high end 24-hour residential use to the site.*
- *Support infill development in an existing urban area in a manner that minimizes traffic impacts.*
- *Enhance housing opportunities in the City, bring new residents to the area, and provide an opportunity for downsizing Beverly Hills residents to remain in the City.*
- *Create luxury medium density urban housing with ample landscaped setbacks, spacious living areas, high ceilings, private outdoor open space and luxury roof top amenities.*
- *Improve the aesthetic quality of the site by creating a first class architectural building to replace vacant land.*
- *Create construction jobs and increase housing opportunities in the City.*
- *Improve public safety by bringing 24-hour residents and residential activity to an underutilized area of the City.*
- *Increase activity and the customer base for surrounding commercial businesses by bringing residents to the area.*

ALTERNATIVES

As required by CEQA, this EIR examines alternatives to the Proposed Project. Studied alternatives include the following.



- **No Project/Development Alternative**- This alternative assumes that the Proposed Project is not constructed and the site would remain in its current condition. As described in detail in Section 2, Project Description, the project site is currently vacant.
- **Mixed Use Residential and Commercial Alternative** - Under this alternative, the Proposed Project would be a mixed use building, including both commercial and residential uses. This alternative would have 27 residential units occupying 89,988 square feet, and would add 5,000 square feet of retail uses. The overall square footage of the project would be 94,988 square feet. The building would remain five stories and have a total height of 66 feet, with two levels of underground parking and a total of 89 parking spaces, as required by the City's parking standards. Setbacks along Santa Monica Boulevard would also be reduced to allow storefront retail on the ground floor.
- **Mixed Use Office and Commercial Alternative** - Under this alternative, the residential units of the Proposed Project would be replaced with 67,002 square feet of office space and 5,000 square feet of retail space on the ground floor. This alternative would reduce the building to three stories and a maximum building height of 45 feet, with four levels of underground parking and a total of 205 parking spaces, as required by the City's parking standards.
- **Office Alternative** - Under this alternative, the residential units of the Proposed Project would be replaced with 69,002 square feet of office space. In addition to the office space, the Proposed Project would include 999 square feet of restaurant space and 2,000 square feet of retail space. This minimal restaurant and retail would be used to service the office uses within the building. Additionally, this alternative would reduce the building to three stories and a maximum building height of 45 feet, with four levels of underground parking and a total of 205 parking spaces, as required by the City's parking standards. .

The No Project/Development Alternative would avoid both the temporary construction impacts and the long-term operational impacts associated with the Proposed Project because the site would remain undeveloped. However, the Project site is an infill lot in a highly urban area. Therefore, it can be assumed that a future project would be developed on the Project site, which would have impacts similar to those of the Proposed Project.

The Mixed Use Residential and Commercial Alternative would have similar impacts as the Proposed Project with slightly greater impacts associated with air quality and greenhouse gas (GHG) emissions due to increased amount of excavation required for the two levels of subterranean parking as well as the increase in Vehicle Miles Traveled (VMT)¹ associated with Project operation. The increase in Average Daily Traffic (ADT)² would result in increased impacts to transportation and traffic as well as an incremental increase in traffic generated noise on local streets. Impacts associated with aesthetics and hazards and hazardous materials would be similar as the Proposed Project. The commercial development associated with this alternative would comply with the intended use of the site and would result in slightly less impacts with respect to land use and planning. Overall, impacts would be slightly greater than those of the Proposed Project, and the Mixed Use alternative would not be considered environmentally superior.

¹ The CalEEMod results for the Proposed Project (Appendix 2) provide the impacts associated with GHG emissions by the VMT associated with the Project.

² The impacts associated with noise and traffic/transportation are analyzed based on the change in ADT, as shown in the Transportation Assessment (Appendix 5).



The Mixed Use Office and Commercial Alternative would have impacts similar to those of the Proposed Project associated with hazards and hazardous materials. The commercial use of this alternative would reduce impacts with respect to land use and planning, as the construction and operation of commercial and office space are allowed under the current C-3A zoning and would not require amendments to the General Plan or Zoning Ordinance. Further, the reduced building height to three stories would have reduced impacts to aesthetics when compared to the Proposed Project. However, as discussed above, the Office Alternative would have increased impacts associated with air quality and GHG emissions due to the increased excavation required for four levels of subterranean parking and the increased VMT associated with the office land use. Further, the increase in ADT would result in slight increases in impacts associated with noise and substantial increases in impacts associated with transportation and traffic. Overall, land use and aesthetics impacts would remain less than significant while impacts associated with air quality, GHG emissions, and transportation and traffic would increase in comparison to the Project. Therefore, overall impacts associated with the Mixed Use Office and Commercial Alternative would be greater than the Proposed Project and would not be environmentally superior.

The Office Alternative would have impacts similar to those of the Proposed Project associated with hazards and hazardous materials. The commercial use of this alternative would reduce impacts with respect to land use and planning, as the construction and operation of office space is allowed under the current C-3A zoning and would not require amendments to the General Plan or Zoning Ordinance. Further, the reduced building height to three stories would have reduced impacts to aesthetics when compared to the Proposed Project. However, as discussed above, the Office Alternative would have increased impacts associated with air quality and GHG emissions due to the increased excavation required for four levels of subterranean parking and the increased VMT associated with the office land use. Further, the increase in ADT would result in slight increases in impacts associated with noise and transportation and traffic. Overall, land use and aesthetics impacts would remain less than significant while impacts associated with associated with air quality, GHG emissions, and transportation and traffic would increase in comparison to the Project. Therefore, overall impacts associated with the Office Alternative would be greater than the Proposed Project and would not be environmentally superior.

The No Project/Development Alternative would avoid all of the proposed project impacts and would be environmentally superior to the Proposed Project. However, this alternative would not fulfill the Project Objectives. Among the other alternatives being considered, the Proposed Project could be considered environmentally superior because air quality, greenhouse gas, noise, and transportation and traffic impacts would be less when compared to Alternatives 2-4. In addition, Alternatives 2-4 would not support all of the Project objectives. In particular, these alternatives would result in greater traffic impacts, which would not support the objective to minimize traffic impacts. Alternatives 3 and 4 would eliminate housing opportunities provided by the Project, which would minimize the Project's contribution to improving public safety by bringing 24-hour residents and residential activity to an underutilized area of the City.

AREAS OF KNOWN CONTROVERSY

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



ISSUES TO BE RESOLVED

The primary issue to be resolved is whether or not the City should approve the requested amendments to the General Plan and Beverly Hills Municipal Code (BHMC) in order to create a Residential Overlay Zone in a site zoned for commercial land uses. The Project would also require an approval of a Planned Development Permit. The proposed Overlay would include development standards to, among other things, allow the use of automatic car lifts, increase the height limit, and increase the allowed FAR to accommodate the Proposed Project.

SUMMARY OF IMPACTS AND MITIGATION MEASURES

Table ES-1 summarizes the environmental impacts of the Proposed Project, proposed mitigation measures, and residual impacts (the impact after application of mitigation, if any). 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 or Beneficial: *The Proposed Project would have no effect on environmental conditions or would reduce existing environmental problems or hazards.*

Table ES-1
Summary of Environmental Impacts,
Mitigation Measures, and Residual Impacts

Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
AESTHETICS			
Impact AES-1 While the Proposed Project would change the visual character and quality of the project site and, to a lesser degree, its surroundings; it would generally have a high level of visual character and quality and would not conflict with adopted policies of the City of Beverly Hills related to visual character and quality. The project would therefore have a less than significant impact related to visual character and quality.	Less than Significant	None required	Less than significant



**Table ES-1
 Summary of Environmental Impacts,
 Mitigation Measures, and Residual Impacts**

Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
AIR QUALITY			
Impact AQ-1 The Proposed Project would not directly or indirectly generate population growth beyond SCAG forecasts. Impacts related to AQMP consistency would be, therefore, less than significant.	Less than Significant	None required	Less than significant
Impact AQ-2 On-site construction activity would generate temporary emissions. Such emissions may result in temporary adverse impacts to local air quality. However, the Project's construction emissions would not exceed SCAQMD's regional or local significance thresholds. Impacts would be less than significant.	Less than Significant	None required	Less than significant
Impact AQ-3 Operation: Operation of the Proposed Project would generate air pollutant emissions in the long-term, but daily emissions associated with the Proposed Project would not exceed SCAQMD thresholds. In addition, operation of the Proposed Project would not expose sensitive receptors to substantial concentrations of toxic air contaminants. Therefore, impacts would be less than significant.	Less than Significant	None required	Less than significant
Impact AQ-4 Traffic-Related Emissions: Project traffic would generate CO emissions that have the potential to create high concentrations of CO, or CO hotspots. However, Proposed Project traffic would not cause the level of service (LOS) of an intersection to change to E or F, nor would it increase the volume to capacity ratio (V/C) by two percent or more for intersections rated D or worse. Therefore, localized air quality impacts related to CO hotspots would be less than significant.	Less than Significant	None required	Less than significant
GREENHOUSE GAS EMISSIONS			
Impact GHG-1 The Proposed Project would generate temporary construction and permanent operation GHG emissions, which would incrementally contribute to climate change. Emissions would not, however, exceed SCAQMD	Less than Significant	None required.	Less than significant



**Table ES-1
 Summary of Environmental Impacts,
 Mitigation Measures, and Residual Impacts**

Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
<p>thresholds and the Project would be consistent with applicable GHG plans and policies including the Climate Action Team GHG reduction strategies, the SCAG Sustainable Communities Strategy, and the Beverly Hills Sustainable City Plan Goals. Therefore, the Proposed Project's contribution to cumulative climate change impacts would be less than significant.</p>			
HAZARDS AND HAZARDOUS MATERIALS			
<p>Impact HAZ-1 The Project site is listed on standard government databases for generation and disposal of asbestos waste and as an historic auto repair facility. However, a Phase I ESA for the Project site found no evidence of use, storage, disposal or generation of hazardous substances on the Project site. Furthermore, assessment work (geophysical methods, backhoe excavations, and borings) found no evidence of USTs or releases from USTs on the Project site. Therefore, impacts related to the presence of hazardous materials in the soil or groundwater beneath the Project site would be less than significant.</p>	<p>Less than Significant</p>	<p>None required</p>	<p>Less than significant</p>
LAND USE AND PLANNING			
<p>Impact LU-1 The Proposed Project would involve amendments to the General Plan and BHMC to create a Residential Overlay Zone, as well as a Planned Development Permit. The Proposed Project would be potentially consistent with applicable City policies, regulations, and standards with implementation of mitigation measures to ensure compliance with the requirements for a Planned Development Permit. This impact would be less than significant with mitigation.</p>	<p>Potentially Significant</p>	<p>For compliance with the Planned Development Permit, the following measures are recommended:</p> <p>LU-1 Operational Measures Program. Prior to issuance of a Planned Development Permit, as required by the Planned Development standards in the BHMC the applicant shall submit a program of implementation and operational measures to assure that the objectives of the R-4-O overlay zone are advanced (see criteria in Section 4.5, pg. 16), including a parking program. The program will be reviewed and approved by the appropriate City Departments/Divisions (e.g. Building & Safety, Planning, Transportation, etc.).</p> <p>LU-2 Construction Management Program. Prior to issuance of a Planned Development Permit, as required by the</p>	<p>Less than significant with mitigation</p>



**Table ES-1
 Summary of Environmental Impacts,
 Mitigation Measures, and Residual Impacts**

Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
		Planned Development Standards in the BHMC the applicant shall submit a construction management program that addresses issues a through l listed below. The program will be reviewed and approved by the appropriate City Departments/Divisions (e.g. Building & Safety, Planning, Transportation, etc.). a) Fugitive dust b) Noise attenuation c) Air quality d) Hours of operation e) Street circulation and parking f) Employee parking g) Truck routing and staging h) Public notifications i) Pedestrian safety j) Holiday season considerations k) Truck traffic scheduling l) Coordination with other construction activities in the vicinity of the project	
NOISE			
Impact N-1 Construction activities associated with the Proposed Project would generate temporary noise increases that would be audible at nearby sensitive receptors. Maximum and daily construction-related noise would not result in an increase of 5 dBA or more outside the daytime hours permitted by the City's noise ordinance or at a school, hospital, church, or institute of learning. Therefore, impacts would be less than significant.	Less than Significant	None required	Less than significant
Impact N-2 Noise associated with operation of the Proposed Project, including noise from traffic on nearby roads, common rooftop pool activities, ventilation and heating systems, trash hauling, and delivery trucks could be audible at nearby receptor locations. However, the Proposed Project's operational noise would not increase ambient noise levels beyond thresholds established by the Policy N 1.5 of the General Plan Noise Element (2010). Therefore, operational noise impacts associated with the Proposed Project would be less than significant.	Less than Significant	None required.	Less than significant



**Table ES-1
 Summary of Environmental Impacts,
 Mitigation Measures, and Residual Impacts**

Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
Impact N-3 Project construction would generate ground-borne vibration. Construction vibration would be temporary and intermittent, and would not exceed FTA recommended thresholds. Therefore, impacts would be less than significant.	Less than Significant	None required	Less than significant
Impact N-4 Although the effect of ambient noise on a proposed project is not an impact under CEQA, the potential noise levels at the proposed residences are provided for public disclosure. The estimated noise levels could exceed City standards for interior and exterior noise, 45 and 65 dBA CNEL, respectively.	Not an impact under CEQA	None required	Not an impact under CEQA
TRANSPORTATION AND TRAFFIC			
Impact T-1 Implementation of the Proposed Project would generate traffic at study area intersections; however, Project-generated traffic would not cause any intersection to exceed City standards under existing plus Project traffic conditions. Impacts associated with the Proposed Project would be less than significant.	Less than Significant	None required	Less than significant
Impact T-2 Implementation of the Proposed Project would increase traffic on residential streets north and south of the Project site. However, Project-generated traffic would not exceed City thresholds under existing plus Project traffic conditions on any street segment. Impacts to residential streets would, therefore, be less than significant.	Less than Significant	None required	Less than significant
Impact T-3 Project driveways would provide adequate site access and would not create hazardous traffic conditions. Therefore, impacts associated with the Proposed Project would be less than significant with implementation of mitigation.	Potentially Significant	TRAF-1 Review of Project Features. Prior to constructing the water feature or other project features (such as walls or landscaping) adjacent to the project driveways, the City Traffic Engineer shall review the proposed design to ensure that the site distance for vehicles exiting the Project site meets the applicable site distance standards.	Less than significant
Impact T-4 The Proposed Project does not include design features that would impede emergency access vehicles. Impacts associated with the Proposed Project would be less than significant.	Less than Significant	None required	Less than significant



**Table ES-1
 Summary of Environmental Impacts,
 Mitigation Measures, and Residual Impacts**

Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
<p>Impact T-5 The Proposed Project would not involve any disruptions to the local active transportation system. Further, the Proposed Project would not conflict with applicable policies associated with public transit. Therefore, impacts in this regard would be less than significant with implementation of mitigation.</p>	<p>Potentially Significant</p>	<p>TRAF-2 Driveway Plans. Prior to the issuance of a building permit, the Developer shall submit driveway plans for review and approval by the City of Beverly Hills, which shall include pedestrian safety measures such as visual and/or audible warning to pedestrians along the South Santa Monica Boulevard to indicate when vehicles are exiting the Project driveway. The Project shall include a stop sign for vehicles leaving the Project driveway prior to entering the public sidewalk.</p>	<p>Less than significant</p>
<p>Impact T-6 Construction activities for the Proposed Project would result in traffic impacts due to haul truck traffic, equipment and material deliveries, worker traffic, and worker parking. Impacts associated with the Proposed Project would be less than significant with implementation of mitigation.</p>	<p>Potentially Significant</p>	<p>TRAF-3 Construction Traffic Management Plan. The Developer shall create a Draft 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:</p> <ul style="list-style-type: none"> • Maintain existing access for land uses in the proximity of the Project site during Project construction; • Schedule deliveries and pick-ups of construction materials for 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 Santa Monica Boulevard; • Construction equipment traffic from the contractors shall be controlled by flagman; • Designated transport routes for heavy trucks and haul trucks to be used over the duration of the Proposed Project; • Schedule vehicle movements to ensure that there are no vehicles waiting offsite 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; • Coordinate with adjacent businesses and emergency service providers to ensure adequate access exists to the Project site and neighboring businesses; 	<p>Less than significant with mitigation</p>



**Table ES-1
 Summary of Environmental Impacts,
 Mitigation Measures, and Residual Impacts**

Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
		<p>and</p> <ul style="list-style-type: none"> • Prohibit parking for construction workers except on the Project site and any designated offsite parking locations. These off site locations will require the approval of the City of Beverly Hills. These offsite parking locations cannot include any parking garage in the City of Beverly Hills or any residential streets including Charleville Boulevard, Durant Street, and those streets which connect to Charleville Boulevard. <p>The Final Construction Traffic Management Plan shall be submitted and approved by the City prior to issuance of a grading or building permit, whichever comes first.</p> <p>TRAF-4 Construction Workers Parking Plan. The Developer shall submit a Construction Workers Parking Plan identifying parking locations for construction workers. To the maximum extent feasible, all worker parking shall be accommodated on the project site. During 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 to and from the project site for approval by the City prior to issuance of a grading or building permit, whichever comes first. 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"> • 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 south of Santa Monica 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 	



**Table ES-1
 Summary of Environmental Impacts,
 Mitigation Measures, and Residual Impacts**

Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
		responsible for informing subcontractors and construction workers of this requirement, and if necessary, for hiring a security guard to enforce these parking provisions. The contractor shall be responsible for all costs associated with enforcement of this mitigation measures; 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.	
<p>Cumulative Impacts Construction activities for the Proposed Project would result in traffic impacts due to hauling truck traffic, equipment and material deliveries, worker traffic, and worker parking. Construction would also contribute to cumulative construction-related traffic impacts. Cumulative impacts would be less than significant with mitigation incorporated.</p>	Potentially Significant	<p>TRAF-5 Cumulative Construction Traffic Management. The applicant for the Proposed Project shall coordinate with the applicant for One Beverly Hills, the Beverly Hilton Revitalization Plan, and the City of Beverly Hills as follows:</p> <ul style="list-style-type: none"> • Any temporary roadway closures shall be coordinated to limit overlap of roadway closures. • All major deliveries for all three Projects shall be coordinated to limit the occurrence of simultaneous deliveries. The Project applicants shall ensure that deliveries of items such as concrete and other high-volume items shall not be done simultaneously. • The applicants shall coordinate regarding the loading and unloading of delivery vehicles. Any offsite staging areas for delivery vehicles shall be consolidated and shared. • 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. 	Less than significant with mitigation



**Table ES-1
 Summary of Environmental Impacts,
 Mitigation Measures, and Residual Impacts**

Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
OTHER CEQA-REQUIRED DISCUSSIONS			
<p>Growth Inducement The Proposed Project would add 27 residential units in Beverly Hills and would accommodate approximately 63 new residents, increasing the population of the City to 34,826, which is within SCAG's 2040 population forecast of 37,200. The Project involves infill development on a currently vacant site within an urbanized area that lacks significant scenic resources, native biological habitats, known cultural resource remains, surface water, or other environmental resources. Therefore, population growth associated with the Project would not result in significant long-term physical environmental effects. The Project would not be expected to induce substantial economic expansion to the extent that direct physical environmental effects would result and the Project would not remove any obstacles to growth.</p>	Less than Significant	None required	Less than significant
<p>Energy Effects The Proposed Project would involve the use of energy during the construction and operational phases of the Project. Long-term operation of the Proposed Project would require permanent grid connections for electricity and natural gas service to power internal and exterior building lighting, and heating and cooling systems. The Proposed Project would increase overall energy use but would not significantly affect local or regional energy supplies. Title 24 energy conservation requirements in combination with Project features aimed at minimizing energy use would ensure that energy is not used in an inefficient, wasteful, or unnecessary manner.</p>	Less than Significant	None required beyond meeting the energy conservation requirements of the Title 24 of the California Code of Regulations in combination with the Project sustainability components described in Section 2, <i>Project Description</i> .	Less than significant



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1 INTRODUCTION

This document is a Draft Environmental Impact Report (EIR) for a proposed residential project located on the south side of South Santa Monica Boulevard at the intersection of Charleville Boulevard. The proposed 9908 South Santa Monica Boulevard Conodminium Project (hereafter referred to as the “Proposed Project” or “Project”) would be constructed on a vacant site. Other components of the Project include underground parking containing a gym, bike storage, and a total of 74 parking spaces for residents and guests. The rooftop areas of the Project would include one common pool, and an amenity garden on the roof of the fifth floor as well as private terrace space and two private pools on the roof of the fourth floor, accessible from the penthouse level.

This section discusses (1) the Project and EIR background; (2) the scope and content of the EIR; (3) issue areas found not to be significant by the Initial Study; (4) the lead, responsible, and trustee agencies; and (5) the environmental review process required under the California Environmental Quality Act (CEQA). The Proposed Project is described in detail in Section 2.0, *Project Description*.

1.1 ENVIRONMENTAL IMPACT REPORT BACKGROUND

The City of Beverly Hills distributed a Notice of Preparation (NOP) of the EIR for a 30-day agency and public review period starting on April 14, 2016 and ending on May 13, 2016. The City received three letters in response to the NOP. Table 1-1 on the following page summarizes the content of the letters and where the issues raised in the letters are addressed in the EIR. In addition, the City held an EIR Scoping Meeting on April 26, 2016. The meeting, held from 6 PM to 8 PM, was aimed at providing information about the proposed project to members of public agencies and residents/community members. The meeting was held at Beverly Hills City Hall at 455 North Rexford Drive, Beverly Hills, CA 90210.

1.2 PURPOSE AND LEGAL AUTHORITY

The Proposed Project requires the discretionary approval of the City of Beverly Hills’ Planning Commission and City Council. Therefore, it 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 EIR 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 EIR has been prepared as a Project EIR pursuant to Section 15161 of the *CEQA Guidelines*. A Project EIR is appropriate for a specific development project. As stated in the *CEQA Guidelines*:

This type of EIR should focus primarily on the changes in the environment that would result from the development project. The EIR shall examine all phases of the project, including planning, construction, and operation.

This EIR is to serve as an informational document for the public and City of Beverly Hills decision-makers. The process will include public hearings before the Planning Commission to



consider making a recommendation regarding the Final EIR and the Proposed Project, and will culminate with a City Council hearing to consider certification of a Final EIR and approval of the Proposed Project.

**Table 1–1
NOP Comments Received**

<i>Written NOP Comments</i>		
Commenter	NOP Comment	Response
Soboba Band of Luiseno Indians	Request continuance of appropriate consultation between concerned tribes, project proponents, and legal agencies.	All AB 52 and SB 18 consultation was carried out by the City of Beverly Hills. The City will continue this consultation process, as appropriate.
	Requests approved Native American Monitor(s) be present during any future ground disturbing proceedings, including surveys and archaeological testing associated with the project. Deferring to Gabrieleno Tribal Consultants.	See Section 2.0, <i>Project Description</i> , which includes Conditions of Approval Cultural Condition 1 and Cultural Condition 2
Anonymous	Traffic in area is already bad, construction of the proposed project would make the traffic worse.	This comment is addressed in the impact analysis in Section 4.7, <i>Transportation and Traffic</i> .
	Proposed five-story building would block views from and would shade adjacent residences	This comment is addressed in the impact analysis in Section 4.1, <i>Aesthetics</i> .
	Service gate and garbage pick-up in alley would impact noise, smell and hygiene	This comment is addressed in the impact analysis in Section 4.6, <i>Noise</i> and Section 4.2, <i>Air Quality</i> .
Native American Heritage Commission	Comment letter describes the requirements and provisions under AB 52 and SB 18 as well as provides recommendations for Cultural Resources Assessments.	All AB 52 and SB 18 consultation was carried out by the City of Beverly Hills.

1.3 SCOPE AND CONTENT

This EIR addresses impacts identified by the Initial Study to be potentially significant. The following issues were found to include potentially significant impacts and have been studied in the EIR:

- *Aesthetics*
- *Air Quality*
- *Greenhouse Gas Emissions*
- *Hazards & Hazardous Materials*
- *Land Use & Planning*
- *Noise*
- *Transportation and Circulation*

In preparing the EIR, 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 7.0, *References and Report Preparers*.



The alternatives section of the EIR (Section 6.0) was prepared in accordance with Section 15126.6 of the *CEQA Guidelines*. The alternatives discussion evaluates the CEQA-required “no project” alternative and three alternative development scenarios for the site.

The level of detail contained throughout this EIR is consistent with the requirements of CEQA and applicable court decisions. Section 15151 of the *CEQA Guidelines* provides the standard of adequacy on which this document is based. The *Guidelines* state:

An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of 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.

1.4 ISSUES NOT STUDIED IN DETAIL IN THE EIR

Table 1-2 summarizes the issues on the environmental checklist that were addressed in the Initial Study (Appendix 1). As indicated in the Initial Study, there is no substantial evidence that significant impacts would occur in any of these issue areas.

**Table 1–2
 Issues Not Studied in the EIR**

Issue Area	Initial Study Finding
Aesthetics	This EIR includes Section 4.1, <i>Aesthetics</i> , which analyzes the impacts associated with substantially degrading the visual character and quality of the Project site. However, the Initial Study found that the Project would have less than significant impacts to scenic vistas and light and glare, and there are no impacts associated with scenic resources. Therefore, analyses of these issues are not included in Section 4.1.
Agriculture and Forestry Resources	The Project site is within an urbanized area of Beverly Hills that lacks agricultural lands or forests. No impact to these resources would occur.
Air Quality	Although this EIR analyzes potential air quality impacts, the Initial Study determined that the residential uses that make up the Proposed Project would not create odor impacts.
Biological Resources	The Project site is within an urbanized area that lacks native biological habitats and the footprints. Therefore, the Proposed Project would have no impacts to biological resources. However, the applicant-proposed conditions of approval addressing Biological Resources are described in Section 2.0, <i>Project Description</i> , of this EIR.
Cultural Resources	The Project site is located in a highly urbanized area and has been previously graded, disturbed and developed. The Project would adhere to the City's Historic Preservation Program. Impacts to cultural resources were found to be less than significant. However, the applicant-proposed conditions of approval addressing Cultural Resources are described in Section 2.0, <i>Project Description</i> , of this EIR.
Geology and Soils	The Initial Study found that the Project site is not located on an identified fault, in an identified liquefaction zone, on unstable soils, or in an area of expansive soils. In addition, the Project would be connected to the City's wastewater disposal system. Therefore, impacts associated with geology and soils hazards were found to be less than significant.



**Table 1–2
 Issues Not Studied in the EIR**

Issue Area	Initial Study Finding
Hazards and Hazardous Materials	Potential of hazardous material impacts to soils and groundwater within the Project site are analyzed in this EIR. The Project site is within a quarter mile of Beverly Hills High School. However, the Initial Study found that the Proposed Project would not involve the routine transport, use, storage, or disposal of hazardous materials. Furthermore, the Project site is not located within the vicinity of an airport, airport land use plan, or private airstrip. The Proposed Project would be required to comply with all applicable City codes and regulations pertaining to emergency response and evacuation plans maintained by the police and fire department in the City of Beverly Hills and does not include permanent street closures or changes in traffic flow. Project implementation would not interfere with emergency response or evacuation. These impacts would be less than significant.
Hydrology and Water Quality	The Initial Study found that the Project site is generally flat and not near any rivers or streams and would not substantially increase runoff volumes from the Project site. Further, the Project would comply with the City’s dewatering requirements and the construction of the subterranean parking structure would help to reduce water quality impacts. Additionally, the Project site would not result in the exceedance of the sustainable yield of groundwater resources and would not result in contamination of groundwater. The Project site does not require flood mitigation enforcement and is not subject to inundation from tsunami, seiche, or mudflow. Impacts are less than significant.
Land Use and Planning	Impacts associated with conflicts to applicable land use plan policies or regulations are analyzed in this EIR. However, the Initial Study found that the Project would not divide an established community or conflict with an applicable habitat conservation plan or natural community conservation plan.
Mineral Resources	The Initial Study found that no mineral resources of value to the region or the residents of the state have been identified within the Project area and the Project area is not suited for resource extraction given the urban location. Impacts would be less than significant.
Noise	Noise impacts are addressed in this EIR, but the Project site is not subject to noise from a public or private airport. Therefore, noise issues related to airports are not studied further in this EIR.
Population and Housing	Population generated by the Proposed Project would be within the SCAG growth forecasts for Beverly Hills. Additionally, because the site is vacant, the Project would not displace any housing or people residing in the Project site. Impacts would be less than significant and Population and Housing issues are not discussed in this EIR.
Public Services	The Project site is located in a highly urbanized area within the City of Beverly Hills. The Project site would be served by the Beverly Hills Fire Department, Beverly Hills Police Department, and the Beverly Hills Unified School District. The Project Applicant would be required to pay all applicable school fees, which is considered adequate mitigation for any impacts. The Initial Study found the impacts to public services from the Proposed Project would be less than significant. These issues are not analyzed further in this EIR.
Recreation	The Project Applicant would be required to pay the standard Park and Recreation Facilities Tax, which would offset any indirect impacts to public parks. Further, the residents added as a result of the Project would not impact the parkland ratio of the City of Beverly Hills. Impacts would be less than significant. These issues are not analyzed further in this EIR.



**Table 1–2
Issues Not Studied in the EIR**

Issue Area	Initial Study Finding
Transportation/Traffic	Transportation/traffic issues are studied in this EIR. However, the Proposed Project would have no impact with respect to air traffic and would provide sufficient parking to meet City requirements. Consequently, these issues are not analyzed further in this EIR.
Utilities and Service Systems	Utilities are provided to the Project site by the City of Beverly Hills Public Works Department. The Initial Study found that the Proposed Project would have less than significant impacts on wastewater collection and treatment, stormwater management, water supply, and solid waste management provided by the City's Public Works Department. Therefore, these issues are not analyzed further in this EIR.

1.5 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, and the South Coast Air Quality Management District, which regulates air quality in the region.

A trustee agency refers to a state agency having jurisdiction by law over natural resources affected by a project. There are no trustee agencies for the Proposed Project.

1.6 ENVIRONMENTAL REVIEW PROCESS

The major steps in the environmental review process, as required under CEQA, are outlined below. The steps are presented in sequential order.

- 1. Notice of Preparation (NOP) and Initial Study.** After deciding that an EIR is required, the lead agency (City of Beverly Hills) must file a NOP soliciting input on the EIR scope to the State Clearinghouse, other concerned agencies, and parties previously requesting notice in writing (*CEQA Guidelines* Section 15082; Public Resources Code Section 21092.2). The NOP must be posted in the County Clerk's office for 30 days. The NOP may be accompanied by an Initial Study that identifies the issue areas for which the project could create significant environmental impacts.
- 2. Draft EIR Prepared.** The Draft EIR 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.
- 3. Notice of Completion.** The lead agency must file a Notice of Completion with the State Clearinghouse when it completes a Draft EIR and prepare a Public Notice of Availability of a Draft EIR. The lead agency must place the Notice in the County Clerk's office for 30 days



(Public Resources Code Section 21092) and send a copy of the Notice to anyone requesting it (*CEQA Guidelines* Section 15087). Additionally, public notice of Draft EIR 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 (Public Resources Code Sections 21104 and 21253). The minimum public review period for a Draft EIR is 30 days. When a Draft EIR is sent to the State Clearinghouse for review, the public review period must be 45 days unless the State Clearinghouse approves a shorter period (Public Resources Code 21091).

4. **Final EIR.** A Final EIR must include: a) the Draft EIR; b) copies of comments received during public review; c) list of persons and entities commenting; and d) responses to comments.
5. **Certification of Final EIR.** Prior to making a decision on a proposed project, the lead agency must certify that: a) the Final EIR has been completed in compliance with CEQA; b) the Final EIR 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 EIR prior to approving a project (*CEQA Guidelines* Section 15090).
6. **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).
7. **Findings/Statement of Overriding Considerations.** For each significant impact of the project identified in the EIR, 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.
8. **Mitigation Monitoring Reporting Program.** When the lead agency makes findings on significant effects identified in the EIR, it must adopt a reporting or monitoring program for mitigation measures that were adopted or made conditions of project approval to mitigate significant effects.
9. **Notice of Determination.** The lead agency must file a Notice of Determination after deciding to approve a project for which an EIR is prepared (*CEQA Guidelines* Section 15094). A local agency must file the Notice with the County Clerk. The Notice must be posted for 30 days and sent to anyone previously requesting notice. Posting of the Notice starts a 30-day statute of limitations on CEQA legal challenges (Public Resources Code Section 21167[c]).



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.

2.1 PROJECT APPLICANT

9908 Santa Monica Blvd., LLC
11777 San Vicente Blvd., Suite 550
Los Angeles, CA 90049
(310) 556-2300

2.2 LEAD AGENCY CONTACT PERSON

Andre Sahakian, Associate Planner
City of Beverly Hills
Community Development Department
455 Rexford Drive, First Floor
Beverly Hills, CA 90210
(310) 285-1127

2.3 PROJECT LOCATION

The Proposed Project would involve construction of a 27-unit residential condominium building on a vacant lot located at 9900-9916 South Santa Monica Boulevard, in the City of Beverly Hills. The 36,002-square foot (sf) site is located at the southwest corner of the intersection of Charleville Boulevard and South Santa Monica Boulevard and consists of five parcels. The Project site is denoted by Assessor Parcel Numbers 4328-002-010, -011, -012, -013, and -034. The Project site is regionally accessible from Interstate 405 (the San Diego Freeway) and Interstate 10 (the Santa Monica Freeway), and locally accessible from Santa Monica Boulevard (State Route 2). Figure 2-1 shows the site's location within the region and Figure 2-2 shows the location in its neighborhood context. The site is in an urban area, has been previously graded, and is surrounded by roads and urban structures (office buildings, residential buildings, and commercial buildings).

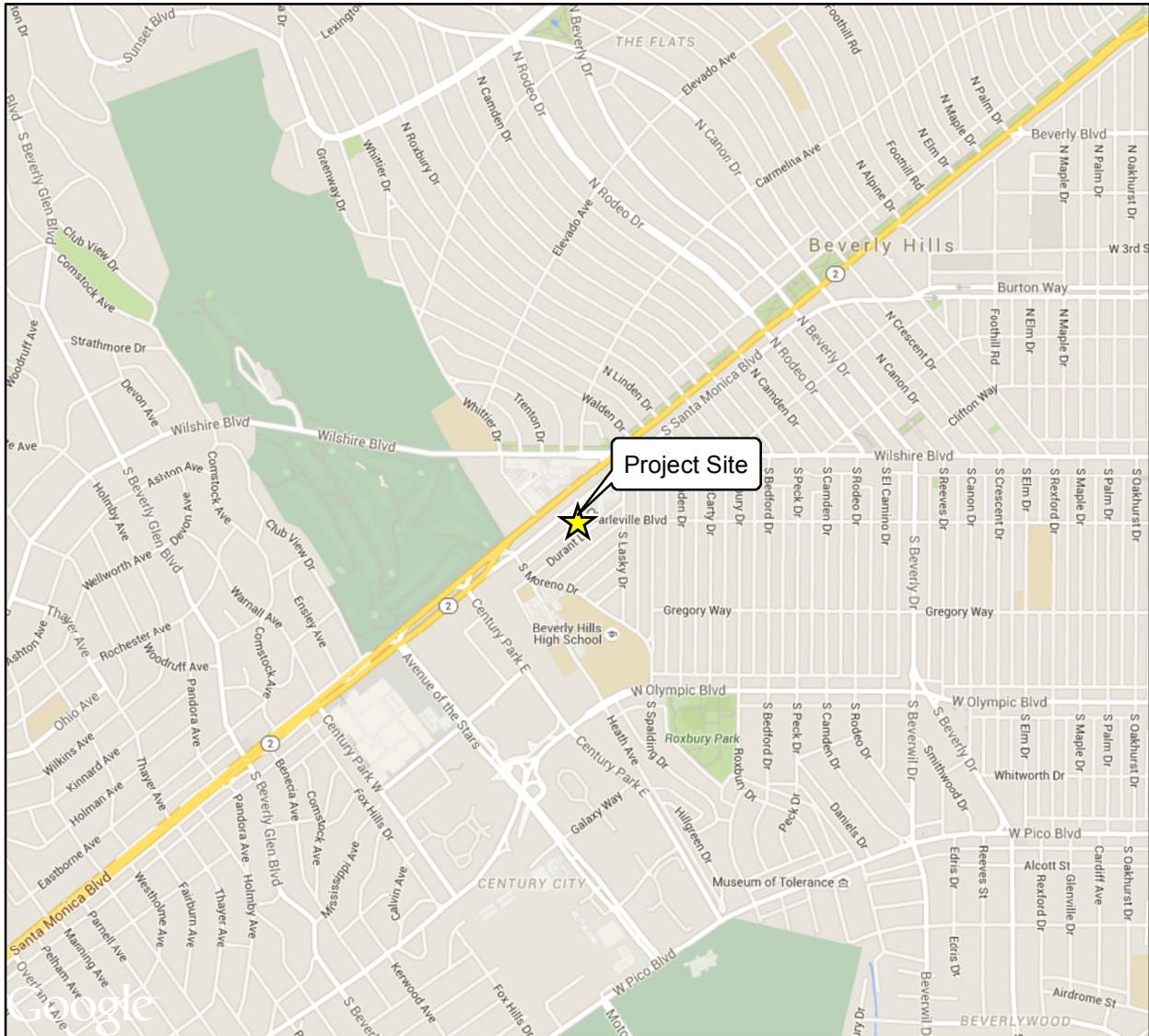
2.4 EXISTING SITE CHARACTERISTICS

2.4.1 Current Land Use Designation and Zoning

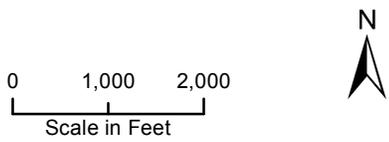
The Project site is currently vacant and has a General Plan land use designation of Commercial Low Density General. The site is zoned C-3A (Commercial), as defined by the City's Zoning Ordinance and the Land Use Element of the General Plan. Uses permitted in the C-3A designation include a wide range of low- to high-intensity commercial uses, such as cafes, offices, and retail shops.



9908 South Santa Monica Boulevard Condominium Project EIR
Section 2.0 Project Description

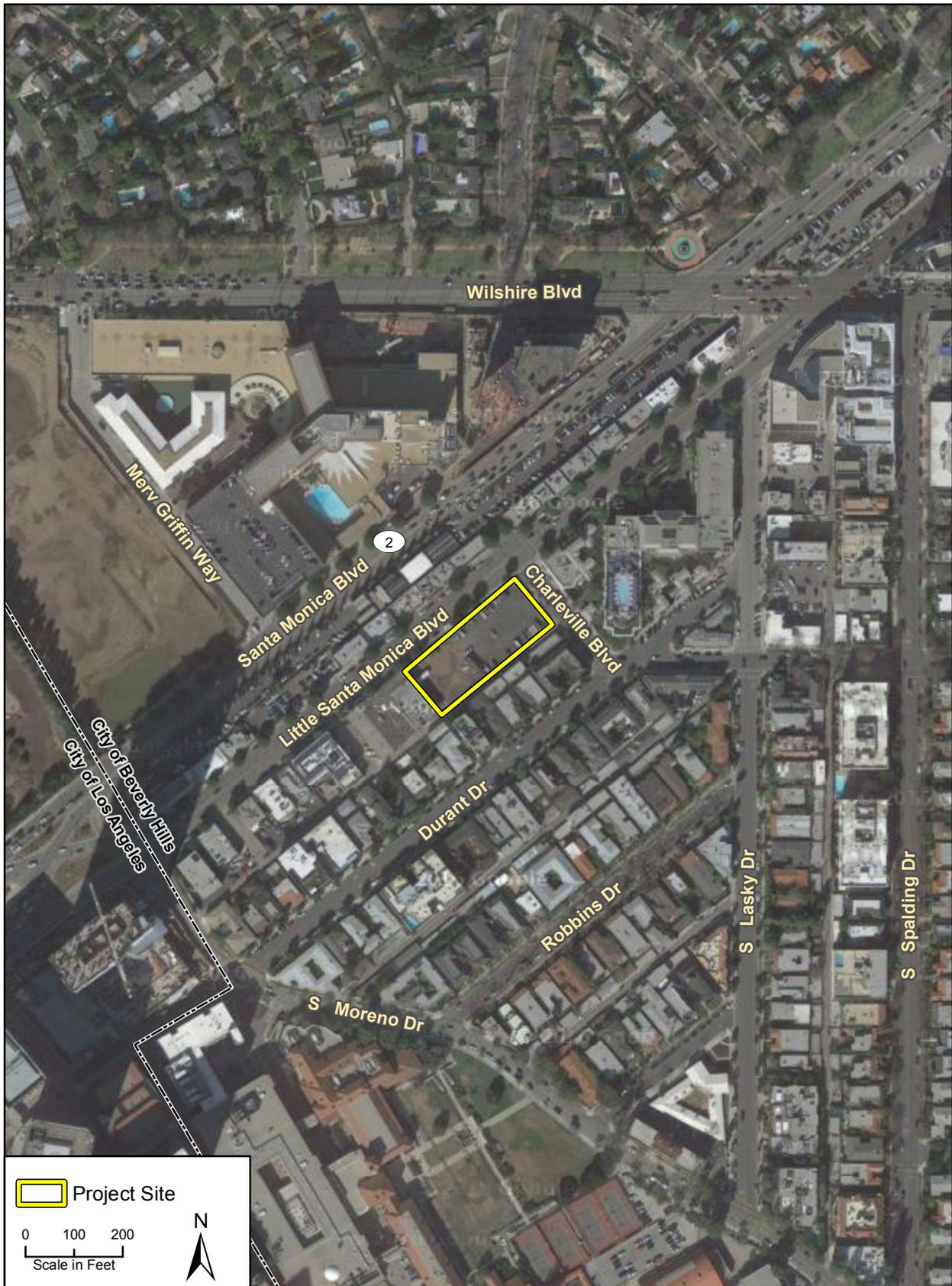


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Vicinity Map

Figure 2-1



Imagery provided by Google and its licensors © 2016.

Site Map

Figure 2-2
City of Beverly Hills

2.4.2 Surrounding Land Uses

The Project site is bordered on the north by South Santa Monica Boulevard, on the east by Charleville Boulevard, and on the south by an alley. Land uses bordering the Project site include commercial retail across South Santa Monica Boulevard to the north; commercial retail and office, and The Peninsula Hotel across Charleville Boulevard to the east; multi-family residential and parking garages to the south across the alley; and the Beverly Hills Community Sports Center adjacent the western boundary of the Project site.

2.5 PROJECT CHARACTERISTICS

The Project site is comprised of five lots located on the southwest corner of South Santa Monica Boulevard and Charleville Boulevard. The Proposed Project would involve the construction of a residential condominium building on the currently vacant site. The site is located in a C-3A Commercial Zone, which does not allow multi-family residential uses. Thus, the Proposed Project would require amendments to the City's General Plan and the Beverly Hills Municipal Code (BHMC) in order to create a Residential Overlay Zone, as well as a Planned Development Permit. The proposed Overlay would include development standards to, among other things, allow the use of automatic car lifts, increase the height limit, and increase the allowed floor to area ratio (FAR) to accommodate the Proposed Project.

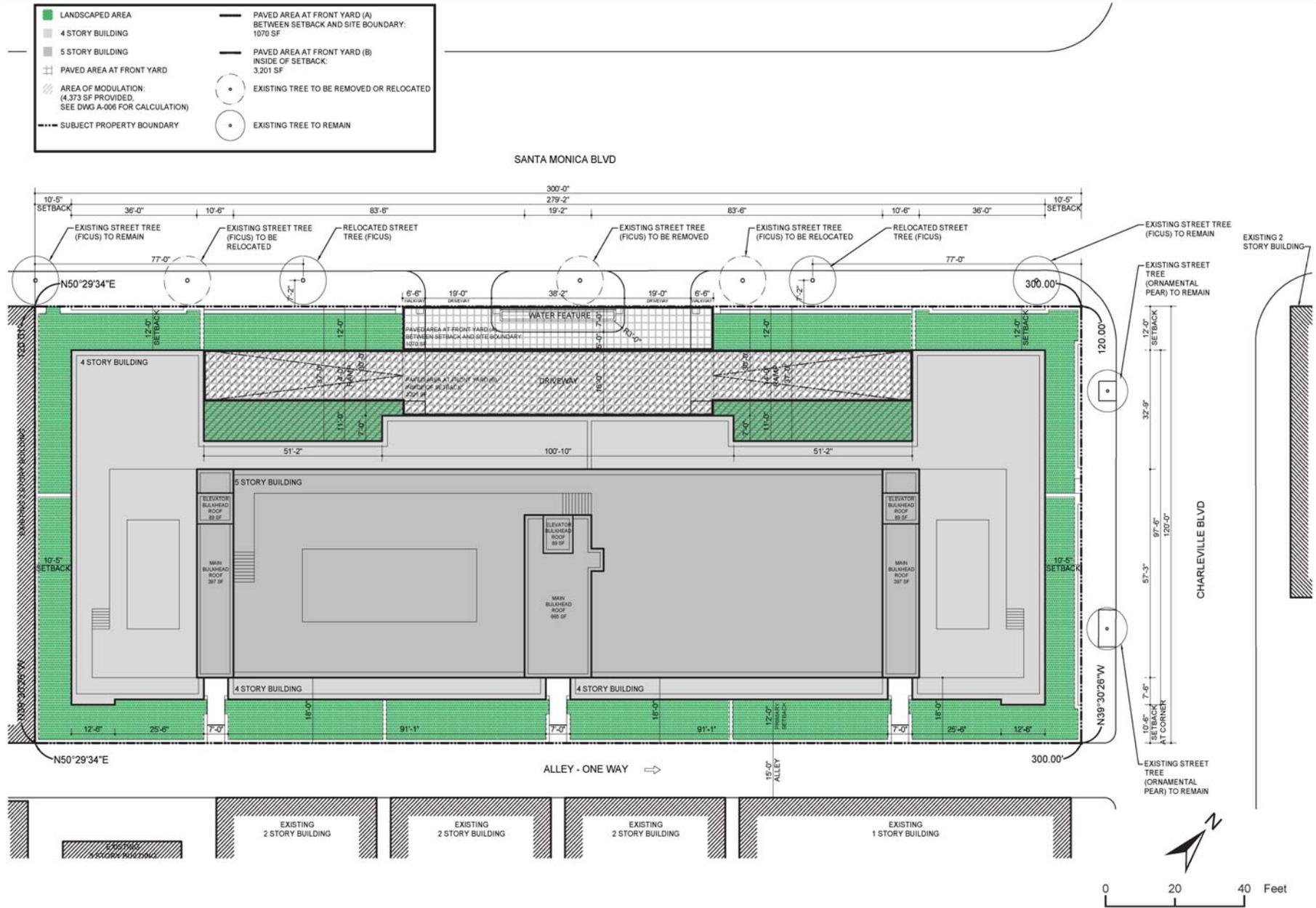
2.5.1 Proposed Site Plan

The Proposed Project would involve the construction of a new 27-unit luxury condominium building with units ranging from one to four bedrooms. The Project would include approximately 89,988 square feet of floor area and would include four full stories of residential units plus a setback fifth penthouse level. The Project would also include one level of underground parking containing a gym, bike storage, and a total of 74 parking spaces for residents and guests. The perimeter of the Project site would include landscaping along the 10-foot setbacks, as shown in Figures 4.1-2 and 4.1-3. Rooftop areas of the Project would include one common pool and an amenity garden on the roof of the fifth floor as well as private terrace space and two private pools on the penthouse level. The Project would be 66 feet in height and would have a floor area ratio (FAR) of approximately 2.5:1. Table 2-1 summarizes the characteristics of the Proposed Project.

Figure 2-3 shows the proposed site plans, and Figure 2-4 shows a cross section of the Proposed Project along with the adjacent street elevations. Figure 2-5 shows the proposed exterior elevation of the Project as seen from Santa Monica Boulevard.



9908 South Santa Monica Boulevard Condominium Project EIR
 Section 2.0 Project Description



Source: Thomas Juul-Hansen LLC and Steinberg Architects, 2015

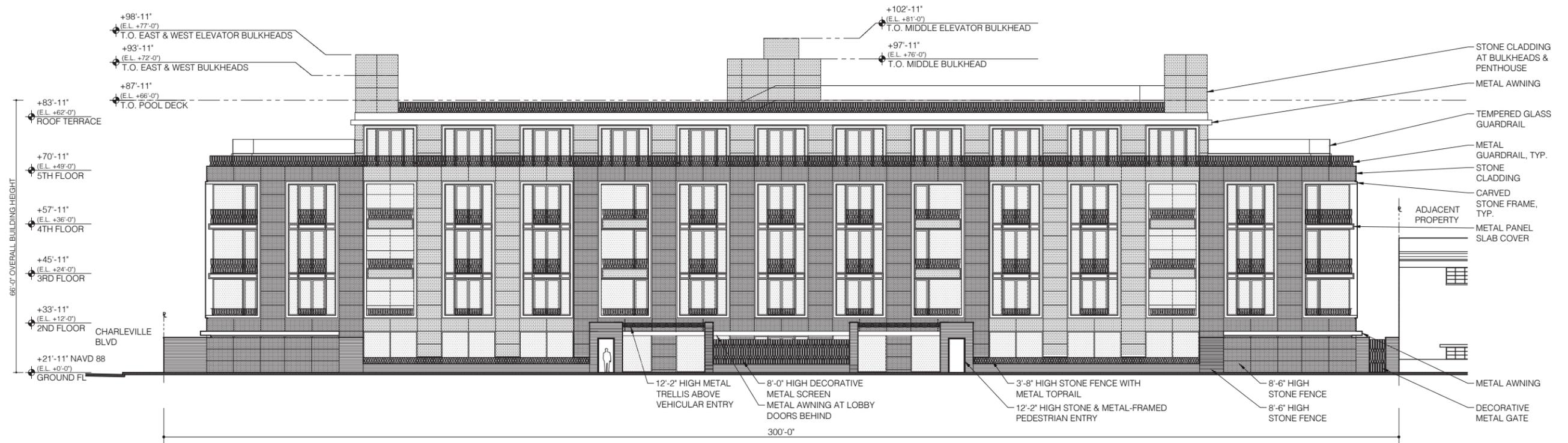
Site Plan

Figure 2-3

City of Beverly Hills

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Proposed Elevation from S. Santa Monica Boulevard

**Table 2-1
 Project Characteristics**

Assessor's Parcel No.	4328-002-010 4328-002-011 4328-002-012 4328-002-013 4328-002-034
Project Site Size	36,002 sf (0.83 acres)
Building Floor Area	89,988 sf
1-Bedroom Units	5
2-Bedroom Units	18
<u>4-Bedroom Units</u>	<u>4</u>
Total Units	27
Parking	74
Proposed FAR	2.5:1
Max Building Height/Stories	66 ft / 5 stories

Note: sf = square feet, ft = feet

2.5.2 Site Access and Parking

The Proposed Project would provide a total of 74 parking spaces in a subterranean parking garage. Parking would include 3 accessible spaces, 43 standard single spaces, 11 tandem spaces (vehicles are positioned behind a single space), and 17 stacker spaces (a vehicle is positioned above or below another parking space and is accessed by an elevating device). Vehicular access would be provided from two driveways on South Santa Monica Boulevard. One driveway would be designated for inbound movement and the other driveway would be designated for outbound movement. The outbound movement driveway would be controlled by a stop sign. Pedestrians would access the proposed condominium building from the north side at the primary entry on South Santa Monica Boulevard.

2.5.3 Sustainability Features

The Proposed Project would comply with CalGreen and the California Energy Code. As a part of California Energy Code 2013 (CEC, 2013), the roof of the proposed condominium building would be "Solar Ready," with provision of pathways, connectivity and 15% of the total roof area designated for future harnessing of solar energy via photovoltaic panels for onsite electricity generation and/or a solar thermal system integrated with water heating system. The Project would provide EV charging stations, the number of stations will be determined at a later time. Based on example building codes for EV charging stations, new multiple-family Projects of more than 10 dwelling units, 10% of the total parking spaces required (all of the 10% shall be located within the required covered parking) shall be provided with a listed cabinet, box, or enclosure connected to a conduit linking the covered parking spaces or garages with the electrical service, in a manner approved by the building and safety official (OPR, 2013).

2.5.4 Applicant-Proposed Environmental Measures

Applicant-Proposed Biological Resources Condition of Approval: Nesting Bird and Raptor Survey:
 The City of Beverly Hills General Plan, Chapter 5: Open Space, contains policies intended to protect, enhance, and expand open space resources, remaining natural areas, and significant



wildlife and vegetation in the City (Goal OS 1) including nesting birds. Implementation of Biological Condition 1, intended to be applied to the Project permit conditions of approval for consistency with the City's General Plan, would ensure no impacts would occur to nesting birds.

Implementation of Biological Condition 1 would also ensure consistency with the City of Beverly Hills General Plan (Goal OS 1 and Policy OS 1.1), the California Department of Fish and Game (CDFG) Code, and the Migratory Bird Treaty Act.

Biological Condition 1 - Avoid Bird Nesting Season or Conduct a Nesting Bird Survey and Provide Buffers. Vegetation removal and initial ground disturbance must occur either:

- a) Outside the bird and raptor breeding season, which is typically February 1 through August 31 (as early as January 1 for some raptors), or
- b) If vegetation clearing occurs during the breeding season, one pre-construction bird nesting survey shall be conducted not more than one week prior to vegetation clearing to determine the locations of nesting birds. The bird survey shall be conducted by a qualified biologist. If a nesting bird or special status species is located, consultation with the local California Department of Fish and Wildlife (CDFW) representative shall occur to determine what avoidance actions may be taken. Generally, if an active bird nests is found, a minimum 100-foot buffer (or as otherwise directed by CDFW) would be established surrounding the nest(s), which shall be flagged for avoidance. The results of the nesting bird survey(s) and any buffer efforts as a result of those surveys shall be documented in a brief letter report and submitted to the City and the CDFW prior to commencement of clearing.

Applicant-Proposed Cultural Resources Conditions of Approval: The surface of the Project site has been previously graded, disturbed, and developed and no archaeological or paleontological resources are known to have been discovered. As a result, the possibility of encountering undisturbed cultural or paleontological resources is unlikely. However, in the unlikely event that such resources are unearthed during construction, implementation of Cultural Conditions 1 and 2 would ensure that the applicable regulatory requirements pertaining to the handling and treatment of such resources would be followed.

Cultural Condition 1 - Unanticipated Discovery of Cultural Resources. If cultural resources as defined by Section 21083.2 of the Public Resources Code, are encountered during ground-disturbing activities, work in the immediate area must halt and an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (NPS, 1983) must be contacted immediately to evaluate the find. If the discovery proves to be significant under the National Historic Preservation Act, additional work such as data recovery excavation may be warranted.

Cultural Condition 2 - Unanticipated Discovery of Human Remains. If human remains are found, 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 Public Resources Code Section 5097.98. In accordance with this code, in the event of an unanticipated discovery of human remains, the Los



Angeles County Coroner would 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 (MLD). The MLD would complete the inspection of the area of potential effect (APE) within 48 hours of notification and will negotiate with the lead agency concerning the treatment and disposition of any identified human remains.

Applicant-Proposed Noise Condition of Approval: During the operation period of the Proposed Project, with the exception of the rooftop pool area, the exterior living areas along South Santa Monica and Charleville Boulevards, such as patios, balconies, and terraces, may be exposed to excessive noise levels. In addition, all residences facing South Santa Monica Boulevard and residences on floors one through three facing Charleville Boulevard would be exposed to excessive interior noise levels. However, implementation of Noise Condition 1 would ensure that the Proposed Project includes exterior and interior noise attenuation features that would minimize the residents' exposure to excessive noise levels.

Noise Condition 1 – Interior Noise Attenuation Features. The applicant shall incorporate building materials and techniques that reduce sound transmission through walls, windows, doors, ceilings, and floors of on-site residences for all floors facing South Santa Monica Boulevard or for floors one through three facing Charleville Boulevard, in order to achieve interior noise levels of 45 dBA CNEL. Such building materials and techniques may include double-paned windows, staggered studs, or sound-absorbing blankets incorporated into building wall design. Acoustical analysis shall be performed prior to the issuance of an occupancy permit to demonstrate that noise levels in the interior livable spaces do not exceed state standards for residences. This requirement shall be incorporated into the plans to be submitted by the applicant to the City of Beverly Hills for review and approval prior to the issuance of building permits.

2.6 GRADING AND CONSTRUCTION

Development of the Proposed Project is expected to occur over approximately 21 months. This period consists of about three months of early site preparation, utility preparation, excavation, shoring, and road access work, followed by 18 months of construction.

It is anticipated that there would be three periods of peak construction activity. The first phase would occur with the demolition of existing hardscape on the Project site and excavation for the subterranean parking garage. Demolition and excavation work would occur over a period of approximately three months.

The Proposed Project would require export of about 20,500 cubic yards of soil. The maximum depth of the excavation for the subterranean parking garage would be 23 feet (at the stackers pit).

During Project construction, crew sizes on the Project site would vary depending on the construction phase. Anticipated crew sizes associated with different phases of construction are as follows:



- *Shoring and Excavation: 6-15 workers*
- *Concrete and Waterproofing: 10-40 workers*
- *Mechanical Trades: 15-30 workers*
- *Enclosure: 20-40 workers*
- *Exterior/Interior Finishes: 15-30 workers*

The Project would stage all materials within the Project site, or an alternative staging area would be determined based on approval from the City. The ideal staging area would be the former railroad right of way on Santa Monica Boulevard that the Waldorf Hotel is currently using. However, if staging within the City is not possible, all trucks would deliver directly to the Project site and materials would be unloaded directly onto the property. After the subterranean parking garage and the ground level plaza are completed, it is expected that material and equipment would be stored on site.

Parking during the different phases of construction is expected to be accommodated on the Project site. Upon completion of the Project subterranean parking garage, parking would be accommodated within the garage. Given that the proposed parking structure would be constructed prior to the construction of the ground level and the Project structure, construction worker vehicles would be accommodated on the Project site. The impact analysis in Section 4.7, *Transportation and Traffic*, provides mitigation measures that would identify alternative parking locations in the event that construction parking cannot be accommodated on the Project site.

Construction material deliveries for the Project would include concrete, plumbing supplies, electrical supplies, electrical fixtures, wood and steel framing, formwork, finishes, glass curtain walls, and other materials to complete the Project. These materials would be delivered to and stored on the Project site or an off-site staging area identified by the Project Applicant. It is anticipated that these deliveries would utilize vehicles of varying sizes from small delivery trucks to cement mixer trucks, and possibly 18-wheel trucks. Delivery vehicles may need to park temporarily on adjacent roadways such as Santa Monica Boulevard and Charleville Boulevard (refer to the impact analysis in Section 4.7, *Transportation and Traffic*).

Heavy construction equipment would also be delivered to the site. It is anticipated that most of this heavy equipment would be transported to the site on large trucks such as 18-wheelers or other similar sized vehicles and would remain on the site until each piece of equipment is no longer needed. The equipment present on the Project site would change during the different phases of construction. Anticipated equipment associated with the different phases of construction includes the following:

- *Shoring and Excavation: drill rigs, excavators, loaders, tractors, forklifts, dump trucks, and cranes*
- *Concrete and Waterproofing: backhoes, tractors, cranes, fork lifts, concrete pumps, concrete trucks, concrete finishing machines, and dumpsters*
- *Mechanical Trades: trucks, forklifts, plaster mixer/pump, dump trucks, and dumpsters*
- *Enclosure: scaffolding, cranes, forklifts, pipe machines, cranes, and dumpsters*
- *Exterior/Interior Finishes: delivery trucks, forklifts, paint sprayers, concrete mixers, and dumpsters*

Prior to completion of the subterranean parking garage and ground level plaza, concrete mixer trucks and other material delivery trucks may need to queue temporarily on adjacent roadways such as South Santa Monica Boulevard and Charleville Boulevard as they enter onto and deliver material to the Project site. This queuing would be managed in accordance with a Construction Management Plan approved by the City of Beverly Hills.

2.7 PROJECT OBJECTIVES

The following are the objectives for the Proposed Project:

- *Redevelop a currently vacant urban in-fill site into a luxury residential Project that is compatible with adjoining residential development and adjoining luxury hotel, office and service businesses.*
- *Enhance and activate a currently vacant site in an underutilized area of the city with limited parking, limited circulation, and adjacent sensitive residential uses by bringing high end 24-hour residential use to the site.*
- *Support infill development in an existing urban area in a manner that minimizes traffic impacts.*
- *Enhance housing opportunities in the city, bring new residents to the area, and provide an opportunity for downsizing Beverly Hills residents to remain in the city.*
- *Create luxury medium density urban housing with ample landscaped setbacks, spacious living areas, high ceilings, private outdoor open space and luxury roof top amenities.*
- *Improve the aesthetic quality of the site by creating a first class architectural building to replace vacant land.*
- *Create construction jobs and increase housing opportunities in the city.*
- *Improve public safety by bringing 24-hour residents and residential activity to an underutilized area of the City.*
- *Increase activity and the customer base for surrounding commercial businesses by bringing residents to the area.*

2.8 REQUIRED APPROVALS

The Proposed Project would require amendments to the General Plan and BHMC to create a Residential Overlay Zone. A Planned Development Permit is also required. The proposed Overlay would include development standards to, among other things, allow the use of automatic car lifts, increase the height limit, and increase the allowed FAR to accommodate the Proposed Project.



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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 seven miles west of the civic center of the City of Los Angeles. It is located at the southwest corner of the intersection of Charleville Boulevard and South Santa Monica Boulevard. The approximately 36,000-square foot site is currently vacant. Figure 2-1 in Section 2.0, *Project Description*, shows the location of the Project site in the region. Figure 2-2 shows the location of the Project site in relationship to the surrounding neighborhood.

The 2016 population of the City is estimated at 34,763 persons. The City's current housing stock consists of an estimated 16,444 units. The average household size in the City is about 2.34 persons per unit (California DOF, 2016).

A grid system of east-west and north-south roadways, including arterials, collectors, and local streets, provide vehicular access throughout the City. The major roadways include Santa Monica Boulevard, Wilshire Boulevard, Sunset Boulevard, Whittier Drive, and Beverly Drive. The closest freeways are Interstate Highway 405 (I-405) and Interstate 10 (I-10). I-405 is located over two miles west of the Project site, and I-10 is located over two 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 seven miles inland from the coastline of the Pacific Ocean.

3.2 PROJECT SITE SETTING

As shown in Figure 2-2, the Project site is bound by the Beverly Hills Community Sports Center on the west, South Santa Monica Boulevard to the north, Charleville Boulevard to the east, and an alley and residential apartments to the south. The site is approximately 36,000 square feet in size and is currently vacant land.

The Project site is zoned C-3A (commercial) under the City's Zoning Ordinance. Uses permitted under the C-3A designation include a wide range of low- to high-intensity commercial uses such as cafes, offices, and retail shops.

Land uses to the north of the Project site and across South Santa Monica Boulevard include single-story commercial buildings and the Beverly Hilton hotel. A one-way alley with traffic directed to the east is located south of the Project site. Immediately south of the alley are two- to three-story residential apartment buildings. The Peninsula Beverly Hills hotel, a Church of Scientology, and a two-story medical building are located east of the Project site and across



Charleville Boulevard. The Beverly Hills Community Sports Center/ JEM Community Center are located west of the Project site.

3.3 CUMULATIVE PROJECTS SETTING

In addition to the specific impacts of individual projects, CEQA requires EIRs to consider potential cumulative impacts of the 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 the Proposed Project and other nearby projects. For example, traffic impacts of two nearby projects may be insignificant when analyzed separately, but could have a significant impact when analyzed together. Cumulative impact analysis allows the EIR 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. Currently planned and pending projects in Beverly Hills and surrounding areas, including the City of Los Angeles, are listed in Table 3-1. In particular, the One Beverly Hills Project (also known as the 9900 Wilshire Boulevard Project), the 9876 Wilshire Boulevard Project (also known as the Beverly Hills Garden and Open Space Initiative Project), and the El Rodeo School Project are located in close proximity to the Project site and construction schedules may overlap. These projects are considered in the cumulative analyses in Section 4.0, *Environmental Impact Analysis*.

In addition to the projects listed in Table 3-1, the Santa Monica Boulevard Reconstruction Project and Metropolitan Transportation Authority’s (Metro) extension of the Purple Line are currently underway. The project along Santa Monica Boulevard involves reconstructing the roadway and upgrading the century-old drainage system between Doheny Drive and Wilshire Boulevard. The Purple Line Extension Project is adding rail service to the Project area through the extension of the Purple Line from its current terminus at Wilshire Boulevard and Western Avenue to Wilshire at the Veterans Administration Hospital in West Los Angeles. Considering the 21-month overall construction schedule anticipated for the Proposed Project, construction activities for the Metro Project and the Proposed Project could potentially temporarily overlap. Therefore, both projects are also considered as appropriate in the cumulative analyses in Section 4.0.

**Table 3-1
 Cumulative Projects**

Project Name/Location	Description of Project ¹
City of Beverly Hills	
257 North Canon Drive	15.899 KSF retail shopping center, 26.196 KSF office, 1.8 restaurant
246 North Canon Drive	7.1 KSF Restaurant
250 North Crescent Drive	8 Condominiums
9262 Burton Way	23 Condominiums
325 North Maple Drive	7.8 KSF Post Office, 3.7 KSF Retail, & 88.5 KSF Creative



**Table 3-1
 Cumulative Projects**

Project Name/Location	Description of Project¹
	Office
450-460 North Palm Drive	35 Condominiums
154-168 North La Peer Drive	16 Condominiums
425 North Palm Drive	20 Condominiums
8955 Olympic Boulevard	19.8 KSF Automobile Sales
9212 Olympic Boulevard	15.1 KSF Office, 1 KSF Restaurant, & 5.9 KSF Retail
332 North Oakhurst Drive	31 Condominiums
305-239 South Elm Drive	30 Condominiums
One Beverly Hills (9900 Wilshire Boulevard)	193 Condominiums, 134 Hotel Units, 7.3 KSF spa, 8.71 KSF food, 7.3 KSF bar
207 South Robertson Boulevard	1.7 KSF Office
605 Whittier Drive (El Rodeo K-8 School)	Structural and architectural improvements
9000 Wilshire Boulevard	31.7 KSF Office
8600 Wilshire Boulevard	21 Apartments, 4 Townhouses, 2.9 KSF Medical Office & 1.9 KSF Retail
8767 Wilshire Boulevard	21 KSF General Office, 34 KSF Medical-Dental Office, 3 KSF Restaurant, 15.5 KSF Automobile Sales, 1.5 KSF Pharmacy-Drug Store without Drive-Through Window
9200 Wilshire Boulevard	90 Apartments, 4.8 KSF Retail
9230 Wilshire Boulevard (Jim Falk Lexus)	150.3 KSF Automobile Sales
9876 Wilshire Boulevard (Beverly Hilton Revitalization)	120 Condominiums, 522 Hotel Rooms, & 12.3 KSF Restaurant
121 San Vicente Boulevard	35 KSF Medical-Dental Office Building
City of West Hollywood	
8816 Beverly Boulevard	Mixed-Use
623 La Peer Drive (La Peer Hotel)	Hotel
645 Robertson Boulevard	Hotel, Restaurant, & Retail
9001 Santa Monica Boulevard	Mixed-Use
9040, 9060, 9080, 9098 Santa Monica Boulevard	Mixed-Use
City of Los Angeles	
10131 Constellation Boulevard	483 Condominiums
10250 West Santa Monica Boulevard (West Century City - New Century Plan Project)	22-acre project site including the Westfield Century City Shopping Center and two adjacent properties; the project would create an integrated center for shopping, dining and entertainment opportunities with outdoor spaces and amenities
9786 West Pico Boulevard (Museum of Tolerance)	Expansion to add 13.5 KSF of Cultural Space
9760 West Pico Boulevard (YULA Boys High School)	School Expansion
2025 South Avenue of the Stars (Century Plaza Mixed Use Development)	293 Condominiums, 91 KSF Retail, 100 KSF Office, Hotel



**Table 3-1
Cumulative Projects**

Project Name/Location	Description of Project¹
10330 West Bellwood Avenue (Bellwood Avenue Senior Care)	Senior Care Facility & 24 KSF Medical Office Project, 158 Condominiums
10000 West Santa Monica Boulevard	283 Apartments
10250 West Santa Monica Boulevard (Westfield Century City Shopping Center)	71.7 KSF New Retail & Renovation
1950 South Avenue of the Stars Century City Center Project	72.5 KSF Office
888 South Devon Avenue	32 Apartments
300 South Wetherly Drive	140 Condominiums
8723 West Alden Drive (Cedars-Sinai Medical Center Project - West Tower)	New medical building with 100 hospital beds

¹ Cumulative project details, including trip generation numbers, were provided by the Cities of Los Angeles and West Hollywood for the Traffic Impact Study (see Appendix 5).

KSF = 1,000 square feet



4 ENVIRONMENTAL IMPACT ANALYSIS

This section discusses the possible environmental effects of the 9908 South Santa Monica Boulevard 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 the *CEQA Guidelines* §15382 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, but 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 next subsection describes each impact of the Proposed Project, mitigation measures for significant impacts, and the level of significance after mitigation. Each effect under consideration for an issue area is separately listed in bold text, with the discussion of the effect and its significance following. Each bolded impact listing 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 §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 or Beneficial: 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 the residual effects or level of significance remaining after implementation of the measures. In cases where the mitigation measure for an impact could have a significant environmental impact in another issue area, 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 listed in Section 3.0, *Environmental Setting*.

Please refer to the Executive Summary of this EIR, which encapsulates all impacts and mitigation measures that apply to the Proposed Project.



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4.1 AESTHETICS

This section addresses potential Project impacts related to aesthetics, including changes in public views and visual character, and consistency with adopted urban design policies.

4.1.1 Setting

a. Visual Character of the Project Site Vicinity. The Project site is located near the southwestern boundary of Beverly Hills, approximately six miles northeast of the Pacific Ocean. The Project area is characterized by a mix of urban development, multi-family houses and man-made open space (The Los Angeles Country Club golf course). See Figures 4.1-1a and 4.1-1b for photos of the Project site and surrounding area. The Project site is bound by the Beverly Hills Community Sports Center on the west; South Santa Monica Boulevard to the north; commercial retail and office, and The Peninsula Hotel across Charleville Boulevard to the east; and multi-family residential and parking garages to the south. Buildings in the immediate vicinity of the site range from one to four stories.

The Beverly Hilton Hotel is located north of Santa Monica Boulevard across from the Project site and is seven stories high. The Beverly Hilton Hotel was built in 1953 and has become an iconic building within the City. To the west of the Beverly Hilton is The Los Angeles Country Club golf course (approximately 1,000 feet west of the project site). The golf course is comprised of 16 acres of open space within the City of Los Angeles, which cannot be seen from the Project site. The Project site is not located along or within the viewshed of a designated scenic corridor.

Figure 2-2 in Section 2.0, *Project Description*, presents an aerial view of the Project site and surrounding uses. Figure 4.1-1a provides photographs of the site. Figure 4.1-1b provides photographs of nearby land uses.

b. Visual Character of the Project Site. The Project site is a vacant lot bordered by commercial space to the east and west (commercial retail and office and The Peninsula Hotel to the east, and the Beverly Hills Community Sports Center to the west). The Project site is comprised of five parcels, totaling approximately 36,000 sf (0.83 acres) in size. The Project site is located adjacent to South Santa Monica Boulevard, which is classified as a Class II Major Highway. The Project site is rectangular in shape and relatively flat. The existing visual appearance of the Project site is defined by a vacant lot, a portion of which is currently being used as a parking lot.

c. Scenic Resources. The Project site is located in a developed area of Beverly Hills. No scenic views currently exist on or are available from the Project site. The mountains to the north may be visible from the streets and residential areas in and around the Project site, but views are limited by the multi-storied development lining the surrounding street corridors. There are no other significant natural features (such as rock outcroppings, bodies of water, substantial stands of native vegetation, etc.) or native California trees of particular aesthetic value (e.g. oak trees) on the Project site. There are no natural open spaces on the Project site, and the site is not located within a City or state designated scenic highway (City of Los Angeles, 1998). The site is not a historic resource subject to CEQA. It is not currently designated as a landmark at the national, State, or local levels and does not appear eligible for such listing.





Photo 1: Looking south at western portion of project site.



Photo 2: Looking south from S. Santa Monica Boulevard at central portion of project site.



Photo 3: Looking north at eastern boundary of the project site.



Photo 4: Looking southeast at eastern portion of the project site.

Site Photos

Figure 4.1-1a

City of Beverly Hills



Photo 5: Alley and residences south of project site.



Photo 6: Commercial building east of project site



Photo 7: Retail north of project site, across S. Santa Monica Boulevard.



Photo 8: The Peninsula Beverly Hills Hotel, east of the project site.

d. Existing Viewsheds. Viewsheds refer to the visual qualities of a geographical area that are defined by the horizon, topography, and other natural features that give an area its visual boundary and context, or by development that has become a prominent visual component of the area. Public views are those which can be seen from vantage points that are publicly accessible, such as streets, freeways, parks, and vista points. These views are generally available to a greater number of persons than are private views. Private views are those which can be seen from vantage points located on private property. Private views are not considered to be impacted when interrupted by land uses on adjacent blocks, specifically if the project complies with the zoning and design guidelines applicable to the site. The existing views in the Project area are defined primarily by the multi-family and residential and commercial developments along South Santa Monica Boulevard.

e. Regulatory Setting. Citywide policies on visual resource protection focus on maintaining and protecting significant visual resources and aesthetics that define the City.

City of Beverly Hills General Plan – Open Space Element. The Open Space Element, adopted in 1977 and amended in 2010, contains one goal (OS 6) and seven policies to address visual resource protection.

***Goal OS 6 Visual Resource Preservation.** Maintenance and protection of significant visual resources and aesthetics that define the City.*

***OS 6.1 Protection of Scenic Views.** Seek to protect scenic views and vistas from public places including City landmarks, hillside vistas, and urban views of the City. (Imp. 2.1)*

***OS 6.3 Landscaping.** Require that new development be located and designed to visually complement the urban setting by providing accessible, landscaped entries, courtyards, and plazas. (Imp. 2.1)*

***OS 6.4 Minimize Removal of Existing Resources.** Require new commercial, office, and residential development to minimize the removal of mature trees and other significant visual resources present on the site. (Imp. 2.1, 2.2, 3.8)*

***OS 6.5 Standards for New Development.** Seek to ensure that new development does not adversely impact the City's unique urban landscape. (Imp. 2.1, 3.8)*

***OS 6.6 Lighting.** Minimize obtrusive light by limiting outdoor lighting that is misdirected, excessive, or unnecessary. (Imp. 2.1)*

***OS 6.7 Glare.** Require that new development avoid the creation of incompatible glare through use of appropriate materials and design features. (Imp. 2.1)*

City of Beverly Hills Municipal Code. Title 10, Chapter 3, Article 30 of the City's Municipal Code (BHMC) establishes an Architectural Commission, architectural review, and procedures for review of certain development within the City. Specifically, development within any zone other than a single-family (one-family) residential zone is required to receive architectural review by the Architectural Commission, or City Council on appeal, prior to issuance of a building permit. Issuance of a building permit is contingent on first obtaining architectural approval based upon criteria identified in Section 10-3-3010 Criteria, of the BHMC.



The City's Architectural Commission or City Council may approve, approve with conditions, or disapprove a project after consideration of the criteria.

The BHMC addresses light and glare issues and contains requirements intended to limit the light and glare effects of new development so they are less than significant. Section 5-6-1101 – "Excessive Lighting Prohibited" prohibits the installation, use or maintenance of any lighting which creates an intensity of light on residential property that is greater than one foot-candle above ambient light level and specifies that all permissive lighting shall be arranged to focus on the property from which it originates and shall not directly reflect upon any adjacent residential property. Section 10-4-314 – "Lighting of Premises" states that any perimeter, flood lighting or other external lighting shall be permitted only when such lighting is installed on private property and shielded so that no direct beams fall upon public streets, alleys, highways, or other private property. In addition, proposed lighting is subject to architectural review pursuant to Chapter 3, Zoning, Article 30, "Architectural Commission, Architectural Review and Procedure" of the BHMC.

The BHMC also establishes standards for development that relate to visual quality. Development standards such as building heights, lot coverage, setbacks, landscaping, signage, lighting and access are identified for each zone. Existing and proposed zoning in the Project area is discussed in Section 4.5, *Land Use Planning*, of this EIR.

4.1.2 Impact Analysis

a. Methodology and Significance Thresholds. The assessment of aesthetic impacts involves qualitative analysis that is inherently subjective in nature. Different viewers react to viewsheds and aesthetic conditions differently. This evaluation measures the Proposed Project against existing visual conditions, analyzing the nature of the anticipated change. The Project site and surrounding area was observed and photographically documented (see Figures 4.1-1a-b) to assist in the analysis. Photorenderings of the Proposed Project were also used. See Figures 4.1-2 and 4.1-3. Lastly, a shadow analysis was performed to determine how the proposed project would affect nearby outdoor uses. See Figures 4.1-4a-b.

An impact is considered significant if the Proposed Project would result in one or more of the following conditions, as described in Appendix G of the State *CEQA Guidelines*:

- a) *Have a substantial adverse effect on a scenic vista;*
- b) *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway;*
- c) *Substantially degrade the existing visual character or quality of the site and its surroundings; or*
- d) *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.*





Source: Thomas Juul-Hansen LLC & Steinberg Architects

Project Rendering

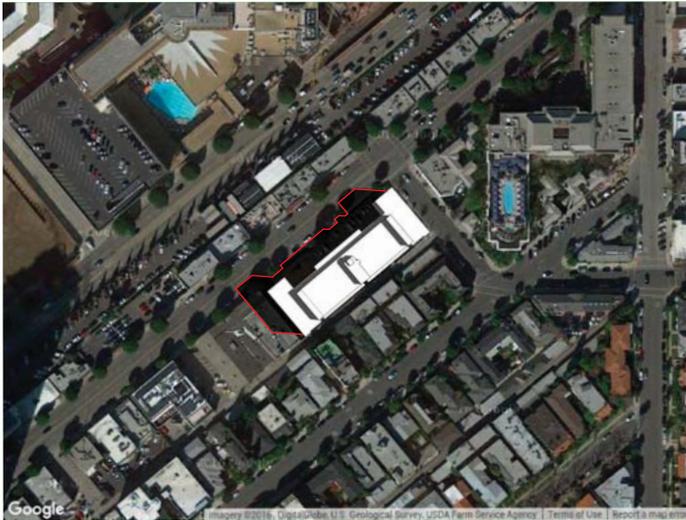
Figure 4.1-2
City of Beverly Hills



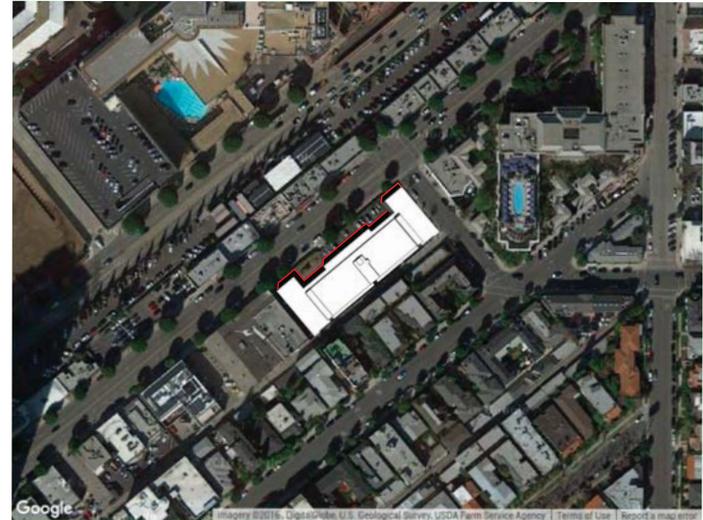
Source: Thomas Juul-Hansen LLC & Steinberg Architects

Project Rendering

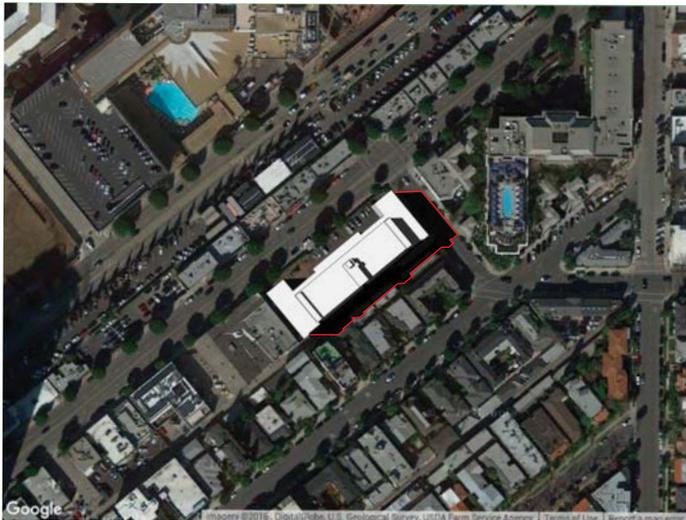
Figure 4.1-3
City of Beverly Hills



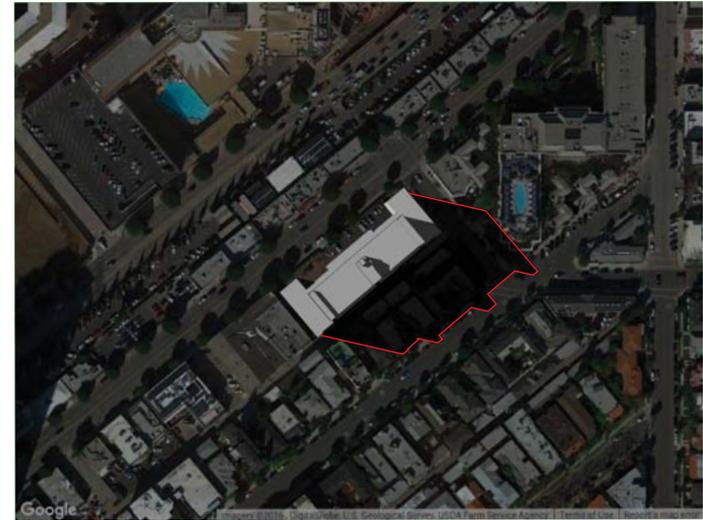
June 21, 9:00am



June 21, 12:00pm



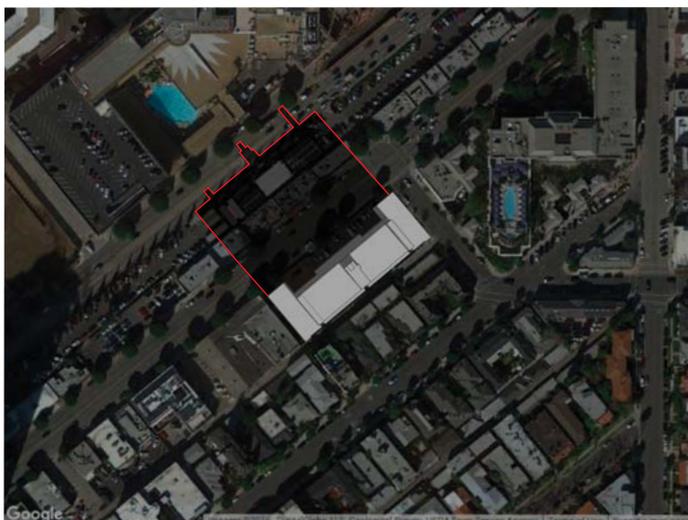
June 21, 3:00pm



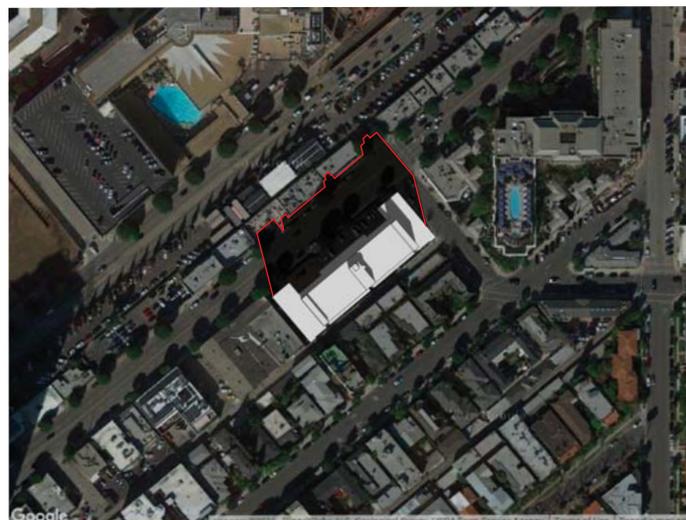
June 21, 5:00pm

Summer Shadow Analysis

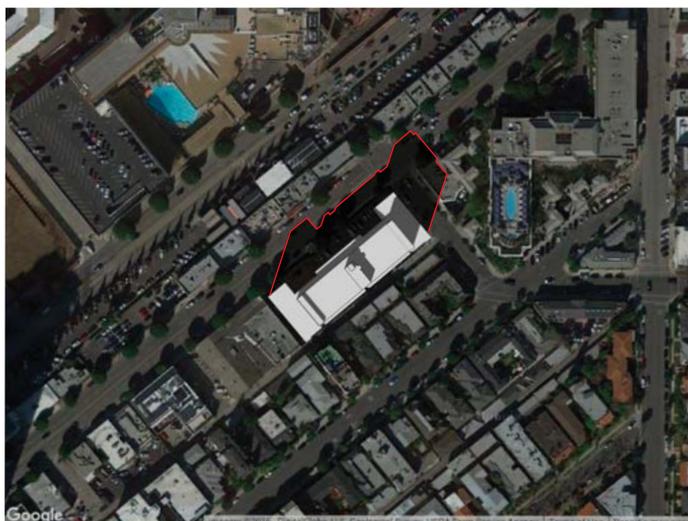
Figure 4.1-4a
City of Beverly Hills



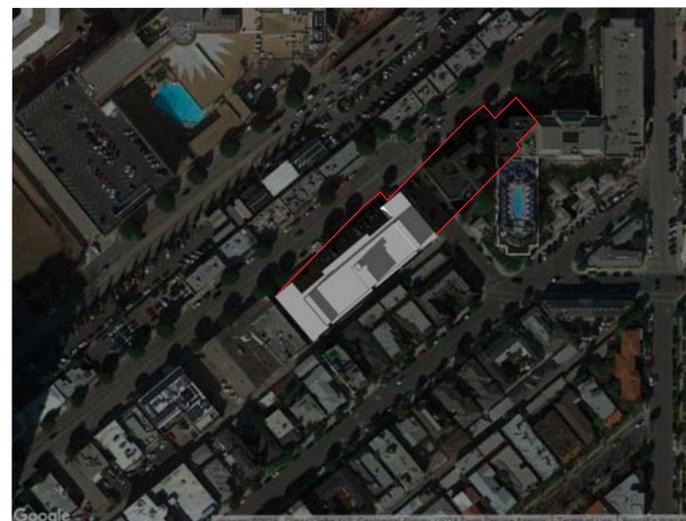
December 21, 9:00am



December 21, 11:00am



December 21, 1:00pm



December 21, 3:00pm

Winter Shadow Analysis

Figure 4.1-4b
City of Beverly Hills

The Initial Study prepared for the Proposed Project determined that the Project would result in potentially significant impacts related to threshold (c) (existing visual character), but less than significant impacts related to thresholds (a)(scenic vista) and (d)(light or glare) and no impact related to threshold (b) (scenic resources). Consequently, the issues of scenic vistas, scenic resources, light and glare are not analyzed further in this section. The Initial Study is provided in Appendix 1. The Project's consistency with adopted goals or policies of the City of Beverly Hills most directly relating to the potential aesthetic impacts of the Proposed Project, which are listed above in Section 4.1.1e, are discussed within the impact discussion section.

b. Project Impacts and Mitigation Measures.

Impact AES-1 While the Proposed Project would change the visual character and quality of the Project site and, to a lesser degree, its surroundings, it would generally have a high level of visual quality and would not conflict with adopted visual policies of the City of Beverly Hills. The Project would therefore have a *less than significant* impact related to visual character and quality.

Regulations and policies relating to visual character and quality that would apply to the Proposed Project are listed in Section 4.1.1c, *Regulatory Setting*. These include goals and policies from the Open Space Element of the City's General Plan that require the City to maintain and protect significant visual resources and aesthetics that define the City, such as scenic parkways, green landscaping, and the unique urban landscape. As discussed in Section 4.1.1e, upon approval of the proposed residential overlay zoning district, the Proposed Project would be consistent with the City's Zoning Ordinance. In addition, there are no City landmarks, hillside vistas or notable urban views from public spaces through the Project site. Therefore, the Project would not conflict with General Plan Policy OS 6.1 Protection of Scenic Views, which calls for the protection of "scenic views and vistas from public places including City landmarks, hillside vistas and urban views of the City."

If the Proposed Project conflicted with the other goals and policies presented in Section 4.1.1c, or otherwise had a substantial negative effect on the visual character or quality of the Project site or its surroundings, it would have a significant impact related to visual character and quality. The analysis below therefore analyzes the visual character and quality of the Project site and its surroundings, both before and after Project implementation, in order to determine if impacts would occur.

Changes to the Visual Character. The Project site is currently vacant. As shown in Figures 4.1-1a and b, the eastern half of the site is paved with asphalt and used as a parking lot and the western portion of the Project site is a dirt lot. Therefore, the Project site is characterized by a low level of visual quality, both as a natural habitat and as a built environment.

Construction of the Proposed Project would change the visual character of the site from largely undeveloped to developed, but would generally improve the visual quality of the site by providing new housing, hardscape, and landscaping along the perimeter of the site. Figure 2-5 of Section 2.0 shows the proposed elevation and Figures 4.1-2 and 4.1-3 show renderings of the Proposed Project from the South Santa Monica Boulevard and Charleville Boulevard



Intersection and the entryway to the Project site on South Santa Monica Boulevard. As discussed in Section 4.1.1 (b, c), the site does not currently contain any significant scenic resources and does not have a high level of visual quality. With the introduction of the structure shown on the Project site plan (Figure 2-3), the aesthetic value of the site would improve as compared to the currently vacant status of the site.

In addition, the Project would comply with General Plan Policy OS 6.3 which requires that new developments are designed to visually complement the urban setting by providing appropriate landscaping. Figure 2-3 shows the site plan and the planned areas of landscaping. Figures 4.1-2 and 4.1-3 provide renderings showing how the Proposed Project would provide an approximately 10-foot landscape buffer along the perimeter of the Project site. The Project would also involve the relocation or removal of ornamental shrubs and trees on the public sidewalks along the north and east edges of the site. This includes relocating two ficus trees along the South Santa Monica Boulevard sidewalk, and removing one altogether. Although the project would result in the loss of one ornamental tree on the public right of way, none of the trees are protected by the BHMC because they are neither native trees, heritage trees, nor part of an urban grove. Therefore, the Project would comply with General Plan Policy OS 6.4 by minimizing the removal of natural visual resources. Therefore, with the landscape buffer, any alteration or removal of trees along the sidewalk would not cause a change great enough to significantly impact the overall visual character and quality of the neighborhood.

Light and Glare Impacts. As discussed in the Initial Study (Appendix 1), the Proposed Project would create new sources of light and glare that would be more severe or intense than under existing conditions since the site is vacant. Of the surrounding land uses, the multi-family residences south of the project site would be the most affected by potential light and glare impacts. However, required compliance with the BHMC would result in less than significant impacts associated with new sources of light. For example, BHMC Section 5-6-1101 prohibits any lighting which creates an intensity of light on residential property which is greater than one foot-candle above ambient light level. In addition, the Proposed Project includes metal sun shades, panels, and balcony railings that would prevent substantial amounts of glare. Therefore, impacts associated with light and glare would be less than significant, and the Project would comply with Policies OS 6.6 and OS 6.7.

Shadow Impacts. A shadow analysis was performed to determine how the proposed project would affect nearby outdoor uses (shown in figures 4.1-4a-b). Prolonged periods of shade and shadow can negatively affect the character of certain land uses. The City of Beverly Hills has not adopted any specific thresholds or regulations addressing shading; therefore, the City of Los Angeles' shadow thresholds were used to determine significance. According to these thresholds, facilities and operations sensitive to the effects of shading include: routinely useable outdoor spaces associated with residential, recreational, or institutional (e.g., schools, convalescent homes) land uses; commercial uses such as pedestrian-oriented outdoor spaces or restaurants with outdoor eating areas; nurseries; and existing solar collectors. These uses are considered sensitive because sunlight is important to function, physical comfort, or commerce. Based on City of Los Angeles' thresholds, shadow impacts can be considered significant if light-sensitive uses would be shaded by project-related structures for more than three hours between 9:00 a.m. and 3:00 p.m. between late October and early April (including Winter Solstice), or for more than four hours between early April and late October (including Summer Solstice) (Los Angeles, 2006). The only light-sensitive use in the direct vicinity of the project is the rooftop



pool of the Peninsula Hotel located 150 feet east of the project site near the corner of Durant Drive and Charleville Boulevard.

The estimated summer solstice (June 21) shadows generated by the proposed project are illustrated in Figure 4.1-4a. During 9:00 a.m. to 3:00 p.m. in the summer months, shadows would not be cast onto the rooftop pool. Therefore, because shadows would not be cast onto light-sensitive uses for a period greater than four hours between the hours of 9:00 a.m. and 3:00 p.m., impacts of the proposed project would be less than significant.

The estimated winter solstice (December 21) shadows generated by the proposed project are illustrated on Figure 4.1-4b. During 9:00 a.m. to 3:00 p.m. in the winter months, shadows would not be cast onto the rooftop pool. Therefore, because shadows would not be cast onto light-sensitive uses for a period greater than three hours between the hours of 9:00 a.m. and 3:00 p.m., impacts of the proposed project would be less than significant.

Summary of Conclusions. In summary, for the reasons discussed above, the Proposed Project would not adversely impact the surrounding urban landscape, and therefore, would be consistent with General Plan Policy OS 6.5, along with the other applicable regulations and policies relating to visual character and quality. In addition, light, glare and shadow impacts generated by the proposed project would be less than significant. Therefore, changes to the visual character and quality of the Project site and surrounding area would be less than significant.

Mitigation Measures. None required.

c. Cumulative Impacts. The planned and pending projects in the vicinity of the Project site listed in Table 3-1 of this EIR consist of six apartment or condominium projects, 10 mixed-use projects, 12 commercial projects, two hotel projects and a few other miscellaneous uses. Future projects in Beverly Hills will be required to adhere to specific development standards in the City's Zoning Ordinance and General Plan designed to protect and enhance the area's aesthetic and visual resources. Additionally, there are no pending projects within any viewshed from which the Project site can be seen. The Waldorf Astoria Beverly Hills (Waldorf), a 12-story hotel, is currently being built adjacent to The Beverly Hilton at the intersection of Santa Monica Boulevard and Wilshire Boulevard. In addition, approval of the proposed One Beverly Hills Project would result in condominiums and a hotel within two buildings (13-story and 15-story) and a two-story commercial building along Santa Monica Boulevard and Wilshire Boulevard. The proposed Beverly Hilton Revitalization Specific Plan would either result in an 18-story building along Santa Monica Boulevard and an eight-story building along Wilshire Boulevard, or one 26-story building along Santa Monica Boulevard. Once completed, these developments will be seen from the northern and eastern sides of the Project site. Even though the Proposed Project would be taller than the three-story height limit that would apply to a code-compliant building on that site, the proposed five-story building is a considerably smaller development than the projects in its vicinity, and would therefore not have the potential to create cumulative visual impacts with these projects, or any other known development projects in the vicinity. As discussed under Impacts AES-1, the Proposed Project would not have a significant negative impact on the aesthetics of the Project site or its surroundings. Although cumulative development may, over time, alter the visual character of this part of Beverly Hills, it would be subject to the same policies and regulations as the Proposed Project, and cumulative impacts related to aesthetics would be less than significant.



4.2 AIR QUALITY

This section analyzes the Proposed Project's temporary and long-term impacts to local and regional air quality. Greenhouse gas emissions are discussed in Section 4.3, *Greenhouse Gas Emissions*. This section uses data generated using the California Air Emissions Estimator Model (CalEEMod), which can be found in Appendix 2.

4.2.1 Setting

The Project site is located in the City of Beverly Hills, which is part of the South Coast Air Basin (the Basin) and under the jurisdiction of the South Coast Air Quality Management District (SCAQMD).

a. Climate and Meteorology. Air quality in the Basin is affected by various emission sources (e.g., transportation and industry) and atmospheric conditions such as wind speed, wind direction, temperature, and rainfall. The combination of topography, low mixing height, abundant sunshine, and emissions from the second largest urban area in the United States give the Basin the worst air pollution problem in the nation.

The majority of annual rainfall in the Basin occurs between November and April. Summer rainfall is minimal and is generally limited to scattered thunder showers in coastal regions and slightly heavier showers in the eastern portion of the Basin and along the coastal side of the mountains. Beverly Hills has a Mediterranean climate with moderate, dry summers that reach an average temperature of 83 degrees Fahrenheit and cool, wet winters that can dip as low as 45 degrees Fahrenheit. Average monthly rainfall measured in Beverly Hills during a 40-year period varied from 3.5 inches in February to 0.1 inch or less between May and August, with an annual total of approximately 15 inches (Beverly Hills, 2010).

The Basin experiences a persistent temperature inversion (increasing temperature with increasing altitude) as a result of the Pacific High, which is a large area of high pressure usually present over Southern California and the ocean. 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 (upper) layer until the inversion layer finally breaks, allowing vertical mixing with the lower layer. This phenomenon is observed in mid- to late-afternoon on hot summer days. Winter inversions frequently break by mid-morning.

The combination of stagnant wind conditions and low inversion 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 (CO) and nitrogen oxides (NO_x) due to low inversions and air stagnation during the night and early morning hours. In the summer, the longer daylight hours and the brighter sunshine combine to cause a reaction between hydrocarbons and NO_x to form photochemical smog.

b. Sensitive Receptors. Ambient air quality standards have been established to represent the levels of air quality considered sufficient to protect public health and welfare with



an adequate margin of safety. They are designed to protect that segment of the public most susceptible to respiratory distress, such as children under 14, the elderly over 65, persons engaged in strenuous work or exercise, and people with cardiovascular and chronic respiratory diseases. Therefore, the majority of sensitive receptor locations are schools and hospitals. Sensitive receptors likely to be affected by air quality impacts associated with Project construction include multi-family residences and parking garages across the alley to the south and the Beverly Hills Community Sports Center adjacent the western boundary of the project site.

c. Air Pollution Regulation.

Federal Regulations/Standards. Pursuant to the federal Clean Air Act (CAA) of 1970, the U.S. Environmental Protection Agency (U.S. EPA) established the National Ambient Air Quality Standards (NAAQS). The NAAQS were established for six major pollutants termed “criteria” pollutants, which are those pollutants for which the State and federal governments have established AAQS for outdoor concentrations in order to protect public health. The current AAQS and the California standards (which are generally more stringent than federal standards) are shown in Table 4.2-1.

**Table 4.2-1
 Current Federal and State Ambient Air Quality Standards**

Pollutant	Federal Standards	California Standards
Ozone	0.070 ppm (8-hr avg)	0.09 ppm (1-hr avg) 0.07 ppm (8-hr avg)
Carbon Monoxide	9.0 ppm (8-hr avg) 35.0 ppm (1-hr avg)	9.0 ppm (8-hr avg) 20.0 ppm (1-hr avg)
Nitrogen Dioxide	0.053 ppm (annual avg)	0.18 ppm (1-hr avg) 0.030 ppm (annual avg)
Sulfur Dioxide	0.14 ppm (24-hr avg) 0.075 ppm (1-hr avg)	0.04 ppm (24-hr avg) 0.25 ppm (1-hr avg)
Lead	0.15 µg/m ³ (3-month avg)	1.5 µg/m ³ (30-day avg)
Particulate Matter (PM ₁₀)	150 µg/m ³ (24-hr avg)	20 µg/m ³ (annual avg) 50 µg/m ³ (24-hr avg)
Particulate Matter (PM _{2.5})	12 µg/m ³ (annual avg) 35 µg/m ³ (24-hr avg)	12 µg/m ³ (annual avg)

*ppm= parts per million
 µg/m³ = micrograms per cubic meter
 Source: California Air Resources Board (CARB), 2015*

The U.S. EPA uses data collected at permanent monitoring stations to classify regions as “attainment” or “nonattainment,” depending on if the region meets the requirements stated in the primary NAAQS. Additional restrictions are imposed on nonattainment areas, as required by the U.S. EPA.

The U.S. EPA established new NAAQSs for ground-level ozone and fine particulate matter in 1997. On May 14, 1999, the Court of Appeals for the District of Columbia Circuit issued a decision ruling that the CAA, as applied in setting the new public health standards for ozone



and particulate matter, was unconstitutional and an improper delegation of legislative authority to the U.S. EPA. On February 27, 2001, the U.S. Supreme Court upheld the way the government sets air quality standards under the CAA. The Court unanimously rejected industry arguments that the U.S. EPA must consider financial costs as well as health benefits in writing standards. The justices also rejected arguments that the U.S. EPA took too much lawmaking power from Congress when it set tougher standards for ozone and soot in 1997. Nevertheless, the court dismissed the U.S. EPA's policy for implementing new ozone rules, saying that the agency ignored a section of the law that restricts its authority to enforce such rules.

In April 2003, the White House Office of Management and Budget (OMB) cleared the U.S. EPA to implement the eight-hour ground-level ozone standard and in April 2003, the U.S. EPA issued the proposed rule implementing the eight-hour ozone standard. The U.S. EPA completed final eight-hour nonattainment standard on April 15, 2004. The U.S. EPA revoked the one-hour ozone standard on June 15, 2005, and lowered the eight-hour O₃ standard from 0.08 parts per million (ppm) to 0.070 ppm on April 1, 2008 (U.S. EPA, 2016a). The U.S. EPA issued the final PM_{2.5} implementation rule in fall 2004. The U.S. EPA lowered the 24-hour PM_{2.5} standard from 65 to 35 micrograms per cubic meter (µg/m₃) and revoked the annual PM₁₀ standard on December 17, 2006, but maintained the 24-hour PM₁₀ standard. Final designations for the 2006 24-hour PM_{2.5} standard were issued by the U.S. EPA on December 12, 2008 (U.S. EPA, 2016b).

Descriptions of the criteria pollutants follow:

Ozone. O₃ (smog) is formed by photochemical reactions between oxides of nitrogen and reactive organic gases rather than being directly emitted. Ozone is a pungent, colorless gas typical of Southern California smog. Elevated ozone concentrations result in reduced lung function, particularly during vigorous physical activity. This health problem is particularly acute in sensitive receptors such as the sick, the elderly, and young children. Ozone levels peak during summer and early fall. The entire Basin is designated as a nonattainment area for the State one-hour and eight-hour ozone standards. The U.S. EPA has officially designated the status for the Basin regarding the eight-hour ozone standard as "Extreme." The Basin has until 2024 to attain the federal eight-hour O₃ standard.

Carbon Monoxide. CO is formed by the incomplete combustion of fossil fuels, generated almost entirely from automobiles. It is a colorless, odorless gas that can cause dizziness, fatigue, and impairment to central nervous system functions. The entire Basin is in attainment for the State standards for CO. The Basin is designated as an "Attainment/Maintenance" area under the federal CO standards.

Nitrogen Oxides. Nitrogen dioxide (NO₂), a reddish-brown gas, and nitric oxide (NO), a colorless odorless gas, is formed from fuel combustion under high temperature or pressure. These compounds are referred to as nitrogen oxides, or NO_x, which is a primary component of the photochemical smog reaction. It also contributes to other pollution problems, including a high concentration of fine particulate matter, poor visibility, and acid deposition (i.e., acid rain). NO₂ decreases lung function and may reduce resistance to infection. The entire Basin is designated as nonattainment for the State NO₂ standard and as an "Attainment/Maintenance" area under the federal NO₂ standard.

Sulfur Dioxide. Sulfur dioxide (SO₂) is a colorless, irritating gas formed primarily from incomplete combustion of fuels containing sulfur. Industrial facilities also contribute to gaseous



SO₂ levels. SO₂ irritates the respiratory tract, can injure lung tissue when combined with fine particulate matter, and reduces visibility and the level of sunlight. The entire Basin is in attainment for both federal and State SO₂ standards.

Lead. Lead is found in old paints and coatings, plumbing, and a variety of other materials. Once in the blood stream, lead can cause damage to the brain, nervous system, and other body systems. Children are highly susceptible to the effects of lead. The Los Angeles County portion of the Basin was re-designated as nonattainment for the State and federal standards for lead in 2010.

Particulate Matter. Particulate matter is the term used for a mixture of solid particles and liquid droplets found in the air. Coarse particles (particulate matter less than 10 microns in diameter [PM₁₀]), derive from a variety of sources, including windblown dust and grinding operations. Fuel combustion and exhaust resulting from power plants and diesel buses and trucks are primarily responsible for fine particle (PM_{2.5}) levels. Fine particles can also be formed in the atmosphere through chemical reactions. PM₁₀ can accumulate in the respiratory system and aggravate health problems such as asthma. The U.S. EPA's scientific review concluded that PM_{2.5}, which penetrates deeply into the lungs, is more likely than PM₁₀ to contribute to the health effects listed in a number of recently published community epidemiological studies at concentrations that extend well below those allowed by the current PM₁₀ standards. These health effects include premature death; increased hospital admissions and emergency room visits (primarily for the elderly and individuals with cardiopulmonary disease); increased respiratory symptoms and disease (particularly in children and individuals with cardiopulmonary disease such as asthma); decreased lung functions (particularly in children and individuals with asthma); and alterations in lung tissue and structure and in respiratory tract defense mechanisms. The Basin is a nonattainment area for the State PM₁₀ and PM_{2.5} standards and a nonattainment area for the federal PM_{2.5} standards. The Basin was redesignated as attainment/maintenance for the 24-hour federal PM₁₀ standard in 2013.

Reactive Organic Compounds. Reactive organic compounds (ROC or ROG and volatile organic compounds [VOC]) are formed from combustion of fuels and evaporation of organic solvents. ROCs are not defined criteria pollutants but are a prime component of the photochemical smog reaction. Consequently, ROCs accumulate in the atmosphere more quickly during the winter when sunlight is limited and photochemical reactions are slower.

Sulfates. Sulfates occur in combination with metal and/or hydrogen ions. In California, emissions of sulfur compounds occur primarily from the combustion of petroleum-derived fuels (e.g., gasoline and diesel fuel) that contain sulfur. This sulfur is oxidized to SO₂ during the combustion process and subsequently converted to sulfate compounds in the atmosphere. The conversion of SO₂ to sulfates takes place rapidly and completely in urban areas of California due to regional meteorological features. The entire Basin is in attainment for the State standard for sulfates of 25µg/m³ (24-hour average).

Hydrogen Sulfide. Hydrogen sulfide (H₂S) is a colorless gas with the odor of rotten eggs. It is formed during bacterial decomposition of sulfur-containing organic substances. It can be present in sewer gas and some natural gas and can be emitted as the result of geothermal energy exploitation. In 1984, a California Air Resources Board (CARB) committee concluded that the ambient standard for H₂S is adequate to protect public health and to significantly



reduce odor annoyance. The State standard for outdoor levels of hydrogen sulfide is 30 parts per billion averaged over one hour (SCAQMD, 2015). The entire Basin is unclassified for the State standard for H₂S.

Visibility-Reducing Particles. Visibility-reducing particles consist of suspended particulate matter, which is a complex mixture that consists of very small, dry, solid fragments, solid cores with liquid coatings, and small droplets of liquid. These particles vary greatly in shape, size, and chemical composition, and can be made up of many different materials such as metals, soot, soil, dust, and salt. The Statewide standard is intended to limit the frequency and severity of visibility impairment due to regional haze. The entire Basin is unclassified for the State standard for visibility-reducing particles.

State Regulations/Standards. In 1967, the California Legislature passed the Mulford-Carrell Act, which combined two Department of Health bureaus (the Bureau of Air Sanitation and the Motor Vehicle Pollution Control Board) to establish the California Air Resources Board (CARB). The CARB coordinates and oversees both State and federal air pollution control programs in California. It also oversees activities of local air quality management agencies and maintains air quality monitoring stations throughout the State in conjunction with the U.S. EPA and local air districts. The CARB has divided the State into 15 air basins based on meteorological and topographical factors of air pollution.

The CARB identified particulate emissions from diesel-fueled engines (diesel particulate matter [DPM]) as toxic air contaminants (TAC) in August 1998. Following the identification process, CARB was required by law to determine whether there is a need for further control. In September 2000, CARB adopted the Diesel Risk Reduction Plan (Diesel RRP), which recommends many control measures to reduce the risks associated with DPM and to achieve the goal of 85 percent DPM reduction by 2020.

California Green Building Code. California Green Buildings Standards Code (Cal Green Code) (California Code of Regulations [CCR], Title 24, Part 11) was adopted by the California Building Standards Commission in 2013 and became effective in January 2014. The Code applies to all new constructed residential, nonresidential, commercial, mixed-use, and State-owned facilities, as well as schools and hospitals. Cal Green Code consists of Mandatory Residential and Nonresidential Measures and stringent Voluntary Measures (TIERS I and II).

Mandatory Measures are required to be implemented on all new construction projects and consist of a wide array of green measures for project site design, water use reduction, improvement of indoor air quality, and conservation of materials and resources. The Cal Green Building Code refers to Title 24, Part 6 compliance with respect to energy efficiency, but it encourages 15 percent energy use reduction over that required in the regulation. Voluntary Measures are optional, more stringent actions may be used by jurisdictions to enhance their commitment to green, sustainable design and the achievement of Assembly Bill (AB) 32 goals. Under TIERS I and II, all new construction projects are required to reduce energy consumption by 15 percent and 30 percent, respectively, below the baseline required under the California Energy Commission (CEC). These new construction projects are also required to implement more stringent green measures than those required by mandatory code.

Local Regulations and Policies. Local regulations and policies related to air quality are described below.



Regional Air Quality Planning Framework. The 1976 Lewis Air Quality Management Act established the SCAQMD and other air districts throughout the State. The federal CAA Amendments of 1977 required that each state adopt an implementation plan outlining pollution control measures to attain the federal standards in nonattainment areas of the state. The CARB is responsible for incorporating air quality management plans for local air basins into a State Implementation Plan (SIP) for U.S. EPA approval. Significant authority for air quality control in the local air basins has been given to local air districts that regulate stationary source emissions and develop local nonattainment plans.

Regional Air Quality Management Plan. The SCAQMD and the Southern California Association of Governments (SCAG) are responsible for formulating and implementing the Air Quality Management Plan (AQMP) for the Basin. Every three years, the SCAQMD prepares a new AQMP, updating the previous plan and extending to a 20-year horizon. The SCAQMD adopted the Final 2012 AQMP on December 7, 2012 and forwarded it to the CARB for review in February 2013. The 2012 AQMP includes the new and changing federal requirements, implementation of new technology measures, and the continued development of economically sound, flexible compliance approaches.

Currently, the SCAQMD is in the process of developing the 2016 AQMP, which will be a comprehensive and integrated plan primarily focused on addressing the ozone standards. The plan will be a regional and multi-agency effort that will include SCAQMD, CARB, SCAG, and U.S. EPA. State and federal planning requirements include developing control strategies, attainment demonstrations, reasonable further progress goals, and maintenance plans. The 2016 AQMP will incorporate the latest scientific and technical information and planning assumptions, including the latest applicable growth assumptions, Regional Transportation Plan/Sustainable Communities Strategy, and updated emission inventory methodologies for various source categories.

City of Beverly Hills. The Climate Change and Air Quality Element (2009) of the Beverly Hills Sustainable City Plan includes goals and policies related to air quality. The following goal, objective, and policies are applicable to the Proposed Project:

Goal: Combat climate change and improve air quality

Policy 2.1: Minimize mobile source emissions from on- and off-road (construction) vehicles.

Policy 2.3: Minimize stationary source air emissions.

Policy 2.4: Minimize particulate matter, both airborne photochemical precipitates and windborne dust.

d. Current Air Quality. The SCAQMD, together with CARB, maintains ambient air quality monitoring stations in the Basin. The air quality monitoring station closest to the site is the West Los Angeles – Veterans Administration (VA) hospital (located at Wilshire Boulevard and Sawtelle). Its air quality trends are representative of the ambient air quality in the Project area. The pollutants monitored at this station are O₃, CO, and NO₂. Data for PM₁₀ and PM_{2.5} is from the second nearest station to the Project site (Los Angeles-North Main Street at 1630 North Main Street). Data for SO₂ is from the Los Angeles-Westchester Parkway station. Table 4.2-2 summarizes the ambient air quality levels measured at these stations from 2013-2015.



**Table 4.2-2
 Ambient Air Quality Data**

Pollutant	2013	2014	2015
Ozone, ppm - Worst Hour	0.08	0.09	0.07
Number of days of State exceedances – 8 hour average (>0.07 ppm)	1	6	3
Carbon Monoxide, ppm - Worst 8 Hours	*	*	*
Number of days of State/federal exceedances (>9.0 ppm)	*	*	*
Nitrogen Dioxide, ppm - Worst Hour	51.2	63.9	67.6
Number of days of State exceedances (>0.18 ppm)	0	0	0
Sulfur Dioxide, ppm – Worst Hour	0.002	*	*
Number of days of State exceedances (>0.04 ppm)	*	*	*
Particulate Matter <10 microns, µg/m ³ Worst 24 Hours	74.5	86.8	73.0
Number of samples of State exceedances (>50 µg/m ³)	21	19	*
Number of samples of federal exceedances (>150 µg/m ³)	0	0	0
Particulate Matter <2.5 microns, µg/m ³ Worst 24 Hours	54.8	65.0	56.4
Number of samples of federal exceedances (>35 µg/m ³)	1	6	8

Source: CARB, Annual Air Quality Data Summaries available at <http://www.arb.ca.gov>

- Particulate Matter (<10 and <2.5) data from Los Angeles-North Main Street station.
- Ozone, Carbon Monoxide, and Nitrogen Dioxide data taken from West Los Angeles – VA Hospital station.
- Sulfur Dioxide data taken from Los Angeles-Westchester Parkway

* Insufficient data available to determine the value

As shown in Table 4-2-2, the pollutants that exceeded thresholds during the monitoring period were O₃, PM₁₀, and PM_{2.5}. The O₃ standard was exceeded once in 2013, six times in 2014, and three times in 2015. The PM₁₀ standard was exceeded 21 times in 2013 and 19 times 2014. The PM_{2.5} standard was exceeded once in 2013, six times in 2014, and eight times in 2015.

4.2.2 Impact Analysis

a. Methodology and Significance Thresholds.

Methodology. The air quality analysis conforms to the methodologies recommended in the SCAQMD’s *CEQA Air Quality Handbook* (SCAQMD, 1993). The handbook includes thresholds for emissions associated with both construction and operation of proposed projects.

Emissions calculations were completed in CalEEMod for the Proposed Project. Complete results from CalEEMod and assumptions can be viewed in Appendix 2. The Project’s emissions were compared to SCAQMD significance thresholds. The Proposed Project includes 27 condominiums and subterranean parking.



The construction schedule for the Proposed Project is approximately 21 months. About three months of early infrastructure work for storm drain lines, retaining wall, shoring, and road access work would precede the 18-month building construction period. As the Project site does not contain vegetation or buildings, construction would not include site preparation or demolition phases. Construction would disturb the entire 0.83 acre site and would require the export of approximately 20,500 cubic yards (CY) of material.

Emissions modeling accounts for the use of low-VOC paint (150 g/L for nonflat coatings), as required by SCAQMD Rule 1113, and compliance with SCAQMD Rule 445, which prohibits wood burning devices in new development. All other values utilized in the modeling were based on applicable SCAQMD defaults for the Basin.

Both temporary construction emissions and long-term operation emissions were calculated using CalEEMod. The estimated total daily trips associated with the Proposed Project is based on the Traffic Impact Analysis prepared by Fehr & Peers in April 2016 and was calculated and extrapolated to derive total annual mileage in CalEEMod. Construction and long-term emissions were analyzed based on the regional thresholds recommended by the SCAQMD and published in the *CEQA Air Quality Handbook*.

The SCAQMD's current guidelines, included in its *CEQA Air Quality Handbook*, were followed to assess the potential short- and long-term air quality impacts of the Proposed Project. However, the air quality models identified in the *CEQA Air Quality Handbook* are outdated, and the more current CalEEMod Version 2013.2.2 was used to estimate regional air pollutant emissions associated with construction and operation of the Proposed Project.

Thresholds. Pursuant to the *State CEQA Guidelines*, air quality impacts related to the Proposed Project would be significant if the Proposed Project would:

- a) *Conflict with or obstruct implementation of the applicable air quality plan*
- b) *Violate any air quality standard or contribute substantially to an existing or projected air quality violation*
- c) *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 (including releasing emissions that exceed quantitative thresholds for ozone precursors)*
- d) *Expose sensitive receptors to substantial pollutant concentrations*
- e) *Create objectionable odors affecting a substantial number of people.*

As discussed in the Initial Study prepared for the Project (Appendix 1), onsite development would not generate objectionable odors that would affect a substantial number of people. Consequently, threshold (e) related to objectionable odors is not discussed below. Furthermore, solid waste collection currently exists in the alley. Therefore, the Project would not create new objectionable odors. The analysis that follows focuses on the remaining impact criteria (a-d).

Air Quality Management Plan Consistency. Criteria for determining consistency with the SCAQMD's AQMP are defined in Chapter 12, Section 12.2 and Section 12.3 of the SCAQMD's *CEQA Air Quality Handbook* (1993). They include the following:



- *The Project will not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.*
- *The Project will not exceed the assumptions in the AQMP based on the year of Project buildout.*

Construction Emission Thresholds. The SCAQMD has developed specific numeric thresholds that apply to projects in the Basin. The SCAQMD currently recommends that impacts associated with projects with construction-related mass daily emissions that exceed any of the following thresholds should be considered significant:

- *75 pounds per day of ROG*
- *100 pounds per day of NO_x*
- *550 pounds per day of CO*
- *150 pounds per day of SO_x*
- *150 pounds per day of PM₁₀*
- *55 pounds per day of PM_{2.5}*

Operational Emission Thresholds. The SCAQMD has also established the following significance thresholds for operations in the Basin:

- *55 pounds per day of ROG*
- *55 pounds per day of NO_x*
- *550 pounds per day of CO*
- *150 pounds per day of SO_x*
- *150 pounds per day of PM₁₀*
- *55 pounds per day of PM_{2.5}*

Localized Significance Thresholds. In addition to the above thresholds, the SCAQMD has developed Localized Significance Thresholds (LST) in response to the Governing Board's Environmental Justice Enhancement Initiative (1-4), which was prepared to update the *CEQA Air Quality Handbook*. The SCAQMD's LST methodology does not consider commercial and industrial facilities as sensitive receptors because employees do not typically remain onsite for a full 24 hours. LSTs were developed in response to concern over exposure of individuals to criteria pollutants in local communities. LSTs represent the maximum emissions a project could generate without causing or contributing to an air quality exceedance of the most stringent applicable federal or State ambient air quality standard at the nearest sensitive receptor. LSTs consider ambient concentrations in each source receptor area (SRA), project size, distance to the sensitive receptor, and other factors, but LSTs only apply to emissions in a fixed location. LSTs have been developed for NO_x, CO, PM₁₀, and PM_{2.5}. LSTs do not apply to onsite mobile sources such as cars on a roadway (SCAQMD, 2009). As such, LSTs are not typically a consideration for project operation since the majority of operational emissions are generated by cars on roadways.

LSTs have been developed for emissions in construction areas up to five acres in size. The SCAQMD provides lookup tables for sites that measure one, two, or five acres. The Project site measures approximately 0.83 acres and is located in Source Receptor Area 2 (SRA-2) Northwest Coastal Los Angeles. According to the SCAQMD's publication, *Final Localized Significant Thresholds Methodology*, the use of LSTs is voluntary and implemented at the discretion of



local agencies. LSTs for construction on a one-acre site in SRA 2 are shown in Table 4.2-3. LSTs are provided for receptors at a distance of 25 to 100 meters from the Project site boundary. As described above, the nearest existing sensitive receptors are residential uses to the south, approximately 25 feet, or 7.6 meters, from the Proposed Project site boundary. According to the SCAQMD’s LST methodology, projects with boundaries closer than 25 meters to the nearest receptor should use the LSTs for receptors located at 25 meters (SCAQMD, 2008). The Project’s compliance with the LSTs is discussed under Impact AQ-2.

**Table 4.2-3
 SCAQMD LSTs for Emissions in SRA-2**

Pollutant	Allowable emissions as a function of receptor distance in meters from a one-acre site (lbs/day)		
	25	50	100
Gradual conversion of NO _x to NO ₂	103	104	121
CO	562	833	1,233
PM ₁₀	4	6	13
PM _{2.5}	3	4	6

Source: SCAQMD, website: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/appendix-c-mass-rate-lst-look-up-tables.pdf?sfvrsn=2>. Accessed January 2016.

Note: The LST mass rate look-up tables are updated annually by SCAQMD with the most recent air quality monitoring data (Final Localized Significance Threshold Methodology, 2008). Mass rate LSTs for NO₂ are derived using an air quality dispersion model to back-calculate the emissions per day that would cause or contribute to a violation of any short-term AAQS for a particular SRA. According to the SCAQMD, the most stringent of the federal and State standards for NO₂ is the one-hour State standard of 0.18 ppm (Final Localized Significance Threshold Methodology, 2008). The most recent LST for NO₂ is based on this standard.

b. Project Impacts and Mitigation Measures.

<i>Threshold</i>	<i>Conflict with or obstruct implementation of the applicable air quality plan.</i>
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Impact AQ-1 **The Proposed Project would not directly or indirectly generate population growth beyond SCAG forecasts. Impacts related to AQMP consistency would be, therefore, 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. The most recent AQMP, adopted by the SCAQMD in 2012, incorporates local city general plans and the forecast projections of regional population, housing, and employment growth from SCAG’s Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The growth assumptions used in the AQMP are based on SCAG’s growth forecasts. Therefore, if the Proposed Project would not facilitate growth exceeding those forecasts, then the Proposed Project would be consistent with the assumptions in the AQMP (SCAG, 2012).

As shown in Table 4.2-4, the RTP/SCS population growth forecast for Beverly Hills is 35,000 in 2020 and 36,300 in 2035 (SCAG, 2012). SCAG forecasts that Beverly Hills will have 15,200 housing units in 2020 and 15,600 housing units in 2035 (SCAG, 2012).



**Table 4.2-4
 SCAG Population, Housing, and
 Employment Forecasts for Beverly Hills**

Year	Population	Housing	Employment
2020	35,000	15,200	61,400
2035	36,300	15,600	64,800

*Source: SCAG, 2012 Adopted Growth Forecast.
<http://gisdata.scag.ca.gov/Pages/SocioEconomicLibrary.aspx?keyword=Forecasting>*

Beverly Hills currently has an estimated population of 34,763 (California DOF, 2016). The Proposed Project would create up to 27 new residential units in Beverly Hills. The City has approximately 2.34 persons per household (California DOF, 2016). Based on this average, the Project would add an estimated 63 residents (27 dwelling units x 2.34 people/dwelling unit), for a total City population of 34,826 residents (California DOF, 2015). The 63 new residents would increase the City’s population by 0.2 percent, but the resulting population would not exceed SCAG’s 2020 population forecast of 35,000, keeping population growth associated with the Project is generally in line with City forecasts.

As shown in Table 4.2-4, SCAG’s housing forecast for Beverly Hills is 15,600 in 2035 (SCAG, 2012) and with approximately 16,433 housing units, the City’s existing housing stock already exceeds the 2020 and 2035 SCAG forecast (California DOF, 2015). However, even with the increase in housing units generated by the Proposed Project, the City’s population would still be within SCAG’s forecast as discussed above.

In addition, as discussed in Section 4.3, *Greenhouse Gas Emissions*, by creating urban infill development in an area that is well-served by public transit, the Project would fulfill goals of SCAG’s RTP/SCS for maximizing the productivity of the transportation system and encouraging land use and growth patterns that facilitate transit and non-motorized transportation.

Based on the above facts, the Proposed Project would not conflict with the AQMP or goals related to maintaining regional air quality, and the impact would be a less than significant.

Mitigation Measures. Impacts would be less than significant and no mitigation measures would be required.

<i>Threshold</i>	<i>Violate any air quality standard or contribute substantially to an existing or projected air quality violation</i>
<i>Threshold</i>	<i>Expose sensitive receptors to substantial pollutant concentrations</i>

Impact AQ-2 **Construction: Onsite construction activity would generate temporary emissions. Such emissions may result in temporary adverse impacts to local air quality. However, the Project’s construction emissions would not exceed SCAQMD’s regional or local significance thresholds. Impacts would be less than significant.**



Construction would generally consist of grading, building of the proposed structures, and architectural coating. These activities would generate temporary air pollutant emissions associated with fugitive dust (PM₁₀ and PM_{2.5}), exhaust emissions from heavy construction vehicles, and ROG_s that would be released during the drying phase after application of architectural coatings. The grading phase would involve the greatest degree of heavy equipment use and would have the highest potential for fugitive dust emissions. Estimated preliminary grading for the Proposed Project would include exporting approximately 20,500 CY of soil offsite.

The Proposed Project would be required to comply with SCAQMD Rule 403, which identifies measures to reduce fugitive dust and the implementation of which is required at all construction sites in the Basin. The following conditions are required to reduce fugitive dust in compliance with SCAQMD Rule 403. These conditions were included in CalEEMod calculations for the grading phases of construction.

1. **Minimization of Disturbance.** Construction contractors shall minimize the area disturbed by clearing, grading, earth moving, or 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 onsite 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 two times daily, preferably in the late morning and after work is completed for the day.
3. **Soil Stabilization.** Construction contractors shall monitor all graded and/or excavated inactive areas of the construction site at least weekly for dust 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 over 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 operations during periods of high winds (20 miles per hour or greater as measured continuously over a one-hour period).
5. **Street Sweeping.** Construction contractors shall sweep all onsite driveways and adjacent streets and roads at least once per day, preferably at the end of the day, if visible soil material is carried over to adjacent streets and roads.

Emissions modeling also accounts for the use of low-VOC paint (150 g/L for nonflat coatings) as required by SCAQMD Rule 1113 and compliance with SCAQMD Rule 445, which prohibits wood burning devices in new development.

Table 4.2-5 shows estimated maximum daily emissions for each year of construction for the Proposed Project. As shown therein, the Project's maximum daily construction emissions would be less than SCAQMD regional thresholds for all pollutants. Furthermore, the project's daily onsite construction emissions would be below SCAQMD LSTs for all pollutants. Therefore, the project would have a less than significant impact on regional and local air quality.



**Table 4.2–5
 Estimated Construction Maximum Daily
 Air Pollutant Emissions^a**

Year	Emissions (lbs/day)					
	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
2016	3.2	36.9	24.6	<0.1	3.0	2.0
2017	10.6	33.7	23.9	<0.1	3.5	2.0
2018	10.3	15.5	14.2	<0.1	1.6	1.0
Maximum lbs/day	10.6	36.9	24.6	<0.1	3.5	2.0
<i>SCAQMD Thresholds</i>	<i>75</i>	<i>100</i>	<i>550</i>	<i>150</i>	<i>150</i>	<i>55</i>
Threshold Exceeded?	No	No	No	No	No	No
Maximum Daily On-Site Construction Emissions	9.1	25.9	15.4	<0.1	1.8	1.5
<i>Local Significant Threshold (on-site only)</i>	N/A	103	562	N/A	4	3
Threshold Exceeded?	No	No	No	No	No	No

Notes: All calculations were made using CalEEMod winter calculations for mitigated construction, which takes into account compliance with SCAQMD Rules 403, 1113, and 445. See Appendix 2 for calculations. Grading, Building Construction and Architectural Coating totals include worker trips, construction vehicle emissions, and fugitive dust.

^a *Maximum daily emissions include onsite and offsite emissions.
 Emission totals shown may not sum exactly as a result of rounding.*

Mitigation Measures. Mitigation would not be required since impacts would be less than significant.

<i>Threshold</i>	<i>Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is in nonattainment under an applicable federal or State ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors).</i>
<i>Threshold</i>	<i>Expose sensitive receptors to substantial pollutant concentrations.</i>

Impact AQ-3 **Operation: Operation of the Proposed Project would generate air pollutant emissions in the long-term, but daily emissions associated with the Proposed Project would not exceed SCAQMD thresholds. In addition, operation of the Proposed Project would not expose sensitive receptors to substantial concentrations of toxic air contaminants. Therefore, impacts would be less than significant.**

For the purposes of this report, long-term air pollutant emissions are those associated with stationary sources and mobile sources involving any project-related changes. The Proposed Project would result in an increase in both stationary and mobile source emissions. Stationary source emissions would come from additional natural gas consumption and electrical demand by onsite buildings. Mobile source emissions would come from Project-related vehicle trips. The



total potential emissions that would be generated by operation of the Proposed Project were calculated using CalEEMod and are shown in Table 4.2-6. As shown therein, the Proposed Project’s operational emissions would be less than SCAQMD recommended operational thresholds. The Project’s impacts related to operational emissions would be less than significant.

**Table 4.2–6
 Estimated Operational Emissions of the Proposed Project**

Source	Maximum Emissions (lbs/day)				
	ROG	NO _x	CO	PM ₁₀	PM _{2.5}
Area Emissions	2.8	<0.1	2.2	<0.1	<0.1
Energy Emissions	<0.1	0.1	<0.1	<0.1	<0.1
Mobile Emissions	0.6	1.8	6.8	1.4	0.4
Total Emissions	3.4	2.0	9.1	1.5	0.4
SCAQMD Thresholds	55	55	550	150	55
Threshold Exceeded?	No	No	No	No	No

*Source: All calculations were made using CalEEMod winter calculations for mitigated operational emissions, which takes into account compliance with SCAQMD’s Architectural Coating Rule 1113 and project design features. See Appendix 2.
 Note: Emission totals shown may not sum exactly as a result of rounding.*

Heavy-duty diesel fueled vehicles generate diesel particulate matter, a TAC. If a project would generate or attract substantial heavy-duty diesel fueled vehicles trips, a mobile source health risk assessment may be necessary to ensure that the Project is not exposing sensitive receptors to substantial concentrations of DPM. The SCAQMD’s *Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis*, provides guidance for evaluating mobile source emissions from land uses that attract or generate heavy-duty diesel fueled vehicles, such as truck stops, warehouse/ distribution centers, and transit centers (SCAQMD, 2003). CARB’s *Air Quality and Land Use Handbook: A Community Health Perspective* recommends avoiding the siting of new commercial trucking facilities that accommodate more than 100 trucks per day, or 40 trucks equipped with TRUs, within 1,000 feet of sensitive receptors (CARB, 2005). It also recommends against siting new sensitive land uses within 500 feet of a freeway, urban roads with 100,000 vehicles per day, or rural roads with 50,000 vehicles per day.

The Proposed Project would not be a source of TACs regulated by the SCAQMD, State, or federal government. Land uses that attract heavy duty vehicles, such as commercial trucking facilities, truck stops, distribution centers, and transit centers discussed in the SCAQMD and CARB guidance material, are not included in the Proposed Project. Additionally, although the Proposed Project would include sensitive residential receptors, the nearest freeway, I-405, is located over two miles west of the Project site. Nearby urban roadways, Wilshire Boulevard and North Santa Monica Boulevard, support approximately 44,250 and 24,530 average daily trips, respectively (Fehr & Peers, 2016). Therefore, the Proposed Project would not place sensitive receptors within 500 feet of a freeway or urban roads with more than 100,000 vehicle trips per day and there would be a less than significant impact related to exposing sensitive receptors to TACs.

Mitigation Measures. Mitigation would not be required since impacts would be less than significant.



Threshold	Expose sensitive receptors to substantial pollutant concentrations.
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Impact AQ-4 **Traffic-Related Emissions: Project traffic would generate CO emissions that have the potential to create high concentrations of CO, or CO hotspots. However, Proposed Project traffic would not cause the level of service (LOS) of an intersection to change to E or F, nor would it increase the volume to capacity ratio (V/C) by two percent or more for intersections rated D or worse. Therefore, localized air quality impacts related to CO hotspots would be *less than significant*.**

Areas with high vehicle density, such as congested intersections, have the potential to create high concentrations of CO, known as CO hotspots. A project's localized air quality impact is considered significant if CO emissions create a hotspot where either the California one-hour standard of 20 ppm or the federal and State eight-hour standard of 9.0 ppm is exceeded. This typically occurs at severely congested intersections (LOS E or worse). Pursuant to SCAQMD guidance, a CO hotspot analysis should be conducted for intersections where the Proposed Project would have a significant impact at a signalized intersection, causing the LOS to change to E or F, or when the volume to capacity ratio (V/C) increases by two percent or more as a result of a Proposed Project for intersections rated D or worse (SCAQMD, 2003). Fehr & Peers conducted an intersection impact analysis at two intersections: South Santa Monica Boulevard and Charleville Boulevard, and South Santa Monica Boulevard and Moreno Drive. As discussed in Section 4.7, *Transportation and Traffic*, no intersections currently operate at LOS E or F during one or more peak hours (Fehr & Peers, 2016). After applying the significant impact criteria for the City of Beverly Hills, under cumulative conditions in 2018 when the Proposed Project would be operational, and the cumulative plus project intersection impact analysis, it is determined that the Proposed Project would not significantly impact traffic at the study intersections. In addition, as shown in Table 4.2-9, Project operational CO emissions would be well below SCAQMD regional thresholds. Therefore, the Proposed Project would not result in a CO hotspot and impacts would be less than significant.

Mitigation Measures. Mitigation would not be required since impacts would be less than significant.

c. Cumulative Impacts. The Basin is a non-attainment area for the federal and State standards for ozone and PM_{2.5} and the State standards for NO₂ and PM₁₀. Any growth in the Los Angeles metropolitan area would contribute to the existing exceedances of ambient air quality standards when taken as a whole with current development. Cumulative impacts to air quality are evaluated under two sets of thresholds for CEQA according to the SCAQMD. The SCAQMD's approach to determining cumulative air quality impacts for criteria air pollutants is to first determine whether or not the Proposed Project would result in a significant project-level impact to regional air quality based on SCAQMD significance thresholds. If the Proposed Project does not exceed SCAQMD thresholds, then the lead agency needs to consider the additive effects of related projects only if the Project is part of an ongoing regulatory program or is considered in a Program EIR, and the related projects are within approximately one mile of the Proposed Project site. If there are related projects near the Project site (within a one-mile



radius) that are part of an ongoing regulatory program or are considered in a Program EIR, then the additive effect of the related projects should be considered.

The Proposed Project is not part of an ongoing regulatory program. Therefore, the SCAQMD recommends that project-specific air quality impacts be used to determine the potential cumulative impacts to regional air quality. As discussed in Impact AQ-1, the Proposed Project would not conflict with or obstruct implementation of the applicable air quality plan. Furthermore, as discussed in Impact AQ-2, daily emissions of construction-related pollutants would not exceed SCAQMD regional significance thresholds or LSTs. As discussed in Impact AQ-3, the Proposed Project would not result in an increase in daily operational emissions that would exceed the SCAQMD operational thresholds. In addition, as discussed in Impact AQ-4, traffic from the Proposed Project would not create a CO hot spot at study area intersections.

The planned and pending projects listed in Table 3-1 in Section 3.0, *Environmental Setting*, would cumulatively increase overall air pollutant emissions in the Basin. These include other construction projects in the immediate site vicinity that would likely occur concurrently with construction of the Project. By applying the SCAQMD cumulative air quality impact methodology, the Proposed Project's contribution to cumulative levels of any criteria pollutant would be less than significant, and therefore, would not be cumulatively considerable. Cumulative impacts to air quality would be less than significant.



4.3 GREENHOUSE GAS EMISSIONS/CLIMATE CHANGE

This section addresses the Proposed Project's contribution to cumulative impacts to global climate change.

4.3.1 Environmental Setting

a. 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 of time. The term "climate change" is often used interchangeably with the term "global warming," but "climate change" is preferred to "global warming" because it helps convey that there are other changes in addition to rising temperatures. The baseline against which these changes are measured originates in historical records identifying temperature changes that have occurred in the past, such as during previous ice ages. The global climate is continuously changing, as evidenced by repeated episodes of substantial warming and cooling documented in the geologic record. 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 during the past 150 years. Per the United Nations Intergovernmental Panel on Climate Change (IPCC), the understanding of anthropogenic warming and cooling influences on climate has led to a high 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-20th century (IPCC, 2013).

Gases that absorb and re-emit infrared radiation in the atmosphere are called greenhouse gases (GHG). The GHGs that are widely seen as the principal contributors to human-induced climate change include carbon dioxide (CO₂), methane (CH₄), nitrous oxides (N₂O), fluorinated gases such as hydrofluorocarbons (HFC) and perfluorocarbons (PFC), and sulfur hexafluoride (SF₆). Water vapor is excluded from the list of GHGs because it is short-lived in the atmosphere and its atmospheric concentrations are largely determined by natural processes, such as oceanic evaporation.

GHGs are emitted by both natural processes and human activities. Of these gases, CO₂ and CH₄ are emitted in the greatest quantities from human activities. Emissions of CO₂ are largely by-products of fossil fuel combustion, whereas CH₄ results from off-gassing associated with agricultural practices and landfills. Observations of CO₂ concentrations, globally-averaged temperature, and sea level rise are generally well within the range of the extent of the earlier IPCC projections. The recently observed increases in CH₄ and N₂O concentrations are smaller than those assumed in the scenarios in the previous assessments. Each IPCC assessment has used new projections of future climate change that have become more detailed as the models have become more advanced.

Man-made GHGs, many of which have greater heat-absorption potential than CO₂, include fluorinated gases and sulfur hexafluoride (SF₆) (California Environmental Protection Agency [CalEPA], 2006). 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 (CO₂) is used to relate the amount of heat absorbed to the amount of the gas emissions, referred to as “carbon dioxide equivalent” (CO₂e), and is the amount of a GHG emitted multiplied by its GWP. Carbon dioxide has a 100-year GWP of one. By contrast, methane (CH₄) has a GWP of 25, meaning its global warming effect is 25 times greater than carbon dioxide on a molecule per molecule basis (IPCC, 2007).

The accumulation of GHGs in the atmosphere regulates the earth’s temperature. Without the natural heat trapping effect of GHGs, Earth’s surface would be about 34° C cooler (CalEPA, 2006). However, it is believed that emissions from human activities, particularly the consumption of fossil fuels for electricity production and transportation, have elevated the concentration of these gases in the atmosphere beyond the level of naturally occurring concentrations. The following discusses the primary GHGs of concern.

Carbon Dioxide. The global carbon cycle is made up of large carbon flows and reservoirs. Billions of tons of carbon in the form of CO₂ are absorbed by oceans and living biomass (i.e., sinks) and are emitted to the atmosphere annually through natural processes (i.e., sources). When in equilibrium, carbon fluxes among these various reservoirs are roughly balanced (United States Environmental Protection Agency [U.S. EPA], 2015). CO₂ was the first GHG demonstrated to be increasing in atmospheric concentration, with the first conclusive measurements being made in the second half of the 20th century. Concentrations of CO₂ in the atmosphere have risen approximately 40 percent since the industrial revolution. The global atmospheric concentration of CO₂ has increased from a pre-industrial value of about 280 parts per million (ppm) to 391 ppm in 2011 (IPCC, 2007; National Oceanic and Atmospheric Administration [NOAA], 2014). The average annual CO₂ concentration growth rate was larger between 1995 and 2005 (1.9 ppm per year) than it has been since the beginning of continuous direct atmospheric measurements (1960–2005 average was 1.4 ppm per year), although growth rates vary from year-to-year (NOAA, 2014). Currently, CO₂ represents an estimated 74 percent of total GHG emissions (IPCC, 2007). The largest source of CO₂ emissions, and of overall GHG emissions, is fossil fuel combustion.

Methane. Methane (CH₄) is an effective absorber of radiation, though its atmospheric concentration is less than that of CO₂ and its lifetime in the atmosphere is limited to 10 to 12 years. It has a GWP approximately 25 times that of CO₂. Over the last 250 years, the concentration of CH₄ in the atmosphere has increased by 148 percent (IPCC, 2007), although emissions have declined from 1990 levels. Anthropogenic sources of CH₄ include enteric fermentation associated with domestic livestock, landfills, natural gas and petroleum systems, agricultural activities, coal mining, wastewater treatment, stationary and mobile combustion, and certain industrial processes (U.S. EPA, 2015).

Nitrous Oxide. Concentrations of nitrous oxide (N₂O) began to rise at the beginning of the industrial revolution and continue to increase at a relatively uniform growth rate (NOAA, 2014). N₂O is produced by microbial processes in soil and water, including those reactions that occur in fertilizers that contain nitrogen, fossil fuel combustion, and other chemical processes. Use of these fertilizers has increased over the last century. Agricultural soil management and mobile source fossil fuel combustion are the major sources of N₂O emissions. The GWP of nitrous oxide is approximately 298 times that of CO₂ (IPCC, 2007).



Fluorinated Gases (HFCS, PFCS and SF₆). Fluorinated gases, such as hydrofluorocarbons (HFC), perfluorocarbons (PFC), and sulfurhexafluoride (SF₆), are powerful GHGs that are emitted from a variety of industrial processes. Fluorinated gases are used as substitutes for ozone-depleting substances such as chlorofluorocarbons (CFC), hydrochlorofluorocarbons (HCFC), and halons, which have been regulated since the mid-1980s because of their ozone-destroying potential and are phased out under the Montreal Protocol (1987) and Clean Air Act Amendments of 1990. Electrical transmission and distribution systems account for most SF₆ emissions, while PFC emissions result from semiconductor manufacturing and as a by-product of primary aluminum production. Fluorinated gases are typically emitted in smaller quantities than CO₂, CH₄, and N₂O, but these compounds have much higher GWPs. SF₆ is the most potent GHG the IPCC has evaluated.

Greenhouse Gas Emissions Inventory. Worldwide anthropogenic emissions of GHGs were approximately 46,000 million metric tons (MMT, or gigatonne) CO₂e in 2010 (IPCC, 2014). CO₂ emissions from fossil fuel combustion and industrial processes contributed about 65 percent of total emissions in 2010. Of anthropogenic GHGs, CO₂ was the most abundant, accounting for 76 percent of total 2010 emissions. Methane emissions accounted for 16 percent of the 2010 total, while nitrous oxide and fluorinated gases account for six and two percent respectively (IPCC, 2014).

Total U.S. GHG emissions were 6,673.0 MMT CO₂e in 2013 (U.S. EPA, 2015). Total U.S. emissions have increased by 5.9 percent since 1990, and emissions increased two percent between 2012 to 2013 (U.S. EPA, 2015). The emissions rise from 2012 to 2013 was due to an increase in the carbon intensity of fuels (e.g., coal) consumed to generate electricity due to decreased natural gas consumption. Additionally, relatively cool winter conditions led to an increase in fuels for the residential and commercial sectors for heating. Since 1990, U.S. emissions have increased at an average annual rate of 0.3 percent. In 2013, the industrial and transportation end-use sectors accounted for 28.8 percent and 27.1 percent of CO₂ emissions (with electricity-related emissions distributed), respectively. Meanwhile, the residential and commercial end-use sectors accounted for 16.9 percent of CO₂ emissions each (U.S. EPA, 2015).

Based upon the California Air Resources Board (CARB) California Greenhouse Gas Inventory for 2000-2013, California produced 459 MMT CO₂e in 2013 (CARB, 2015a). The major source of GHG in California is transportation, contributing 36 percent of the State's total GHG emissions. The industrial sector is the second largest source, contributing 20 percent of the State's GHG emissions (CARB, 2015a). Electric power accounted for approximately 20 percent of the total emissions. California emissions are due in part to its large size and large population compared to other states. However, its relatively mild climate reduces California's per capita fuel use and GHG emissions, as compared to other states. CARB has projected Statewide unregulated GHG emissions for the year 2020 will be 509 MMT CO₂e (CARB, 2015b). These projections represent the emissions that would be expected to occur in the absence of any GHG reduction actions.

Potential Effects of Climate Change. Globally, climate change has the potential to affect numerous environmental resources through 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 21st century than were observed during the 20th century. Long-term trends have found that 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 global combined land and ocean temperature data show an increase of about 0.89°C (0.69°C–1.08°C) over the period 1901–2012 and about 0.72°C (0.49°C–0.89°C) over the period 1951–2012 when described by a linear trend. Several independently analyzed data records of global and regional Land-Surface Air Temperature (LSAT) obtained from station observations are in agreement that LSAT and sea surface temperatures have increased. 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, 2013).

According to the CalEPA's 2010 *Climate Action Team Biennial Report*, potential impacts of climate change in California may include loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years (CalEPA, 2010). Below is a summary of some of the potential effects that could be experienced in California as a result of climate change.

Sea Level Rise. According to *The Impacts of Sea-Level Rise on the California Coast*, prepared by the California Climate Change Center (CCCC, 2009), climate change has the potential to induce substantial sea level rise in the coming century. The rising sea level increases the likelihood and risk of flooding. Sea levels are rising faster now than in the previous two millennia, and the rise is expected to accelerate, even with robust GHG emission control measures. The most recent IPCC report from 2013 predicts a mean sea-level rise of 11-38 inches by 2100. This prediction is more than 50 percent higher than earlier projections of 7-23 inches, when comparing the same emissions scenarios and time periods. The previous IPCC report in 2007 identified a sea level rise on the California coast over the past century of approximately eight inches. Based on the results of various climate change models, sea level rise is expected to continue. The California Climate Adaptation Strategy estimates a sea level rise of up to 55 inches by the end of this century (California Department of Water Resources [DWR], 2008).

Air Quality. Higher temperatures, which are conducive to air pollution formation, could worsen air quality in California. Climate change may increase the concentration of ground-level ozone, but the magnitude of the effect and its indirect effects, are uncertain. If higher temperatures are accompanied by drier conditions, the potential for large wildfires could increase, which, in turn, would further worsen air quality. However, if higher temperatures are accompanied by wetter, rather than drier conditions, the rains would tend to temporarily clear the air of particulate pollution and reduce the occurrence of large wildfires, thereby ameliorating pollution associated with wildfires. Additionally, 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 (California Energy Commission [CEC], 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 water supplies in California. However, the average early spring snowpack in the Sierra Nevada decreased by about 10 percent during the last century, a loss of 1.5 million acre-feet of snowpack storage. During the same period, sea level rose eight inches along California's coast. California's temperature has risen 1°F, mostly at night and during the winter, with higher elevations experiencing the highest increase. Many Southern California cities have experienced



their lowest recorded annual precipitation twice in the past decade. In a span of only two years, Los Angeles experienced both its driest and wettest years on record (California DWR, 2008; CCCC, 2009).

This uncertainty 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 Sierra snowpack provides the majority of California's water supply by accumulating snow during the State's wet winters and releasing it slowly during the State's dry springs and summers. Based upon historical data and modeling DWR projects that the Sierra snowpack will experience a 25 to 40 percent reduction from its historic average by 2050. Climate change is also anticipated to bring warmer storms that result in less snowfall at lower elevations, reducing the total snowpack (California DWR, 2008).

Hydrology. As discussed above, climate change could potentially affect: the amount of snowfall, rainfall, and snow pack; the intensity and frequency of storms; flood hydrographs (flash floods, rain or snow events, coincidental high tide and high runoff events); sea level rise and coastal flooding; coastal erosion; and the potential for salt water intrusion. The rate of increase of global mean sea levels over the 2001-2010 decade, as observed by satellites, ocean buoys and land gauges, was approximately 3.2 mm per year, which is double the observed 20th century trend of 1.6 mm per year (World Meteorological Organization [WMO], 2013). As a result, sea levels averaged over the last decade were about eight inches higher than those of 1880 (WMO, 2013). Sea level rise may be a product of climate change through the two main processes that include the expansion of sea water as the oceans warm and the melting of ice over land. A rise in sea levels could result in coastal flooding and erosion and could jeopardize California's water supply due to salt water intrusion. Increased CO₂ emissions can cause oceans to acidify due to the carbonic acid it forms. Increased storm intensity and frequency could affect the ability of flood-control facilities, including levees, to handle storm events.

Agriculture. California has a \$30 billion annual agricultural industry that produces half of the country's fruits and vegetables. Higher CO₂ levels can stimulate plant production and increase plant water-use efficiency. However, if temperatures rise and drier conditions prevail, water demand could increase, crop-yield could be threatened by a less reliable water supply, and greater air pollution could render plants more susceptible to pest and disease outbreaks. In addition, temperature increases could change the time of year certain crops, such as wine grapes, bloom or ripen, thereby affecting their quality (CCCC, 2006).

Ecosystems and Wildlife. Climate change and the potential resulting changes in weather patterns could have ecological effects on a global and local scale. Increasing concentrations of GHGs are likely to accelerate the rate of climate change. Scientists project that the average global surface temperature could rise by 1.0-4.5°F (0.6-2.5°C) in the next 50 years, and 2.2-10°F (1.4-5.8°C) in the next century, with substantial regional variation. Soil moisture is likely to decline in many regions, and intense rainstorms are likely to become more frequent. Rising temperatures could affect four major areas related to plants and animals: (1) timing of ecological events; (2) geographic range; (3) species' composition in communities; and (4) ecosystem processes, such as carbon cycling and storage (Parmesan, 2004).

According to the Center for Ocean Solutions, potential impacts from sea level rise on coastal communities include: coastal erosion, coastal inundation, the intrusion of salt water into fresh



water, and increased frequency and intensity of storms and waves. Unlike flooding events that can be short lived, erosion can cause greater and potentially permanent damage. Coastal erosion will increase as global sea levels continue to rise. Higher sea levels will allow waves and tides to travel farther inland, exposing beaches, cliffs, and coastal dunes to more persistent erosion forces. Erosion is not a new issue in California, but rising sea levels threaten to increase the severity and frequency of erosion damage to coastal infrastructure and property. However, as the Proposed Project site is approximately six miles from the coastline and approximately 240 feet above mean sea level elevation (Google Earth, 2016), it is not at risk for inundation from sea level rise.

b. Regulatory Setting. The following regulations address both climate change and GHG emissions.

International Regulations. The United States is and has been a participant in the United Nations Framework Convention on Climate Change (UNFCCC) since it was produced in 1992. The UNFCCC is an international environmental treaty with the objective of creating a “stabilization of GHG concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system” (UNFCCC, 2012). This is generally understood to be achieved by stabilizing global GHG concentrations between 350 and 400 ppm, in order to limit the global average temperature increases between 2 and 2.4°C above pre-industrial levels (IPCC, 2007). The UNFCCC itself does not set limits on GHG emissions for individual countries or establish enforcement mechanisms. Instead, the treaty provides for updates, called “protocols,” that would identify mandatory emissions limits.

Five years after its inception, the UNFCCC drew nations together again to draft the *Kyoto Protocol* (1997). The Kyoto Protocol established commitments for industrialized nations to reduce their collective emissions of six GHGs (CO₂, CH₄, N₂O, SF₆, HFCs, and PFCs) to 5.2 percent below 1990 levels by 2012. The United States is a signatory of the Kyoto Protocol, but Congress has not ratified it and the United States has not bound itself to the Protocol’s commitments (UNFCCC, 2007). The first commitment period of the Kyoto Protocol ended in 2012. Governments, including 38 industrialized countries, agreed to a second commitment period of the Kyoto Protocol beginning January 1, 2013, which would end either on December 31, 2017 or December 31, 2020, to be decided by the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol at its seventeenth session (UNFCCC, 2011).

Federal Regulations. The United States Supreme Court in *Massachusetts et al. v. Environmental Protection Agency et al.* ([2007] 549 U.S. 05-1120) held that the U.S. EPA has the authority to regulate motor-vehicle GHG emissions under the federal Clean Air Act.

The U.S. EPA 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. The first annual reports for these sources were due in March 2011.

On May 13, 2010, the U.S. EPA issued a Final Rule that took effect on January 2, 2011, setting a threshold of 75,000 tons CO₂e per year for GHG emissions. On November 10, 2010, the U.S. EPA published the “PSD and Title V Permitting Guidance for Greenhouse Gases.” The U.S. EPA’s



guidance document is directed at state agencies responsible for air pollution permits under the Federal Clean Air Act to help them understand how to implement GHG reduction requirements while mitigating costs for industry. It is expected that most states will use the U.S. EPA's new guidelines when processing new air pollution permits for power plants, oil refineries, cement manufacturing, and other large point sources of pollution.

On January 2, 2011, the U.S. EPA implemented the first phase of the Tailoring Rule for GHG emissions Title V permitting. Under the first phase of the Tailoring Rule, all new sources of emissions are subject to GHG Title V permitting if they are otherwise subject to Title V for another air pollutant and they emit at least 75,000 tons CO₂e per year. Under Phase 1, no sources were required to obtain a Title V permit solely due to GHG emissions. Phase 2 of the Tailoring Rule went into effect July 1, 2011. At that time new sources were subject to GHG Title V permitting if the source emitted 100,000 tons CO₂e per year, or they were otherwise subject to Title V permitting for another pollutant and emitted at least 75,000 tons CO₂e per year.

On July 3, 2012 the U.S. EPA issued the Final Rule that retains the GHG permitting thresholds that were established in Phases 1 and 2 of the GHG Tailoring Rule. These emission thresholds determine when Clean Air Act permits under the New Source Review Prevention of Significant Deterioration (PSD) and Title V Operating Permit programs are required for new and existing industrial facilities.

California Regulations. CARB is responsible for the coordination and oversight of State and local air pollution control programs in California. California has numerous regulations aimed at reducing the State's GHG emissions. The following is a summary of these initiatives.

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, U.S. EPA granted the waiver of Clean Air Act preemption to California for its GHG emission standards for motor vehicles beginning with the 2009 model year. Pavley I took effect for model years starting in 2009 to 2016 and Pavley II, now referred to as "LEV (Low Emission Vehicle) III GHG," will cover 2017 to 2025. It was predicted that fleet average emission standards would reach a 22 percent reduction from 2009 levels by 2012 and 30 percent by 2016. The Advanced Clean Cars program coordinates the goals of the Low Emissions Vehicles (LEV), Zero Emissions Vehicles (ZEV), and Clean Fuels Outlet programs and would provide major reductions in GHG emissions. By 2025, when the rules will be fully implemented, new automobiles will emit 34 percent fewer GHGs and 75 percent fewer smog-forming emissions from their model year 2016 levels (CARB, 2011).

In 2005, Executive Order (EO) S-3-05 established Statewide GHG emissions reduction targets. EO S-3-05 provides that by 2010 emissions shall be reduced to 2000 levels, by 2020 emissions shall be reduced to 1990 levels, and by 2050 emissions shall be reduced to 80 percent below 1990 levels (CalEPA, 2006). In response to EO S-3-05, CalEPA created the Climate Action Team (CAT), which in March 2006 published the Climate Action Team Report ("2006 CAT Report") (CalEPA, 2006). The 2006 CAT Report identified a recommended list of strategies that the State could pursue to reduce GHG emissions. These are strategies that could be implemented by various State agencies to ensure that the emission reduction targets in EO S-3-05 are met and that they could be met with the existing authority of State agencies. The strategies include the reduction



of passenger and light-duty truck emissions, the reduction of idling times for diesel trucks, an overhaul of shipping technology/infrastructure, increased use of alternative fuels, increased recycling, and landfill methane capture. In April 2015 Governor Brown issued EO B-30-15, calling for a new target of 40 percent below 1990 levels by 2030.

California's major initiative for reducing GHG emissions is outlined in Assembly Bill 32 (AB 32), the "California Global Warming Solutions Act of 2006," signed into law in 2006. AB 32 codifies the Statewide goal of reducing GHG emissions to 1990 levels by 2020 (essentially a 15 percent reduction below 2005 emission levels and the same requirement as under S-3-05), and mandates that CARB prepare a scoping plan to outline the main strategies the State will employ for reducing GHGs to meet the 2020 deadline. In addition, AB 32 requires CARB to adopt regulations to require reporting and verification of Statewide GHG emissions.

After completing a comprehensive review and update process, CARB approved a 1990 Statewide GHG level and 2020 limit of 427 MMT CO₂e. The Scoping Plan was approved by CARB on December 11, 2008, and included measures to address GHG emission reduction strategies related to energy efficiency, water use, and recycling and solid waste, among other measures. Many of the GHG reduction measures included in the Scoping Plan have been adopted over the last five years (e.g., Low Carbon Fuel Standard, Advanced Clean Car standards, and Cap-and-Trade). Implementation activities are ongoing and CARB is currently in the process of updating the Scoping Plan.

In May 2014, CARB approved the first update to the AB 32 Scoping Plan. The 2013 Scoping Plan update defines CARB's climate change priorities for the next five years and sets the groundwork to reach post-2020 goals set forth in EO S-3-05. The update highlights California's progress toward meeting the "near-term" 2020 GHG emission reduction goals defined in the original Scoping Plan. It also evaluates how to align the State's longer-term GHG reduction strategies with other State policy priorities, such as for water, waste, natural resources, clean energy and transportation, and land use (CARB, 2014a).

Senate Bill (SB) 97, signed in August 2007, acknowledges that climate change is an environmental issue that requires analysis in CEQA documents. In March 2010, the California Resources Agency (Resources Agency) adopted amendments to the *CEQA Guidelines* for the feasible mitigation of GHG emissions or the effects of GHG emissions. The adopted guidelines give lead agencies the discretion to set quantitative or qualitative thresholds for the assessment and mitigation of GHGs and climate change impacts.

CARB Resolution 07-54 establishes 25,000 metric tons (MT) of GHG emissions as the threshold for identifying the largest stationary emission sources in California in order to require the annual reporting of emissions. This threshold is just over 0.005 percent of California's total inventory of GHG emissions for 2004.

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 vehicles for 2020 and 2035. In addition, SB 375 directs each of the State's 18 major Metropolitan Planning Organizations (MPO) to prepare a "sustainable communities strategy" (SCS) that contains a growth strategy to meet these emission targets for inclusion in the Regional Transportation Plan (RTP). On September 23, 2010, CARB adopted final 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 GHGs from transportation sources by 2020 and a 13 percent reduction in GHGs from transportation sources 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.

In April 2011, Governor Brown signed SB 2X requiring California to generate 33 percent of its electricity from renewable energy by 2020.

Executive Order B-30-15, signed by the Governor in April 2015, established a new, interim, Statewide GHG emission reduction target to lower GHG emissions to 40 percent below 1990 levels by 2030 in order to ensure California meets its target of reducing GHG emissions to 80 percent below 1990 levels by 2050. SB 350 was adopted in October 2015, setting goals of reaching a 50 percent reduction in petroleum use from motor vehicles, generating 50 percent of California's electricity from renewable power sources, and doubling energy efficiency in existing buildings, all by 2030.

For more information on the Senate and Assembly Bills, Executive Orders, and reports discussed above, and to view reports and research referenced above, please refer to the following websites: www.climatechange.ca.gov and www.arb.ca.gov/cc/cc.htm.

CARB launched the "Cap-and-Trade" program, adopted on October 20, 2011, which uses a market-based mechanism to lower GHG emissions. In September 2013, CARB issued their first carbon offset credits as part of the program (CARB, 2014b). A carbon offset is a credit for GHG reductions achieved by an activity outside the capped sectors of industrial, transportation fuels and natural gas, and electric power (Climate Policy Initiative, 2016). Under the California Cap and Trade Program, each compliance offset credit is equal to 1 MT of CO₂e.

California Environmental Quality Act. Pursuant to the requirements of SB 97, the Resources Agency has adopted amendments to the *CEQA Guidelines* for the feasible mitigation of GHG emissions or the effects of GHG emissions. The adopted CEQA Guidelines provide general regulatory guidance on the analysis and mitigation of GHG emissions in CEQA documents, while giving lead agencies the discretion to set quantitative or qualitative thresholds for the assessment and mitigation of GHGs and climate change impacts. To date, the South Coast Air Quality Management District (SCAQMD), the Bay Area Air Quality Management District (BAAQMD), the San Luis Obispo Air Pollution Control District (SLOAPCD), and the San Joaquin Air Pollution Control District (SJVAPCD) have adopted quantitative significance thresholds for GHGs.

Local Regulations. In February 2009, the City of Beverly Hills adopted the Beverly Hills Sustainable City Plan, which includes initiatives, goals, and actions to reduce the City's GHG emissions (Beverly Hills, 2009).



4.3.2 Impact Analysis

a. Methodology and Significance Thresholds. Pursuant to the requirements of SB 97, the Resources Agency adopted amendments in March 2010 to the *CEQA Guidelines* for the feasible mitigation of GHG emissions or the effects of GHG emissions. These guidelines are used to evaluate the cumulative significance of GHG emissions from the Proposed Project.

With respect to GHG emissions, the adopted CEQA Guidelines ask whether a project would do either or both of the following:

- *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment*
- *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 a project-specific impact through a direct influence to climate change. The issue of climate change, therefore, typically involves an analysis of whether a project's contribution towards an impact 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 15355).

The SCAQMD threshold, which was adopted in December 2008, considers emissions of over 10,000 MT CO₂e per year to be significant. However, the SCAQMD's threshold applies only to stationary sources and is intended to apply only when the SCAQMD is the CEQA lead agency.

In the latest 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 the 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 3,000 tons of CO₂e per year for commercial/residential mixed use projects.*

Because the SCAQMD has not adopted GHG emissions thresholds that apply to land use projects where the SCAQMD is not the lead agency and no GHG emissions thresholds or



qualifying local GHG reduction plan have been adopted in the City of Beverly Hills, the Proposed Project is evaluated based on the SCAQMD's recommended/preferred option threshold for all land use types, including residential projects, of 3,000 metric tons CO₂e per year (SCAQMD, 2010). Therefore, the Proposed Project's contribution to cumulative impacts related to GHG emissions and climate change would be cumulatively considerable if the Proposed Project would produce in excess of 3,000 metric tons CO₂e/year.

Although construction activity is addressed in this analysis, the California Air Pollution control Officers Association (CAPCOA) does not discuss whether any of the suggested threshold approaches (discussed below in "GHG Cumulative Significance") adequately address impacts from temporary construction activity. As stated in the CEQA and Climate Change white paper, "more study is needed to make this assessment or to develop separate thresholds for construction activity" (CAPCOA, 2008). Nevertheless, air districts such as the SCAQMD have recommended amortizing construction-related emissions over a 30-year period in conjunction with the proposed project's operational emissions. Therefore, this threshold has been applied to the Proposed Project's combined operational and amortized construction emissions, per SCAQMD's recommendation (SCAQMD, 2008).

Study Methodology. Calculations of CO₂, CH₄, and N₂O emissions are provided to identify the magnitude of potential Project effects. Emissions calculations were completed in the California Emissions Estimator Model (CalEEMod) for the Proposed Project. Emissions calculations assume that the project site is vacant, and no emission credits are taken from any previous uses of the site. Thus, this analysis presents a conservative estimate of Project emissions.

The Proposed Project includes residential uses and a subterranean parking garage. The construction schedule for the Proposed Project would span approximately 21 months. Completion of the Proposed Project would require export of approximately 20,500 CY of material. The Proposed Project was modeled in CalEEMod and was then compared to the significance threshold. The Proposed Project would comply with CalGreen and the California Energy Code. As a part of California Energy Code 2013, the roof of the proposed condominium building would be "solar ready," with the provision of pathways, connectivity, and 15 percent of the total roof area designated for the installation of photovoltaic panels for onsite electricity generation and/or a solar thermal system that would integrate with the water heating system. The Proposed Project would provide EV charging stations, the number of which to be determined at a later time. Based on example building codes for EV charging stations, for new multiple-family projects of more than 10 dwelling units, 10 percent of the total parking spaces required shall be provided with a listed cabinet, box, or enclosure connected to a conduit that links the covered parking spaces or garages with the electrical service, in a manner approved by the building and safety official (OPR, 2013).

The analysis focuses on CO₂, CH₄, and N₂O because these make up 98.9 percent of all GHG emissions by volume (IPCC, 2007) and are the GHG emissions that the Proposed Project would emit in the largest quantities. Fluorinated gases, such as HFCs, PFCs, and SF₆, were also considered for the analysis. Emissions of all GHGs are converted into their CO₂e. Calculations are based on the methodologies discussed in the CAPCOA CEQA and Climate Change white paper (CAPCOA 2008) and included the use of the California Climate Action Registry (CCAR) General Reporting Protocol (CCAR 2009).



Onsite Operational Emissions. Operational emissions associated with the Proposed Projects were calculated using the CalEEMod Version 2013.2.2 software program (see Appendix 2 for all calculations). Operational emissions from energy use (electricity and natural gas use) for the Projects were estimated using CalEEMod. The default values on which CalEEMod are based include the CEC-sponsored California Commercial End Use Survey (CEUS) and Residential Appliance Saturation Survey (RASS) studies. CalEEMod provides operational emissions data for CO₂, N₂O, and CH₄. This methodology is considered reasonable and reliable as it has been subjected to peer review by numerous public and private stakeholders, and in particular by the CEC. It is also recommended by CAPCOA (CAPCOA, 2008).

Emissions associated with area sources, including consumer products, landscape maintenance, and architectural coating, were calculated in CalEEMod and utilize standard emission rates from CARB, U.S. EPA, and district-supplied emission factor values.

Emissions from waste generation were also calculated using CalEEMod and are based on the IPCC's methods for quantifying GHG emissions from solid waste using the degradable organic content of waste. Waste disposal rates by land use and overall composition of municipal solid waste in California was primarily based on data provided by the California Department of Resources Recycling and Recovery (CalRecycle).

Emissions from water and wastewater use calculated in CalEEMod were based on the default electricity intensity from the CEC's 2006 *Refining Estimates of Water-Related Energy Use in California* using the average values for Northern and Southern California. Complete results from CalEEMod and assumptions can be viewed in Appendix 2.

Direct Emissions from Mobile Combustion. Emissions of CO₂ and CH₄ from transportation sources for the project were quantified using CalEEMod. Because CalEEMod does not calculate N₂O emissions from mobile sources, these were quantified using the California Climate Action Registry General Reporting Protocol (CCAR 2009) direct emissions factors for mobile combustion (see Appendix 2 for calculations). The estimates of total daily trips associated with the Proposed Project were based on the Traffic Study prepared by Fehr & Peers in April 2016 and were calculated and extrapolated to derive total annual mileage in CalEEMod. Emission rates for N₂O emissions were based on the vehicle mix output generated by CalEEMod and the emission factors found in the California Climate Action Registry General Reporting Protocol.

A limitation of the quantitative analysis of emissions from mobile combustion is that modeling programs, such as CalEEMod, evaluate aggregate emissions. This means that all vehicle trips and related emissions assigned to a project are assumed by the program to be new trips and emissions generated by the project itself. Such models do not demonstrate, with respect to a regional air quality impact, what proportion of these emissions is actually "new" and specifically attributable to the project in question. For most projects, the main contributor to regional air quality emissions is from motor vehicles, but the number of vehicle trips appropriately characterized as "new" is usually uncertain as traffic associated with a project by the modeling software may include trips that started at other, existing locations. Therefore, because the proportion of "new" versus relocated trips is unknown, the vehicle miles traveled (VMT) estimate generated by CalEEMod is used as a conservative, "worst-case" estimate.

Construction Emissions. Construction of the Proposed Project would generate temporary GHG emissions primarily due to the operation of construction equipment and truck trips. Site



preparation and grading typically generate the greatest amount of emissions as grading equipment is used and soil hauling is performed. CalEEMod estimated emissions associated with the construction period based on parameters such as the duration of construction activity, the area of disturbance, and anticipated equipment use during construction. Compliance with SCAQMD Fugitive Dust Rule 403, SCAQMD Healthy Hearth Rule 445, and SCAQMD Architectural Coating Rule 1113 was assumed for the modeling (SCAQMD rules are described in more detail in Section 4.2, *Air Quality*). Complete results from CalEEMod and assumptions are provided in Appendix 2.

b. Project Impacts and Mitigation Measures.

<i>Threshold</i>	<i>Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</i>
<i>Threshold</i>	<i>Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</i>

Impact GHG-1 The Proposed Project would generate temporary construction and permanent operational GHG emissions, which would incrementally contribute to climate change. Emissions would not, however, exceed SCAQMD thresholds and the Project would be consistent with applicable GHG plans and policies including the Climate Action Team GHG reduction strategies, the SCAG Sustainable Communities Strategy, and the Beverly Hills Sustainable City Plan Goals. Therefore, the Proposed Project’s contribution to cumulative climate change impacts would be less than significant.

As discussed above, this analysis calculated GHG emissions for the Proposed Project using CalEEMod. The Proposed Project is evaluated based on the SCAQMD’s recommended/preferred option threshold for all land use types including residential of 3,000 metric tons CO_{2e} per year (SCAQMD, 2010).

Construction Emissions. As shown in Table 4.3-1, construction of the Proposed Project would generate an estimated 473 MT of CO_{2e}. Amortized over a 30-year period (the assumed life of the project), implementation of the Proposed Project would generate approximately 16 MT of CO_{2e} per year.



**Table 4.3-1
 Estimated Construction Emissions of
 Greenhouse Gases**

Construction Year	CO₂e (MT)
2016	116
2017	243
2018	114
Total	473
<i>Amortized over 30 years</i>	<i>16 MT per year</i>

*See Appendix 2 for calculations and for GHG emission factor assumptions. Modeling assumed compliance with SCAQMD Architectural Coating Rule 1113, Rule Healthy Hearth Rule 445, and SCAQMD Fugitive Dust Rule 403.
 Note: Total may not add up due to rounding.*

Operational Indirect and Stationary Direct Emissions. Table 4.3-2 summarizes GHG emissions associated with area sources, energy use, solid waste generation, water use, and transportation. Emissions associated with each of these sources are discussed below.

**Table 4.3-2
 Combined Annual Emissions of Greenhouse Gases**

Emission Source	Annual Emissions MT CO₂e
Construction	16
Operational	
Area	0.4
Energy	102
Solid Waste	6
Water	12
Mobile	
CH ₄ and CO ₂	185
N ₂ O	10
Total Emissions	331
Exceed SCAQMD Recommended Threshold (3,000 MT CO₂e)?	No

*Sources: See Appendix 2 for CalEEMod annual results, for GHG emission factor assumptions, calculation sheets for N₂O mobile emissions are included in Appendix 2.
 Note: Total may not add up due to rounding.*

Area Source Emissions. Area sources include direct sources of emissions, such as consumer product use and landscape maintenance equipment. Table 4.3-2 shows that area source emissions would be approximately 0.4 MT of CO₂e per year for the Proposed Project.



Energy Use. As shown in Table 4.3-2, onsite operation of the Proposed Project would consume both electricity and natural gas. The generation of electricity through combustion of fossil fuels typically yields CO₂ and, to a smaller extent, N₂O and CH₄. As discussed above, annual electricity and natural gas emissions can be calculated using default values from the CEC-sponsored CEUS and RASS studies, which are built into CalEEMod. Energy use by the Proposed Project would generate approximately 102 MT of CO₂e per year.

Solid Waste Emissions. In accordance with AB 939, the default CalEEMod emissions estimate assumes at least a 50 percent diversion rate for recyclable materials, meaning that the emission model automatically assumes that half of recyclable materials generated by the Proposed Project would be diverted from landfills. Based on the City of Beverly Hills' current residential and commercial diversion rate, it was assumed that the Proposed Project would achieve at least a 70 percent diversion rate for recyclable materials. Based on these estimates, solid waste associated with the Proposed Project would generate an estimated 6 MT of CO₂e per year (as shown in Table 4.3-2).

Water Use Emissions. Based on the amount of electricity used to supply and convey water, the Proposed Project would generate approximately 12 MT of CO₂e per year (as shown in Table 4.3-2).

Transportation Emissions. As previously discussed, CalEEMod does not calculate N₂O emissions from mobile sources. Mobile source GHG emissions (Table 4.3-2) were estimated using the average daily trips for the Proposed Project provided by the Traffic Assessment (see Appendix 5). N₂O emissions were then estimated based on the VMTs and using calculation methods provided by the California Climate Action Registry General Reporting Protocol (CCAR, 2009). The Proposed Project's annual mobile emissions would generate an estimated 195 MT CO₂e.

Combined Construction, Stationary, and Mobile Source Emissions. As shown in Table 4.3-2, the Project's combined construction, operational, and mobile GHG emissions would total 331 MT CO₂e annually. Emissions associated with the Proposed Project would not exceed 3,000 MT tons per year. Therefore, the Proposed Project would not substantially increase GHG emissions.

Consistency with Applicable Plans and Policies. As discussed in the Section 3.0, *Environmental Setting*, a number of plans and policies aimed at GHG reduction apply to the Proposed Project. The Climate Action Team Report ("2006 CAT Report"), published in March 2006, identifies a recommended list of strategies that the State could pursue to reduce climate change GHG emissions. CAT strategies are recommended to reduce GHG emissions at a Statewide level to meet the goals of the Executive Order S-3-05. These are strategies that could be implemented by various State agencies to ensure that the Governor's targets are met and can be met with existing authority of the State agencies.

The SCAG SCS also has a number of strategies that relate to the operations of SCAG and regional land use planning. Because such strategies lie beyond the scope of individual development projects, only those strategies applicable to the Proposed Project are addressed.

The City of Beverly Hills adopted a Sustainable City Plan in 2009. This plan also identifies goals intended to support sustainable development in the City. Implementation of this plan would contribute to a reduction in the City's overall GHG emissions.



Tables 4.3–3 through Table 4.3–5 compare the Proposed Project to applicable policies from each of the above plans and policy documents. As illustrated in these tables, the Proposed Project would not conflict with GHG reduction strategies set forth by the 2006 CAT Report, the SCAG SCS, or the Beverly Hills Sustainable City Plan. As discussed in detail in Section 4.5, *Land Use and Planning*, the Proposed Project would also be consistent with applicable policies of the Beverly Hills General Plan, including a range of policies aimed indirectly at reducing GHG emissions through reduction in vehicle miles traveled, energy use, and water consumption.

**Table 4.3–3
 Project Consistency with Applicable Climate Action Team
 Greenhouse Gas Emission Reduction Strategies**

Strategy	Project Consistency
California Air Resources Board	
<p>Vehicle Climate Change Standards AB 1493 (Pavley) required the state to develop and adopt regulations that achieve the maximum feasible and cost-effective reduction of climate change emissions emitted by passenger vehicles and light duty trucks. Regulations were adopted by CARB in September 2004.</p>	<p>Consistent Vehicles that travel to and from the Proposed Project site on public roadways would be in compliance with CARB vehicle standards that are in effect at the time of vehicle purchase.</p>
<p>Diesel Anti-Idling The CARB adopted a measure to limit diesel-fueled commercial motor vehicle idling in July 2004.</p>	<p>Consistent Current State law restricts diesel truck idling to five minutes or less. Diesel trucks operating from and making deliveries to the project site are subject to this Statewide law. Construction vehicles are also subject to this regulation.</p>
<p>Hydrofluorocarbon Reduction 1) Ban retail sale of HFC in small cans 2) Require that only low GWP refrigerants be used in new vehicular systems 3) Adopt specifications for new commercial refrigeration 4) Add refrigerant leak-tightness to the pass criteria for vehicular inspection and maintenance programs 5) Enforce federal ban on releasing HFCs</p>	<p>Consistent This strategy applies to consumer products. All applicable products would be required to comply with the regulations that are in effect at the time of manufacture.</p>
<p>Alternative Fuels: Biodiesel Blends CARB would develop regulations to require the use of 1 to 4 percent biodiesel displacement of California diesel fuel.</p>	<p><i>Not applicable</i>, but diesel vehicles such as construction vehicles that travel to and from the project site on public roadways could utilize this fuel once it is commercially available.</p>
<p>Heavy-Duty Vehicle Emission Reduction Measure Increased efficiency in the design of heavy duty vehicles and an education program for the heavy duty vehicle sector.</p>	<p>Consistent Heavy-duty vehicles for construction activities that travel to and from the Project site on public roadways would be subject to all applicable CARB efficiency standards that are in effect at the time of vehicle manufacture.</p>
<p>Achieve 50 Percent Statewide Recycling Goal Achieving the State's 50 percent waste diversion mandate as established by the Integrated Waste Management Act of 1989, (AB 939, Sher, Chapter 1095, Statutes of 1989), will reduce climate change emissions associated with energy intensive material extraction and production as well as methane emission from landfills. A diversion rate of 48 percent has been achieved on a statewide basis. Therefore, a 2 percent additional reduction is needed.</p>	<p>Consistent According to data provided by Beverly Hills Public Works, the City of Beverly Hills met its target disposal rate. Based on the data provided for 2011 (the most recent year for which data is available), the City's overall diversion rate was 78 percent (Beverly Hills, 2012a). The City has implemented multiple programs designed to sustain these disposal rates. The Project would comply with all City requirements regarding recycling.</p>



**Table 4.3–3
 Project Consistency with Applicable Climate Action Team
 Greenhouse Gas Emission Reduction Strategies**

Strategy	Project Consistency
<p>Zero Waste – High Recycling</p> <p>Efforts to exceed the 50 percent goal would allow for additional reductions in climate change emissions.</p>	<p>Consistent</p> <p>As discussed further in Section 4.5, <i>Land Use and Planning</i>, the Proposed Project would be required to participate in waste diversion programs. The Proposed Project would also be subject to all applicable State and City requirements for solid waste reduction as they change in the future.</p>
<p>Department of Forestry</p>	
<p>Urban Forestry</p> <p>A new statewide goal of planting 5 million trees in urban areas by 2020 would be achieved through the expansion of local urban forestry programs.</p>	<p><i>Not applicable</i>, but project development would not preclude the implementation of this strategy by municipal utility providers.</p>
<p>Department of Water Resources</p>	
<p>Water Use Efficiency</p> <p>Approximately 19 percent of all electricity, 30 percent of all natural gas, and 88 million gallons of diesel are used to convey, treat, distribute and use water and wastewater. Increasing the efficiency of water transport and reducing water use would reduce greenhouse gas emissions.</p>	<p>Consistent</p> <p>The Proposed Project would be required to be consistent with CalGreen standards. As such, the Proposed Project would be equipped with low-flow plumbing fixtures, reducing water use. In addition, the Proposed Project would include individual metering and billing for water use of all residential uses and single-passing cooling equipment would be prohibited.</p>
<p>Energy Commission (CEC)</p>	
<p>Building Energy Efficiency Standards in Place and in Progress</p> <p>Public Resources Code 25402 authorizes the CEC to adopt and periodically update its building energy efficiency standards (that apply to newly constructed buildings and additions to and alterations to existing buildings).</p>	<p>Consistent</p> <p>The Proposed Project would comply with CalGreen and the California Energy Code. As a part of California Energy Code 2013, the roof of the proposed condominium building would be “solar ready,” with provision of pathways, connectivity, and 15 percent of the total roof area designated for future harnessing of solar energy via photovoltaic panels for onsite electricity generation and/or a solar thermal system integrated with water heating system. The Project would provide EV charging stations. The number of stations would be determined at a later time. Based on example building codes for EV charging stations, for new multiple-family projects of more than 10 dwelling units, 10 percent of the total parking spaces required shall be provided with a listed cabinet, box, or enclosure connected to a conduit linking the covered parking spaces or garages with the electrical service, in a manner approved by the building and safety official (OPR, 2013). The Project would also be equipped with equipment (e.g., HVAC systems), lighting fixtures, and lighting that meet Title 24 requirements based on the 2013 Building Energy Efficiency Standards requirements.</p>
<p>Appliance Energy Efficiency Standards in Place and in Progress</p> <p>Public Resources Code 25402 authorizes the Energy Commission to adopt and periodically update its appliance energy efficiency standards (that apply to devices and equipment using energy that are sold or offered for sale in California).</p>	<p>Consistent</p> <p>Under State law, appliances that are purchased for the Proposed Project, both pre- and post-development, would be consistent with energy efficiency standards that are in effect at the time of manufacture.</p>



**Table 4.3–3
 Project Consistency with Applicable Climate Action Team
 Greenhouse Gas Emission Reduction Strategies**

Strategy	Project Consistency
<p><i>Fuel-Efficient Replacement Tires & Inflation Programs</i> State legislation established a statewide program to encourage the production and use of more efficient tires.</p>	<p><i>Not applicable</i>, but residents living at the Proposed Project site could purchase tires for their vehicles that comply with State programs for increased fuel efficiency.</p>
<p><i>Municipal Utility Energy Efficiency Programs/Demand Response</i> Includes energy efficiency programs, renewable portfolio standard, combined heat and power, and transitioning away from carbon-intensive generation.</p>	<p><i>Not applicable</i>, but Proposed Project development would not preclude the implementation of this strategy by municipal utility providers.</p>
<p><i>Municipal Utility Renewable Portfolio Standard</i> California’s Renewable Portfolio Standard (RPS), established in 2002, requires that all load serving entities achieve a goal of 20 percent of retail electricity sales from renewable energy sources by 2017, within certain cost constraints.</p>	<p><i>Not applicable</i>, but the Proposed Project would not preclude implementation of this strategy by Southern California Edison.</p>
<p><i>Municipal Utility Combined Heat and Power</i> Cost effective reduction from fossil fuel consumption in the commercial and industrial sector through the application of on-site power production to meet both heat and electricity loads.</p>	<p><i>Not applicable</i> since this strategy addresses incentives that could be offered by utility providers such as Southern California Edison and The Gas Company.</p>
<p><i>Green Buildings Initiative</i> Green Building Executive Order, S-20-04 (CA 2004), sets a goal of reducing energy use in public and private buildings by 20 percent by the year 2015, as compared with 2003 levels. The Executive Order and related action plan spell out specific actions state agencies are to take with state-owned and -leased buildings. The order and plan also discuss various strategies and incentives to encourage private building owners and operators to achieve the 20 percent target.</p>	<p>Consistent The Proposed Project would be designed to comply with CalGreen and the California Energy Code. As a part of California Energy Code 2013, the roof of the proposed condominium building would be “solar ready,” with provision of pathways, connectivity and 15 percent of the total roof area designated for future harnessing of solar energy via photovoltaic panels for onsite electricity generation and/or a solar thermal system integrated with the water heating system. The Proposed Project would provide EV charging stations, the number of stations will be determined at a later time. Based on example building codes for EV charging stations, for new multiple-family projects of more than 10 dwelling units 10 percent of the total parking spaces required shall be provided with a listed cabinet, box, or enclosure connected to a conduit linking the covered parking spaces or garages with the electrical service, in a manner approved by the building and safety official (OPR, 2013).</p>



**Table 4.3–3
 Project Consistency with Applicable Climate Action Team
 Greenhouse Gas Emission Reduction Strategies**

Strategy	Project Consistency
<i>Business, Transportation and Housing</i>	
<p><i>Smart Land Use and Intelligent Transportation Systems (ITS)</i></p> <p>Smart land use strategies encourage jobs/housing proximity, promote transit-oriented development, and encourage high-density residential/commercial development along transit corridors.</p> <p>ITS is the application of advanced technology systems and management strategies to improve operational efficiency of transportation systems and movement of people, goods and services.</p> <p>The Governor is finalizing a comprehensive 10-year strategic growth plan with the intent of developing ways to promote, through state investments, incentives and technical assistance, land use, and technology strategies that provide for a prosperous economy, social equity and a quality environment.</p> <p>Smart land use, demand management, ITS, and value pricing are critical elements in this plan for improving mobility and transportation efficiency. Specific strategies include: promoting jobs/housing proximity and transit-oriented development; encouraging high density residential/commercial development along transit/rail corridor; valuing and congestion pricing; implementing intelligent transportation systems, traveler information/traffic control, incident management; accelerating the development of broadband infrastructure; and comprehensive, integrated, multimodal/intermodal transportation planning.</p>	<p>Consistent</p> <p>The Project site is accessible via existing bus transit facilities. Metro Transit has more than three bus stops within 0.25 mile of the Project site.</p>
<i>Public Utilities Commission (PUC)</i>	
<p><i>Accelerated Renewable Portfolio Standard</i></p> <p>The Governor has set a goal of achieving 33 percent renewable in the State’s resource mix by 2020. The joint PUC/Energy Commission September 2005 Energy Action Plan II (EAP II) adopts the 33 percent goal.</p>	<p><i>Not applicable</i>, but Proposed Project development would not preclude the implementation of this strategy by energy providers.</p>
<p><i>California Solar Initiative</i></p> <p>The solar initiative includes installation of 1 million solar roofs or an equivalent 3,000 MW by 2017 on homes and businesses, increased use of solar thermal systems to offset the increasing demand for natural gas, use of advanced metering in solar applications, and creation of a funding source that can provide rebates over 10 years through a declining incentive schedule.</p>	<p>Consistent</p> <p>The Proposed Project would be required to comply with Section A4.211 “Renewable Energy” of the 2010 CalGreen Code, which requires provision of a minimum of 300 square feet of unobstructed roof area facing within 30 degrees of south to accommodate the installation of future solar collector or photovoltaic panels.</p>



**Table 4.3–4
 Project Consistency with Applicable SCAG SCS
 Greenhouse Gas Emission Reduction Strategies**

Strategy	Project Consistency
<i>Land Use Actions and Strategies</i>	
Support projects, programs, policies and regulations that encourage the development of complete communities, which includes a diversity of housing choices and educational opportunities, jobs for a variety of skills and education, recreation and culture, and a full-range of shopping, entertainment and services all within a relatively short distance.	Consistent The Proposed Project includes a condominium building with residential uses, located in an urbanized area and close to existing residential and commercial development. Existing public transit facilities are located within 0.25 mile of the Project site and the Project site is in a walkable neighborhood. Residents would have ready access to alternative modes of transportation, including walking and bicycles.
<i>Transportation Network Actions and Strategies</i>	
Prioritize transportation investments to support compact infill development that includes a mix of land uses, housing options, and open/park space, where appropriate, to maximize the benefits for existing communities, especially vulnerable populations, and to minimize any negative impacts.	Consistent The Project site is located in an area surrounded by existing development, and would add residential uses. As such, the Proposed Project would be infill development that would minimize negative impacts and efficiently use existing infrastructure.
Explore and implement innovative strategies and projects that enhance mobility and air quality, including those that increase the walkability of communities and accessibility to transit via non-auto modes, including walking, bicycling, and neighborhood electric vehicles (NEV) or other alternative fueled vehicles.	Consistent The Proposed Project is located in an urbanized area, close to existing residential and commercial development. Existing public transit facilities are located within 0.25 miles of the Project site. The Proposed Project site is also located in a walkable neighborhood and pedestrian access to the existing transit would be available.
Collaborate with local jurisdictions to plan and develop residential and employment development around current and planned transit stations and neighborhood commercial centers.	Consistent The Proposed Project is located in an urbanized area near existing public transit facilities, including the planned extension of the Los Angeles Metro Purple Line. The Proposed Project would be consistent with efforts to support the use of public transportation.
Develop first-mile/last-mile strategies on a local level to provide an incentive for making trips by transit, bicycling, walking, or neighborhood electric vehicle or other ZEV options.	Consistent The Project site is located in an urbanized area close to existing residential and commercial development. Existing public transit facilities are located near the Project site. Pedestrian connections to existing developed areas around the site and access to transit would be included with the Proposed Project.
<i>Transportation Demand Management Actions and Strategies</i>	
Support work-based programs that encourage emission reduction strategies and incentivize active transportation commuting or ride-share modes.	<i>Not applicable</i> , but occupants of the Proposed Project could take advantage of local active transportation and ride-share opportunities.
Encourage the development of telecommuting programs by employers through review and revision of policies that may discourage alternative work options.	<i>Not applicable</i> , but occupants of the Proposed Project site could telecommute as appropriate.
<i>Clean Vehicle Technology Actions and Strategies</i>	
Develop a Regional PEV Readiness Plan with a focus on charge port infrastructure plans to support and promote the introduction of electric and other alternative fuel vehicles in Southern California.	<i>Not applicable</i> , but Proposed Project development would not preclude implementation of this strategy.



**Table 4.3–5
 Project Consistency with Applicable
 Beverly Hills Sustainable City Plan Goals**

Goal	Project Consistency
Climate Change and Air Quality	
Combat climate change and improve air quality.	<p>Consistent</p> <p>The Proposed Project would comply with CalGreen and the California Energy Code. As a part of California Energy Code 2013, the roof of the proposed condominium building would be “Solar Ready,” with provision of pathways, connectivity and 15% of the total roof area designated for future harnessing of solar energy via photovoltaic panels for onsite electricity generation and/or a solar thermal system integrated with water heating system. The Project would provide EV charging stations, the number of stations will be determined at a later time. Based on example building codes for EV charging stations, new multiple-family projects of more than 10 dwelling units, 10 percent of the total parking spaces required shall be provided with a listed cabinet, box, or enclosure connected to a conduit linking the covered parking spaces or garages with the electrical service, in a manner approved by the building and safety official (Office of Planning and Research, 2014). The Proposed Project would not conflict with the implementation of this goal.</p>
Energy	
Encourage the use of energy in a clean and efficient manner and the use of renewable energy sources.	<p>Consistent</p> <p>The Proposed Project would comply with CalGreen and the California Energy Code. As a part of California Energy Code 2013, the roof of the proposed condominium building would be “Solar Ready,” with provision of pathways, connectivity and 15% of the total roof area designated for future harnessing of solar energy via photovoltaic panels for onsite electricity generation and/or a solar thermal system integrated with water heating system. The Project would provide EV charging stations. The number of stations would be determined at a later time. Based on example building codes for EV charging stations, new multiple-family projects of more than 10 dwelling units, 10 percent of the total parking spaces required shall be provided with a listed cabinet, box, or enclosure connected to a conduit linking the covered parking spaces or garages with the electrical service, in a manner approved by the building and safety official (Office of Planning and Research, 2014).</p>
Water	
Reduce water use while maintaining a garden-like quality in the City.	<p>Consistent</p> <p>The Proposed Project would include landscaped setbacks and a private garden on the roof. As described in Section 2.0, <i>Project Description</i>, 100 percent of onsite landscaping would comply with the City’s water efficient landscaping requirements.</p>
Land Use, Transportation and Open Space	
Foster an energy efficient, walk-able community that provides ample goods, services and benefits to all residents while respecting the local environment.	<p>Consistent</p> <p>The Proposed Project is an infill development in a mixed use urban setting. The Project site is accessible via existing bus transit facilities.</p>



Conclusion. The Proposed Project would incrementally increase GHG emissions as compared to the undeveloped site, but as indicated in Tables 4.3-3 through 4.3-5, the Proposed Project would not conflict with applicable CAT strategies, SCAG'S SCS GHG emission reduction strategies, or Beverly Hills Sustainable City Plan Goals. Therefore, the Proposed Project's impact related to GHG emissions and climate change would be less than significant.

Mitigation Measures. Mitigation is not required. Nonetheless, as discussed in Section 2.0, *Project Description*, the Proposed Project includes a number of design features aimed at energy use reduction that would also reduce GHG emissions. In addition, by virtue of its location and design, the Proposed Project would comply with a range of policies related to GHG reduction.

Significance after Mitigation. Impacts related to Project-generated GHG emissions would be less than significant without mitigation.

b. Cumulative Impacts. Analysis of GHG-related impacts is cumulative in nature as climate change is related to the accumulation of GHGs in the global atmosphere. To address cumulative impacts to GHG emissions and climate change throughout the State, the State of California has mandated an 80 percent reduction in GHG emissions by 2050. Numerous agencies around the state, including Beverly Hills, have adopted regulations aimed at meeting this goal. Additional regulations are expected to be adopted in decades ahead.

Table 3-1 in Section 3.0, *Environmental Setting*, lists planned and pending developments in and around Beverly Hills. Such development would incrementally increase overall GHG emissions generated in Beverly Hills and the region. As indicated in Impact GHG-1, GHG emissions associated with the Proposed Project would be less than significant and the Proposed Project would be consistent with and help implement applicable plans and policies related to GHG emissions reductions. Therefore, the Proposed Project's contribution to cumulative levels of GHGs would not be considerable and cumulative impacts to climate change would be less than significant.



4.4 HAZARDS AND HAZARDOUS MATERIALS

This section evaluates potential impacts related to hazardous materials in the soil and groundwater on and around the Project site. This section is based in part on a Phase I Environmental Site Assessment (ESA) prepared by California Environmental Geologists & Engineers, Inc. (California Environmental) in 2014 (see Appendix 3).

4.4.1 Setting

a. Regulatory Setting. Federal, State, and/or 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.

Hazardous Materials. At the federal level, the U.S. Environmental Protection Agency (U.S. EPA) has primary responsibility for enforcing laws and regulations that govern the use, storage, and disposal of hazardous materials and hazardous waste. The Resource Conservation and Recovery Act of 1976 (RCRA) 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. 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. The Occupational Health and Safety Administration (OSHA) published Standard 1910.120, which in part 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.” 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.

At the state level, under Title 22, Division 4.5 of the California Code of Regulations (CCR 22), the California Department of Toxic Substance Control (DTSC) regulates hazardous waste in California 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. Hazardous waste possesses at least one of four characteristics (ignitability, corrosivity, reactivity or toxicity) or it appears on special U.S. EPA lists.



The State of California Water Resources Control Board (SWRCB) also regulates the handling, storage, and disposal of hazardous substances for construction projects.

The California Environmental Protection Agency (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*

In Beverly Hills, the local CUPA is Los Angeles County CUPA, which is managed by the Los Angeles County Fire Department Health Hazardous Materials Division.

Soil Contamination Health Risk Assessment. Regulatory agencies such as the U.S. EPA, 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 U.S. EPA 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 U.S. EPA are termed Regional Screening Levels (RSL) for various pollutants in soil, air, and tap water (U.S. EPA, 2016). 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 Regional Water Quality Control Board (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 U.S. EPA and the California Department of Health Services (DHS) regulate the concentration of various chemicals in drinking water. The DHS thresholds are generally stricter than those set by the U.S. EPA. 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.

b. Project Site Hazardous Materials Setting. In 2014, California Environmental prepared a Phase I Environmental Site Assessment (ESA) for the Project site. The Phase I ESA included research of available land use records and other sources for indications of hazardous material impacts to the soil and groundwater beneath the Project site. As discussed in Section 2.0, *Project Description*, the Project site is composed of five contiguous parcels. For the purposes of this discussion, the historical uses of all five parcels are detailed by the following addresses: 9900, 9908, 9912, and 9916 South Santa Monica Boulevard. The following discussion is based on this 2014 Phase 1 ESA (see Appendix 3).

Previous Environmental Assessments. In connection with a previously proposed project, California Environmental prepared Phase I Assessment reports for a portion of the Project site (parcels at addresses 9900, 9912, and 9916 South Santa Monica Boulevard) in 2010 and 2011. California Environmental also prepared a Phase II Assessment and Geophysical Survey for the 9912 South Santa Monica Boulevard parcel in 2010. USTs were not found on the 9912 parcel. Impacts to soils were not found on the 9912 parcel. No recognized environmental conditions (REC) were identified by California Environmental in connection with the 9900, 9912, or 9916 parcel addresses.

In connection with a previously proposed project, Rincon prepared a Phase I Assessment for the Project site dated May 9, 2012, and identified the following suspect conditions.

- Proximity to a former dry cleaner (80 feet)
- Abandoned USTs on the 9908 parcel
- Former printing company on the 9916 parcel
- Three feet of fill identified in the geotechnical report

Rincon recommended sampling of the soil and soil gas to assess for releases associated with these concerns.

In response to Rincon's recommendation, Spectrum Geophysics conducted a geophysical survey on the 9908 parcel during August 2012 to evaluate for the presence of USTs following demolition of a building. USTs were not identified. Several small metallic anomalies were identified and these were investigated by backhoe trenching, which uncovered areas of metal debris. No tanks were found and no evidence of impacted soil was reported in the trenches. Copies of the previous environmental reports are available in Appendix VI of the 2014 Phase I ESA (see Appendix 3).

Historical Land Use. Historical site utilization research indicates that the 9900 South Santa Monica Boulevard parcel was undeveloped prior to the construction of the Friars Club building formerly on the site in 1961. No evidence of use, storage, disposal, or generation of hazardous substances was observed during the site reconnaissance. The 9900 parcel is listed as a



generator of hazardous materials (originating from an asbestos abatement) on the standard government databases.

The 9908 parcel was developed with a commercial building from 1934-2010. Various commercial enterprises including, automotive repair, realty offices, financial services and movie production offices occupied the structure.

The 9916 parcel was undeveloped from 1900 until construction of a two-story building with a penthouse and an adjoining asphalt paved parking lot in 1947. Associate American Artists, Inc. occupied the parcel in 1947. The Whitman Publishing Company and the Western Printing & Lithographic Company occupied the parcel from 1954 through 1962. Eileen Feather Figure Salons occupied the parcel in 1967 and 1970. Cambridgeport Trust owned the parcel in 1972. Topa Thrift and Loan occupied the parcel from 1976 through 1991. Arica Institute occupied the parcel in 1975. The Pep Boys corporate office, Manny Moe & Jack of California, and Whimsy Inc. occupied the parcel in 1980.

Hazardous Materials. The 9900 parcel is listed as a generator of hazardous materials (originating from an asbestos abatement) on the standard government databases researched in the 2014 Phase I ESA (Appendix 3). However, no evidence of use, storage, disposal, or generation of hazardous substances was observed on the Project site during the site reconnaissance. The City of Beverly Hills Fire Department (BHFD) and the Los Angeles County Department of Public Works (LACDPW) were contacted to research their files for UST permits and industrial waste records for the Project site. No UST files were found at LACDPW for the Project site. According to a representative of the BHFD there are no UST records maintained for the Project site at 9900, 9912 and 9916 South Santa Monica Boulevard. However, the BHFD indicates that in February 1947, three underground tanks (two 550-gallon gasoline and one 120-gallon waste oil) associated with previous onsite automotive repair operations were abandoned and filled in-place on the 9908 South Santa Monica Boulevard parcel.

No evidence of soil contamination was found during drilling of exploratory borings to depths of 10-15 feet below ground surface on the 9912 parcel in 2010. VOCs were not detected in the soil samples obtained from the borings beneath the 9912 parcel. Two episodes of geophysical testing (CE-2010 and Spectrum-2012) and soil sampling on the 9908 parcel failed to uncover evidence of the tanks and/or contamination associated with them. Subsequent backhoe excavation work was performed on the 9908 parcel in 2012. Several zones with buried, shallow, metallic piping debris were found, but neither the abandoned USTs nor evidence of soil contamination were found.

4.4.2 Impact Analysis

a. Methodology and Significance Thresholds. The methodology used in this assessment 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 at the Project site. Based on Appendix G of the *CEQA Guidelines*, a significant effect would occur if the Project would do any of the following:

- a) *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials*



- b) *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment*
- c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school*
- d) *Be located on a site which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment*
- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area*
- f) *For a project in the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the area*
- g) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan*
- h) *Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.*

The Project site is within a quarter mile of Beverly Hills High School; however, as discussed in the Initial Study (included in Appendix 1), the Proposed Project would not involve the routine transport, use, storage, or disposal of hazardous materials. Furthermore, the Project site is not located in the vicinity of an airport, airport land use plan, or private airstrip. As the Proposed Project would be required to comply with all applicable City codes and regulations pertaining to emergency response and evacuation plans maintained by the police and fire departments in the City of Beverly Hills and does not include permanent street closures or changes in traffic flow, Project implementation would not interfere with emergency response or evacuation. The Proposed Project is in an urban area and would be required to comply with applicable BHFD and California Fire Code regulations and requirements related to fire protection. Based on the conclusions of the Initial Study, no significant impacts would occur under criteria a through c and e through h; therefore, this analysis focuses on criterion d.

b. Project Impacts and Mitigation Measures.

<i>Threshold</i>	<i>Would the Project be located on a site which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?</i>
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Impact HAZ-1 **The Project site is listed on standard government databases for generation and disposal of asbestos waste and as an historic auto repair facility. However, a Phase I ESA for the Project site found no evidence of use, storage, disposal or generation of hazardous substances on the Project site. Furthermore, assessment work (geophysical methods, backhoe excavations, and borings) found no evidence of USTs or releases from USTs on the Project site. Therefore, impacts related to the presence of hazardous materials in the**



soil or groundwater beneath the Project site would be *less than significant*.

The Project site is listed on the standard government databases for generation and disposal of asbestos waste (9900 parcel) and as an historic auto repair facility (9908 parcel). However, as stated in Appendix 3, California Environmental did not observe evidence of above ground storage tanks (AST), USTs, odors, pools of liquid, drums, containers, stains or corrosion, pits, ponds, or lagoons on the Project site. Furthermore, no evidence of use, storage, disposal, or generation of hazardous substances was observed on the Project site during the site reconnaissance. Although the 9900 parcel is listed as a generator of hazardous materials originating from an asbestos abatement on the standard government databases researched in the 2014 Phase I ESA, manifests indicate that prior to building demolition, asbestos was removed and disposed of in accordance with standard asbestos abatement procedures.

The 2014 Phase I ESA revealed no evidence of RECs, historical recognized conditions (HREC), or controlled recognized conditions (C-REC) in connection with the Project site. Assessment work (geophysical methods, backhoe excavations, and borings) was conducted on the 9908 and 9912 parcels to evaluate for the presence (and associated releases) of abandoned in-place USTs. No evidence of the USTs or releases from the USTs was identified. It appears the USTs were previously removed though there remains a possibility that a UST could be found during future grading activities. If USTs were uncovered during grading, removal under permits issued by LACDPW and BHFD would be required. According to the 2014 Phase I ESA, impact to the Project via the vapor intrusion pathway is considered a low potential threat based upon the lack of a documented onsite release or a documented release on a contiguous property.

The nearest listed contaminated site is the Beverly Hilton, located approximately 200 feet north of the Project site. A release of fuel was reported in November 1998 at this offsite property. The RWQCB issued a No Further Action letter for the Beverly Hilton in March 2007. Several historical service stations and dry cleaners are located within 100-200 feet of the Project site. No releases have been reported at these offsite, non-contiguous properties. According to the 2014 Phase I ESA, it is unlikely that the groundwater beneath the site is impacted at concentrations that would lead to an onsite vapor intrusion condition (future structure) from the identified offsite facilities. Therefore, impacts related to the presence of hazardous materials in the soil or groundwater beneath the Project site would be less than significant and no mitigation is required.

Mitigation Measures. No mitigation is required.

c. Cumulative Impacts. Cumulative development in Beverly Hills, as discussed in Section 3.0, *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 EIR, implementation of the Proposed Project would not result in significant impacts related to human exposure to hazardous materials. In addition, the projects listed in Table 3-1, *Planned and Pending Projects*, 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. Hazard evaluations for other



cumulative projects would need to be completed on a case-by-case basis. If lead or asbestos are found to be present in buildings planned for demolition or renovation, or soil and groundwater contamination were 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 remedial action on contaminated sites would reduce cumulative impacts to a less than significant level.



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4.5 LAND USE AND PLANNING

This section analyzes the Proposed Project's consistency with relevant policies of applicable local and regional plans, including the City of Beverly Hills' General Plan and the Beverly Hills Municipal Code (BHMC).

4.5.1 Setting

a. Project Site. As illustrated in Figure 2-1, *Regional Location*, in Section 2.0, *Project Description*, the Project site is located in the city of Beverly Hills, approximately seven miles west of the City of Los Angeles Civic Center. Major regional access is provided by Santa Monica Boulevard, which connects to U.S. Highway 101 (U.S. 101) to the east and Interstate 405 (I-405) to the west; Wilshire Boulevard, which connects to I-405 to the west; and Robertson Boulevard and La Cienega Boulevard, which connect to Interstate 10 (I-10) to the south.

The Project site is situated in the eastern portion of the 9900 block of South Santa Monica Boulevard. As illustrated in Figure 2-2, *Site Map*, and discussed in Section 2.0, *Project Description*, the site is bound by the Beverly Hills Community Sports Center on the west; South Santa Monica Boulevard to the north; commercial retail and office, and The Peninsula Hotel across Charleville Boulevard to the east; and multi-family residential and parking garages to the south. The site is approximately 36,000 sf (0.83 acres), and is currently vacant. The site previously contained commercial buildings, including The Friars Club, which was demolished in 2011. The site has been used as a parking lot since that time.

Presently, the Project site is in the Commercial Low Density General designation of the General Plan, and in the C-3A (Commercial) Zone as defined by the City's Zoning Map (Beverly Hills, 2008 and 2010). Uses permitted in the C-3 Zone include a wide range of low- to high-intensity commercial uses, such as cafes, offices, and retail shops.

b. Surrounding Land Uses. Land uses surrounding the Project site are illustrated in Figure 2-2 and discussed in the subsection *Surrounding Land Uses*, in Section 2.0, *Project Description*. Figure 4.5-1, *Zoning Designations*, illustrates the zoning designations. Table 4.5-1 lists the existing land uses surrounding the project site and provides the zoning designations along with the permitted uses by each designated.





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 Additional data provided by City of Beverly Hills, 2011.

Zoning Designations

Figure 4.5-1
 City of Beverly Hills

**Table 4.5–1
Existing Land Uses and Zoning**

Direction	Existing Land Use(s)	Existing Zoning	Permitted Use(s)
North	Vacant/Parking	T-1 (transportation) ¹	Railway lines, stations, affiliated structures, and parking lots for such transportation uses
	Restaurants and retail shops	C-3 (commercial)	Includes, but is not limited to: café, carpenter shop, cinema or theater, conservatory, dancing academy, dressmaking or millinery store, exercise club, library, lunchroom, office (excluding medical use), paint, paperhanger, or decorating shop, parking garage, photography gallery, plumbing, private training center, roofing or plastering store, shop for conducting of wholesale or retail business, store, studio, tailor, upholsterer
West	Beverly Hills Community Sports Center (two stories)	C-3A (commercial)	C-3A (commercial) zoning designation includes, 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, private training center, retail tailor, roofing or plastering store, shop for conducting of wholesale or retail business, store, studio, theater, upholsterer
South	Multi-family homes and parking garages	R-4 (multiple-family residential)	Includes single- or multiple-family residences, a small community care facility, or a public library
East	Commercial retail and offices, the Church of Scientology Mission of Beverly Hills, and the Peninsula Hotel	C-3 (commercial)	See above for C-3 zone

¹Existing Zoning of T-1 Transportation is due to the historic railway use of the site.
Sources: Beverly Hills, 2010

c. Regulatory Setting. The City of Beverly Hills regulates land use in the incorporated City boundaries through its General Plan, Municipal Code, and specific plans. No specific plan applies to the Project site. These regulatory documents establish policies that apply citywide and to specific subareas in the City.

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. In addition, the City has included three optional elements: Historic Preservation, Economic Sustainability, and Public Services. The City’s General Plan Elements are summarized below, while specific goals and policies that potentially apply to the Proposed Project are discussed under Impact LU-1 below.



Land Use. Generally, the goals and policies of this element are intended to maintain the overall land use pattern in the City. The Land Use Element also links the other elements of the General Plan together because it dictates the long-range use of the land.

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.

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.

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.

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.

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 a high-quality water, wastewater, storm drainage, solid waste, energy, and telecommunications systems.

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 aid in enforcement of noise controls.

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.

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.

Housing. The Housing Element is a guide for expanding housing opportunities and services for all household types and income groups, and policy guidance for local decision-making related to housing, especially the provision of affordable housing.

Municipal Code. The City of Beverly Hills' Municipal Code 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.

4.5.2 Impact Analysis

a. Methodology and Significance Thresholds. Impacts would be significant if implementation of the Proposed Project would:

- a) *Physically divide an established community*
- b) *Conflict with any applicable land use plan, policy, or regulation of any agency with jurisdiction over the Project adopted for the purpose of avoiding or mitigating an environmental effect*
- c) *Conflict with any applicable habitat conservation plan or natural community conservation plan*

As discussed in the Initial Study (Appendix 1), the Proposed Project would have no impact related to division of an established community nor would it conflict with a habitat conservation plan or natural community conservation plan. As such, thresholds (a) and (c) are not discussed further in this EIR. The following section focuses on assessing threshold (b), the Proposed Project's consistency with applicable land use policies and regulations.

b. Project Impacts and Mitigation Measures.

Impact LU-1 **The Proposed Project would involve amendments to the General Plan and BHMC to create a Residential Overlay Zone, as well as a Planned Development Permit. The Proposed Project would be potentially consistent with applicable City policies, regulations, and standards with implementation of mitigation measures to ensure compliance with the requirements for a Planned Development Permit. This impact would be *less than significant with mitigation.***

The Proposed Project would involve the construction of a 27-unit, luxury condominium building on the currently vacant Project site. The Proposed Project would be approximately 66 feet in height with four, full stories of residential units, and a setback, fifth penthouse level. The Proposed Project would also include one level of subterranean parking with a gym, bike storage, and 74 parking spaces for residents and guests. Rooftop areas of the Proposed Project



would include one common pool and an amenity garden on the fifth floor and a private terrace space and two private pools on the penthouse level.

The site is located in a C-3A Commercial Zone, which does not allow multi-family residential uses. Thus, the Proposed Project would require amendments to the City’s General Plan and the BHMC in order to create a Multiple Residential Overlay Zone (R-4-O) and a Planned Development Permit. The proposed Overlay Zone would include development standards and additional specific criteria to accommodate the Proposed Project.

The following analysis discusses the Proposed Project’s consistency with applicable land use policies and regulations. Consistency of the project with General Plan policies was determined on a policy by policy basis. Approval of the General Plan amendment by the City Council would be required for this project to be consistent with the General Plan land use policies, therefore the finding of “potentially consistent” is appropriate when a General Plan amendment is required.

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. The final authority for interpretation of these components rests with the City Council. Consistency of the Project with each General Plan Element and its corresponding goals and policies is analyzed in Table 4.5-2.

**Table 4.5-2
 Project Consistency with Applicable General Plan Goals and Policies**

Goal/Policy	Project Consistency
Land Use Element	
GOAL LU 2 Community Character and Quality. A built environment that is distinguished by its high level of site planning, architecture, landscape design, and sensitivity to its natural setting and history.	
Policy LU 2.4 Architectural and Site Design. 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.	Consistent The Proposed Project would create a first-class architectural building and would comply with CalGreen and the California Energy Code. The project would include sustainability features such as a designation of at least 15% of the roof area for future harnessing of solar energy and the provision of EV charging stations.
Policy LU 2.5 Design Review. 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.	Consistent The Proposed Project would create a first-class architectural building and design review would be conducted by the Architectural Commission.



**Table 4.5–2
 Project Consistency with Applicable General Plan Goals and Policies**

Goal/Policy	Project Consistency
<p>GOAL LU 7 Multi-Family Residential Neighborhoods. 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>Policy LU 7.1 Character and Design. 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> <p>(a) building facades and entrances that directly address the street, including the use of stoops, porches, and recessed entries;</p> <p>(b) modulation of building volume and masses, avoiding the effect of blank continuous walls; and</p> <p>(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.</p>	<p>Consistent</p> <p>The Proposed Project would create a first-class architectural building and a design review would be conducted by the Architectural Commission. Therefore, the Proposed Project would conform to the architectural requirements established by the City standards and it would exhibit architectural characteristics and qualities representative of the City.</p>
<p>Policy LU 7.2 Amenities. 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>Consistent</p> <p>Onsite amenities would include a gym and bike storage in the underground parking area, as well as a common pool and amenity garden located on the roof of the fifth floor for the exclusive use of the condominium residents and guests. The roof of the fourth floor will also include a private terrace space and two private pools for the exclusive use of the penthouse resident(s).</p>
<p>GOAL LU 9 Diverse Districts and Corridors. 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>Policy LU 9.5 Commercial/ Residential Mixed Uses. 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>Consistent</p> <p>The Project site is in a business district that provides a diversity of uses and activities. The Project does not include businesses, but consists of residences that would provide patrons for existing and planned businesses in the adjacent and local areas.</p>
<p>GOAL LU 12 Business Districts Adjoining Residential Neighborhoods. 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>Policy LU 12.2 Building, Parking Structure, and Site Design. 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>Potentially Consistent</p> <p>The Proposed Project would include an amendment to the BHMC to provide for the addition of a Multiple Residential Overlay Zone (R-4-O). The Overlay Zone would permit multi-family residential uses with specified development standards in certain areas of the city in order to accomplish the following:</p> <p>a. Provide a buffer between busy commercial corridors and residential neighborhoods</p>



**Table 4.5–2
 Project Consistency with Applicable General Plan Goals and Policies**

Goal/Policy	Project Consistency
	b. Prevent adverse traffic and parking impacts c. Provide an opportunity to locate additional, high-quality residential uses that would not otherwise be encouraged by the underlying zone d. Encourage high quality design to ensure the safety, privacy, and desirability of residential properties Upon approval of the Proposed Project, along with the proposed Overlay Zone, the Proposed Project would comply with this policy.
GOAL LU 14 Environmental Sustainability and Carbon Footprint. 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.	
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.	<p>Consistent</p> 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. Also see the above discussion of Goal LU 14.
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.	<p>Consistent</p> The Proposed Project involves infill development in an urbanized area. As such, it is generally consistent with Statewide goals related to reducing greenhouse gas emissions by minimizing vehicle miles traveled (VMT). The Proposed Project would be subject to the Green Building Standards Code. It would not consume energy in a wasteful manner (as discussed in Section 5.0, <i>Other CEQA-Required Discussions</i>), and would not expose residents or visitors to toxic or hazardous materials (as discussed in Section 4.4, <i>Hazards and Hazardous Materials</i>).
Policy LU 14.8 Private Development Landscaping Material and Irrigation. Require the use of landscaping materials and irrigation systems that minimize water use and runoff onto public streets and drainage systems.	<p>Consistent</p> 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 Green Building Standards Code. See also the above discussion for Policy LU 14.2.
<p>Open Space Element</p>	
GOAL OS 6 Visual Resource Preservation. Maintenance and protection of significant visual resources and aesthetics that define the City.	
Policy OS 6.3 Landscaping. Require that new development be located and designed to visually complement the urban setting by providing accessible, landscaped entries, courtyards, and plazas.	<p>Consistent</p> As discussed in Section 4.1, <i>Aesthetics</i> , the Proposed Project would include a 10-foot landscape buffer around the perimeter of the site



**Table 4.5–2
 Project Consistency with Applicable General Plan Goals and Policies**

Goal/Policy	Project Consistency
	that would visually improve the Project site in comparison to its current vacant condition.
Policy OS 6.5 Standards for New Development. Seek to ensure that new development does not adversely impact the City's unique urban landscape.	<p>Potentially Consistent</p> <p>The Proposed Project would create a first class architectural building to replace vacant land. Upon approval of the Project, including the amendments to the General Plan and the BHMC and implementation of the mitigation measures recommended within this EIR, potentially adverse impacts associated with the Project would be less than significant.</p>
Circulation Element	
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.	<p>Consistent</p> <p>The Project site is located along an existing commercial business corridor and is near transit facilities that provide walking or public transit as comfortable, convenient travel options.</p>
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.	<p>Consistent</p> <p>As discussed in Section 4.7, <i>Traffic and Transportation</i>, potential traffic impacts may occur during the construction period as the result of simultaneous construction of the Proposed Project, the 9900 Wilshire Boulevard Project, the Hilton Revitalization Project, the reconstruction of Santa Monica Boulevard, and other nearby developments, if construction times occur simultaneously. Therefore, Mitigation Measure TRAF-1 is recommended to minimize potential impacts</p>
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.	<p>Consistent</p> <p>The Proposed Project does not include a specific TDM program, but the Project site includes various bicycle storage facilities and the Project site is located in close proximity to various transit facilities. These factors would partially mitigate traffic impacts, which have been determined to be less than significant (see Section 4.7, <i>Transportation and Traffic</i>).</p>
Policy CIR 6.8 Transportation Management Associations. Encourage commercial, retail, and residential developments to participate in or create	<p>Consistent</p> <p>The Project applicant is not proposing a Transportation Management Association (TMA),</p>



**Table 4.5–2
 Project Consistency with Applicable General Plan Goals and Policies**

Goal/Policy	Project Consistency
Transportation Management Associations.	but would be expected to participate in any TMA that is formed. Also, see the discussion of Policy CIR 6.7.
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.	Consistent The Proposed Project is intended to support infill development in an existing urban area in a manner that minimizes traffic impacts. In addition, the Project site is located along an existing commercial business corridor and is near transit facilities that provide walking or public transit as comfortable and convenient travel options.
Policy CIR 8.5 Bikeway Amenities. 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.	Consistent The Proposed Project would include bicycle storage facilities.
GOAL CIR 10 Funding. Develop sufficient funding sources to construct and maintain the transportation facilities needed to achieve the City’s mobility goals.	
Policy CIR 10.3 Fair Share Costs. 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.	Consistent The Project applicant would pay applicable transportation mitigation fees.
Conservation Element	
GOAL 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.	
Policy CON 1.6 Development Requirements—Water Service. Require new development to be served from an approved domestic water supply.	Consistent The Proposed Project would be served by the City of Beverly Hills for water service and, as discussed in the Initial Study (Appendix 1), sufficient water would be available to meet the demand for the Proposed Project.
Policy 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.	Consistent The Proposed Project would include excavation activity, but such activity would comply with appropriate engineering and construction practices, and would not degrade groundwater.
GOAL CON 2 Water Conservation through System Improvements. Provision of a system that minimizes water consumption through conservation methods and other techniques.	



**Table 4.5–2
 Project Consistency with Applicable General Plan Goals and Policies**

Goal/Policy	Project Consistency
<p>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.</p>	<p>Consistent 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 Green Building Standards Code.</p>
<p>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.</p>	<p>Consistent See discussion of Policy CON 2.4.</p>
<p>GOAL 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.</p>	
<p>Policy 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.</p>	<p>Consistent See above discussion of Policy CON 2.4.</p>
<p>Policy 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</p>	<p>Consistent See above discussion of Policy CON 2.4.</p>
<p>GOAL 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.</p>	
<p>Policy 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.</p>	<p>Consistent The Project applicant would pay for water system improvements needed to serve the proposed development.</p>
<p>GOAL CON 7 Wastewater Treatment System. A wastewater collection and treatment system that supports existing and planned development.</p>	
<p>Policy CON 7.2 Municipal Connections & Capacity. 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>Consistent The Proposed Project would connect to the municipal sewer system and, as discussed in the Initial Study (Appendix 1), would not adversely affect system operation.</p>
<p>Policy CON 7.3 Sewer Analysis for New Development. 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>Consistent The Project applicant would provide the required sewer analysis for City approval prior to issuance of building permits.</p>



**Table 4.5–2
 Project Consistency with Applicable General Plan Goals and Policies**

Goal/Policy	Project Consistency
Policy CON 7.4 Water Conservation. Require that wastewater flows be minimized in existing and future developments through water conservation and recycling efforts.	Consistent As discussed in the Initial Study (Appendix 1), the Project would comply with applicable water conservation efforts.
GOAL CON 10 Storm Drainage System. Provision of a fiscally sustaining storm drainage system that reduces pollutants entering the ocean.	
Policy CON 10.3 Storm Runoff Impacts. 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.	Consistent The Project applicant would prepare required hydrologic studies and design onsite facilities that comply with applicable local, state, and federal requirements as part of the final review and approval of Project building plans.
GOAL CON 11 Storm Drainage System that Preserves Water Quality. 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.	
Policy CON 11.1 Development Mitigation. Require that new development does not degrade surface waters or the groundwater system.	Consistent 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 1), the Proposed Project would not significantly affect surface or ground water quality.
Policy CON 11.3 National Pollutant Discharge Elimination System (NPDES) Permit. Require developers to obtain and comply with a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board (SWRCB).	Consistent The Proposed Project would comply with NPDES General Construction Permit requirements, as discussed in the Initial Study (Appendix 1).
Policy CON 11.4 Drainage Technology. Require that new developments employ the most efficient drainage technology to control drainage and minimize damage to environmentally sensitive areas.	Consistent The Project applicant would employ the most efficient drainage technology to control drainage in accordance with local, state, and federal requirements. As discussed in the Initial Study (Appendix 1), the Project site is within an urbanized area and is not adjacent to and environmentally sensitive areas.
GOAL CON 12 Storm Drainage Toxicity. A system that minimizes the amount and toxicity of discharge into the storm drain system.	
Policy CON 12.2 Permeable Surfaces. 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.	Consistent The Proposed Project includes a 10-foot landscape buffer along the perimeter of the site that would capture some runoff. The Proposed Project would be subject to applicable local, State, and federal stormwater runoff requirements, which limit runoff to pre-project levels during peak runoff events.



**Table 4.5–2
 Project Consistency with Applicable General Plan Goals and Policies**

Goal/Policy	Project Consistency
GOAL CON 13 Solid Waste Collection and Disposal Operations and Costs. 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.	
Policy CON 13.1 Waste Collection. Provide an adequate and orderly system for collection and disposal of solid waste for new and existing development in the City.	Consistent Solid waste bins would comply with applicable BHMC requirements.
GOAL CON 16 Waste Reduction. An efficient and innovative waste management program that reduces the amount of waste material entering regional landfills.	
Policy CON 16.6 Recycled Building Materials. Encourage the use of recycled building materials wherever possible for new or renovated public and private development.	Consistent The Project applicant would participate in City solid waste recycling programs that comply with AB 939 waste diversion requirements. The Proposed Project applicant would comply with the City's waste management plan, which mandates recycling of construction waste.
GOAL CON 17 Natural Gas System. Provision of an adequate, safe, and dependable supply of natural gas energy to support existing and future land uses within the City.	
Policy CON 17.1 New Development Requirements. Require that new development is approved contingent upon its ability to be served with adequate natural gas facilities and infrastructure.	Consistent As discussed in Section 5.3, <i>Other CEQA-Required Discussions</i> , adequate natural gas supplies would be available to serve the Proposed Project.
GOAL CON 18 Electrical Energy System. Provision of an adequate, safe, and dependable supply of electrical energy to support existing and future land uses within the City.	
Policy CON 18.1 New Development Requirements. Require that new development is approved contingent upon the ability to be served with adequate electrical facilities and service.	Consistent As discussed in Section 5.3, <i>Other CEQA-Required Discussions</i> , adequate electrical energy capacity would be available to serve the Proposed Project.
GOAL CON 20 Telecommunication System. The provision of an adequate, safe, and dependable telecommunication infrastructure to support existing and future land uses within the City.	
CON 20.6 Undergrounding of Utilities. Continue to require that utilities be undergrounded in all new development and establish criteria or standards for undergrounding in rehabilitation projects.	Consistent Project utilities would be undergrounded.
Noise Element	
GOAL N 1 Land Use Conflicts. Minimize land use conflicts between various noise sources and other human activities.	
Policy N 1.2 Noise between Adjacent Uses. 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	Consistent Although the Proposed Project does not involve the development of noise standards, as discussed in Section 2.0, <i>Project Description</i> , the Project includes an Applicant-Proposed Measure to ensure acceptable noise levels would be



**Table 4.5–2
 Project Consistency with Applicable General Plan Goals and Policies**

Goal/Policy	Project Consistency
orientation, window insulation, common wall separation, common floor/ceilings separation.	maintained for the Proposed Project residences and adjacent uses. As discussed in Section 4.6, <i>Noise</i> , the Project would include new noise sources from common rooftop pool activities, ventilation and heating systems, trash hauling, and delivery trucks, which could be audible at nearby sensitive receptors. Noise associated with operation of the parking structure would not be audible off-site because it would be enclosed underground. Noise associated with the terrace pools would be an intermittent source of operational noise because the pools are for private use only and would not result in a substantial increase in the 24-hour average noise level. The nearest sensitive receptors are residences located 20 feet south of the project site boundary or approximately 35 feet south of the proposed building. At 66 feet, rooftop activities would be located approximately 46 feet above the height of the nearest sensitive receptor, which are two-story residences. In addition, landscaping and architectural elements would be used to divert sound away from neighboring properties and resident spaces.
GOAL N 2 Motor Vehicles. Minimized 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 required standards.	Consistent The Proposed Project would be exposed to noise from roadways and other sources. However, as discussed in Section 2.0, the Project includes an Applicant-Proposed Measure to ensure acceptable noise levels would be maintained for the Proposed Project residences.
Safety Element	
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.	
Policy S 3.2 Impacts of New Development. 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.	Consistent The Proposed Project would incorporate all Municipal Code requirements pertaining to fire safety. As discussed in the Initial Study (Appendix 1), the Project would not create the need for new or expanded fire protection facilities, or otherwise adversely affect fire protection service.
Policy S 3.3 Fire Protection Services. 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.	Consistent See the above discussion of Policy S 3.2.
Policy S 3.4 Fire Department Access. Design private and public access drives and roadways to preserve and	Consistent See the above discussion of Policy S 3.2.



**Table 4.5–2
 Project Consistency with Applicable General Plan Goals and Policies**

Goal/Policy	Project Consistency
maintain Fire Department access to properties.	
Policy S 3.5 Fire Protection for New and Existing Buildings. 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.	Consistent The Project would incorporate an automatic fire extinguishing system. Also, see the above discussion of Policy S 3.2.
GOAL S 4 Protection from Flood Hazards. To reduce the potential risk of flood hazards to human life and public and private property.	
Policy S 4.1 Flood Mitigation Design. 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.	Consistent As discussed in the Initial Study (Appendix 1), the Project site is not subject to significant flood hazards. The Proposed Project would be subject to applicable local, State, and federal stormwater runoff requirements, which limit runoff to pre-project levels during peak runoff events.
Policy S 4.2 Permeable Surface Area. Require the use of permeable surfaces for new development and redevelopment, including alleys and driveways for residential, commercial, and City properties.	Consistent As discussed above, 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.
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.	
Policy 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.	Consistent As discussed in the Initial Study (Appendix 1), the Proposed Project would incorporate current seismic and geologic hazard safety standards.
Housing Element	
GOAL H2 Housing Supply and Diversity. Provide a variety of housing types and adequate affordable housing supply to meet the existing and future needs of the community.	Consistent The Proposed Project would involve the construction of a new 27-unit luxury condominium building with units ranging from one to four bedrooms in size. The Proposed Project would add to the City's existing housing stock and introduce a new type of housing to the City in the form of luxury condominiums along the predominantly retail-oriented South Santa Monica Boulevard corridor. The Proposed Project would add to the amount of housing available in the City.
Policy H 2.7 Environmentally Sustainable Housing. 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.	Consistent 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



**Table 4.5–2
 Project Consistency with Applicable General Plan Goals and Policies**

Goal/Policy	Project Consistency
	the Green Building Standards Code and would incorporate the sustainability features described in Section 2.0, Project Description.

The Proposed Project is consistent with policies of the General Plan that are not related to the proposed amendment. However, the Proposed Project is potentially consistent with policies associated with multiple-family residential development in a commercial land use designation. Therefore, approval of the General Plan Amendment is required to avoid a conflict with the General Plan.

Municipal Code Amendments

The Proposed Project would include an amendment to the BHMC for an addition of a Multiple Residential Overlay Zone (R-4-O). The Overlay Zone would permit multi-family residential uses with specified development standards within certain areas of the city in order to:

- a. Provide a buffer between busy commercial corridors and residential neighborhoods;
- b. Prevent adverse traffic and parking impacts;
- c. Provide an opportunity to locate additional high quality residential uses that would not otherwise be encouraged by the underlying zone; and
- d. Encourage high quality design to ensure the safety, privacy and desirability of residential properties.

The R-4-0 Overlay Zone may be applied only to property that meets all of the following criteria:

- a. The underlying zone on the property is C-3A.
- b. The property is a minimum of thirty thousand (30,000) square feet.
- c. The property fronts on South Santa Monica Boulevard.
- d. The property is contiguous on at least one side to a residentially zoned property. For purposes of this provision, "contiguous" includes properties that are separated by an alley, street, or other public right of way.

Commercial development in the R-4-O overlay zone shall comply with the zoning regulations applicable to the underlying zone, which for this Proposed Project is C-3A (commercial). Multi-family residential development in the R-4-O overlay zone shall be subject to the development standards as follows:

Height. The maximum building height for multi-family residential uses in the R-4-O overlay zone shall be five stories and 66 feet, with the following exceptions:

- a. Elevator enclosures shall not exceed 81 feet;
- b. Stairwells shall not exceed 78 feet;



- c. Rooftop mechanical enclosures, storage areas and restrooms shall not exceed 76 feet;
- d. All areas excepted from the 66 foot height limit shall be set back at least eighteen feet from the property lines.

Density. Multi-family residential uses in the R-4-O overlay zone shall have a density no greater than one dwelling unit for each 1,300 square feet of site area. Multi-family residential uses in the R-4-O overlay zone shall have a floor area ratio (FAR) no greater than 2.5:1.

Setbacks. Multi-family residential uses in the R-4-O overlay zone shall maintain the following setback distances:

- a. The front yard setback shall be a minimum of 12 feet.
- b. Each side yard setback shall be a minimum of 9 feet, and the sum of the side setbacks shall be a minimum of eighteen 18 feet.
- c. The rear yard setback shall be a minimum of ten 10 feet.

Length of Buildings. Multi-family residential uses in the R-4-O overlay zone shall have a building length above the ground level no greater than 285 feet.

Wall, Fence or Hedge Height. Multi-family residential uses in the R-4-O overlay zone shall maintain a nine-foot setback and a maximum nine-foot wall, fence, and hedge height.

In addition to approvals for the land use entitlements, the Proposed Project would require approvals by the Architectural Commission. Upon adoption of the proposed amendments and with the required approvals, the Proposed Project would comply with the land use requirements set forth by the General Plan and the BHMC, and therefore, would not result in adverse physical land use impacts.

Planned Development Permit

The Proposed Project would require the issuance of a Planned Development Permit. All planned development applications must contain the following:

- a. The proposed distribution, location, and extent of the uses of land, including open space, in the subject zone and adjacent to the subject site including, but not limited to, site plans, photographs, elevations, garage layouts and landscaping plans.
- b. The proposed physical improvements.
- c. The proposed distribution, location, extent, and capacity of major components of public and private transportation, infrastructure, and other essential facilities proposed or affected by the proposal within the subject zone.
- d. A program of implementation and operational measures which assure that the objectives of the subject zone are advanced, including a parking program.
- e. A construction management program which addresses several environmental issues (shown below).

Due to the absence of the operational measures plan and the construction management program for the Project, the following mitigation measures are required.



Mitigation Measures. For compliance with the Planned Development Permit, the following measures are recommended:

LU-1 Operational Measures Program. Prior to issuance of a grading or building permit, whichever comes first, as required by the Planned Development Standards in the BHMC the applicant shall submit a program of implementation and operational measures to assure that the objectives of the R-4-O overlay zone are advanced (see criteria in Section 4.5, pg. 16), including a parking program. The program will be reviewed and approved by the appropriate City Departments/Divisions (e.g. Building & Safety, Planning, Transportation, etc.).

LU-2 Construction Management Program. Prior to issuance of a grading or building permit, whichever comes first, as required by the Planned Development Standards in the BHMC the applicant shall submit a construction management program that addresses issues *a* through *l* listed below. The program will be reviewed and approved by the appropriate City Departments/Divisions (e.g. Building & Safety, Planning, Transportation, etc.).

- a) Fugitive dust
- b) Noise attenuation
- c) Air quality
- d) Hours of operation
- e) Street circulation and parking
- f) Employee parking
- g) Truck routing and staging
- h) Public notifications
- i) Pedestrian safety
- j) Holiday season considerations
- k) Truck traffic scheduling
- l) Coordination with other construction activities in the vicinity of the project

Significance After Mitigation. Upon approval of the proposed General Plan Amendment, Municipal Code Amendment, and with adherence to existing regulations, the Proposed Project would be potentially consistent with the City's General Plan and the BHMC. In addition, upon implementation of Mitigation Measure LU-1 and LU-2, impacts would be less than significant.

c. Cumulative Impacts. Cumulative development in accordance with the City's General Plan would incrementally modify land use patterns and the general setting of the area. As shown in Table 3-1 in Section 3.0, *Environmental Setting*, pending and approved development in the cities of Beverly Hills and Los Angeles would consist of multi-family dwelling units and commercial/retail development in the vicinity of the Proposed Project site. Planned cumulative development would incrementally increase overall development intensity throughout the area, while incrementally reducing the amount of undeveloped land. However, similar to the Proposed Project, land use and policy consistency impacts associated with individual projects 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, significant



cumulative land use impacts are not anticipated. Moreover, because the Proposed Project's impacts related to land use compatibility and consistency with local plans and goals would be less than significant with mitigation (as discussed above), the Proposed Project's contribution to cumulative land use impacts would not be considerable.



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4.6 NOISE AND VIBRATION

This section addresses the impact of the noise and vibration that would be generated by the Proposed Project on nearby noise-sensitive land uses, as well as the effect of current and future noise and vibration levels on the Proposed Project. With respect to noise impacts to the future residents of the Project, an analysis for this impact is not required by CEQA; however, as stated in Section 2.0, *Project Description*, the Project includes Noise Condition 1 to ensure that the Project includes exterior and interior noise attenuation features that would minimize residents' exposure to excessive noise levels. Therefore, this impact is not addressed further in this section.

4.6.1 Setting

a. Overview of Sound Measurement. Noise level (or volume) is generally measured in decibels (dB) using the A-weighted sound pressure level (dBA). The A-weighting scale is an adjustment to the actual sound power levels to be consistent with that of human hearing response, which is most sensitive to frequencies around 4,000 Hertz (about the highest note on a piano) and less sensitive to low frequencies (below 100 Hertz).

Sound pressure level is measured on a logarithmic scale with the 0 dBA level based on the lowest detectable sound pressure level that people can perceive (an audible sound that is not zero sound pressure level). Based on the logarithmic scale, a doubling of sound energy is equivalent to an increase of 3 dBA, and a sound that is 10 dBA less than the ambient sound level has no effect on ambient noise. Because of the nature of the human ear, a sound must be about 10 dBA greater than the reference sound to be judged as twice as loud. In general, a 3 dBA change in community noise levels is noticeable, while 1-2 dBA changes generally are not perceived. Quiet suburban areas typically have noise levels in the range of 40-50 dBA, while those along arterial streets are in the 50-60+ dBA range. Normal conversational levels are in the 60-65 dBA range, and ambient noise levels greater than 65 dBA can interrupt conversations.

Noise levels typically attenuate (or drop off) at a rate of about 6 dBA per doubling of distance from point sources, such as industrial machinery. Noise from lightly traveled roads typically attenuates at a rate of about 4.5 dBA per doubling of distance. Noise from heavily traveled roads typically attenuates at about 3 dBA per doubling of distance. Noise levels may also be reduced by intervening structures; generally, a single row of buildings between the receptor and the noise source reduces the noise level by about 5 dBA, while a solid wall or berm that breaks the line-of-sight reduces noise levels by 5 to 10 dBA.

In addition to the instantaneous measurement of sound levels, the duration of sound is important since sounds that occur over a long period of time are more likely to be an annoyance or cause direct physical damage or environmental stress. One of the most frequently used noise metrics that considers both duration and sound power level is the equivalent noise level (Leq). The Leq is defined as the single steady A-weighted level that is equivalent to the same amount of energy as that contained in the actual fluctuating levels over a period of time (essentially, the average noise level). Typically, Leq is summed over a one-hour period.

The time period in which noise occurs is also important because noise that occurs at night tends to be more disturbing than that which occurs during the daytime. Two commonly used noise metrics – the Day-Night average level (Ldn) and the Community Noise Equivalent Level (CNEL) – recognize this fact by weighting hourly Leqs over a 24-hour period. The Ldn is a 24-



hour average noise level that adds 10 dBA to actual nighttime (10 PM to 7 AM) noise levels to account for the greater sensitivity to noise during that time period. The CNEL is identical to the Ldn, except it also adds a 5 dBA penalty for noise occurring during the evening (7 PM to 10 PM).

The CNEL value will usually be about 1 dBA higher than the Ldn value (California State Water Resources Control Board, 1999). In practice, CNEL and Ldn are often used interchangeably. The relationship between peak hourly Leq values and associated CNEL values depends on the distribution of traffic over the entire day. There is no precise way to convert a peak hourly Leq value to CNEL value. However, in urban areas near heavy traffic, the peak hourly Leq value is typically 2-4 dBA lower than the daily CNEL value. In less heavily developed areas, such as suburban areas, the peak hourly Leq is often equal to the daily CNEL value. For rural areas with little nighttime traffic, the peak hourly Leq value will often be 3-4 dBA greater than the daily CNEL value.

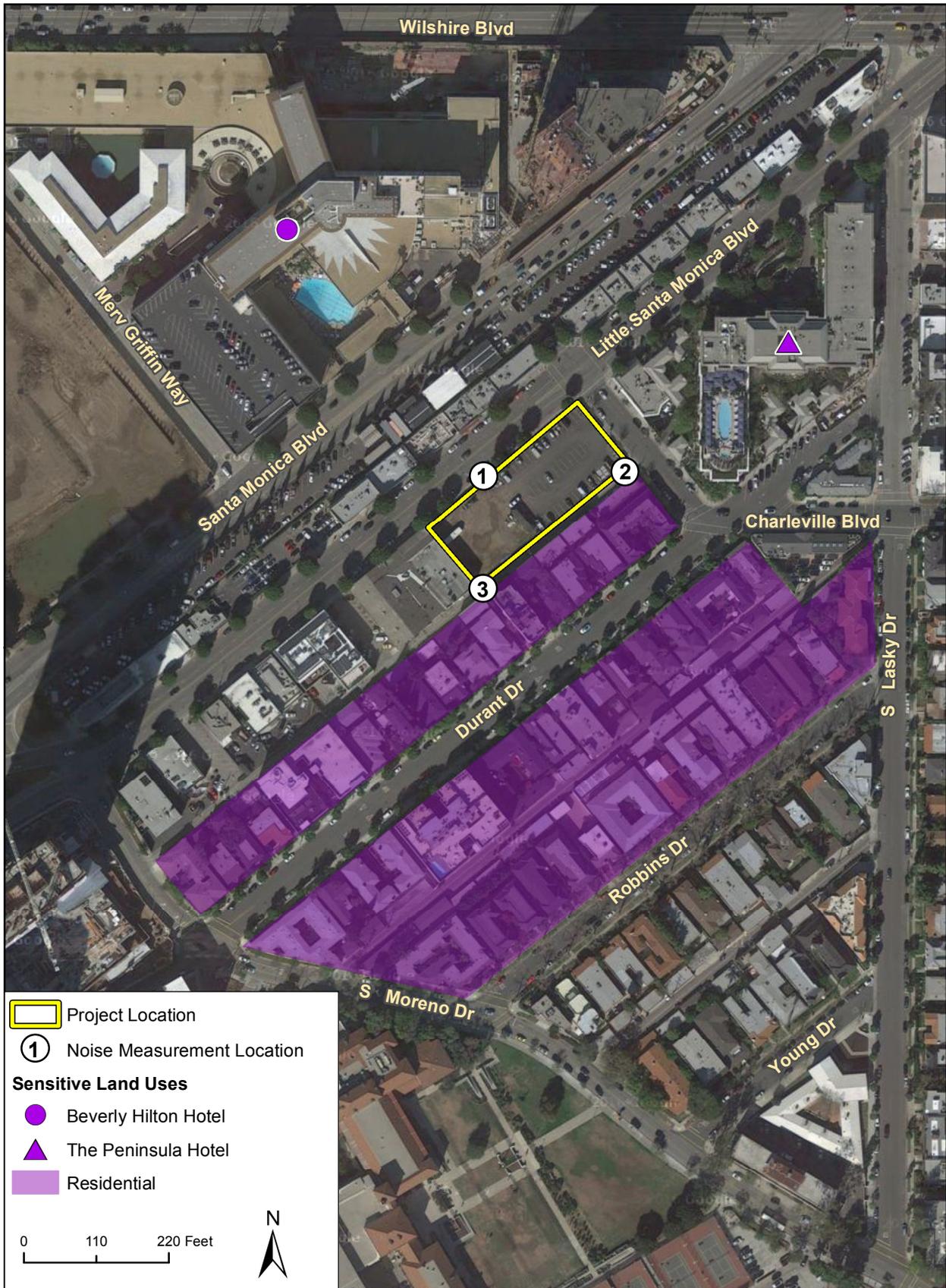
b. Vibration. Vibration is a unique form of noise because its energy is carried through buildings, structures, and the ground, whereas noise is simply carried through the air. Thus, vibration is generally felt rather than heard. The ground motion caused by vibration is measured as particle velocity in inches per second and is referenced as vibration decibels (VdB) in the United States.

The vibration velocity level threshold of perception for humans is approximately 65 VdB. A vibration velocity of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels for many people (Federal Transit Administration [FTA] 2006). A vibration velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels for many people. In terms of ground-borne vibration impacts on structures, the FTA states that ground-borne vibration levels in excess of 100 VdB would damage fragile buildings and levels in excess of 95 VdB would damage extremely fragile historic buildings.

c. Sensitive Receptors. Noise exposure goals for various types of land uses reflect the varying noise sensitivities associated with those uses. Residences, hospitals, schools, guest lodging, and libraries are most sensitive to noise intrusion and therefore have more stringent noise exposure targets than manufacturing or agricultural uses that are not subject to effects such as sleep disturbance. As stated in the City of Beverly Hills General Plan Noise Element, potentially sensitive land uses in Beverly Hills include those uses that have associated human activities that may be subject to stress or significant interference from noise. These include residences (including residences for the elderly), schools, churches, and libraries. The neighborhood surrounding the Project site is characterized by a mix of commercial, retail, and residential uses. Noise sensitive land uses near the Project site are shown in Figure 4.6-1 and include The Peninsula Hotel approximately 100 feet to the east (across Charleville Boulevard), the Beverly Hilton Hotel 320 feet to the north (across Santa Monica Boulevard), and multi-family residences 20 feet to the south.

d. Existing Noise Sources. The most common source of noise in the vicinity of the project site is traffic on surrounding roads, such as South Santa Monica Boulevard and Charleville Boulevard. Motor vehicle noise is of concern because it is characterized by a high number of individual events, which often create sustained noise levels. Ambient noise levels





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Local Noise Environment

Figure 4.6-1

City of Beverly Hills

would be expected to be highest during the daytime and rush hour unless congestion slows speeds substantially. To determine ambient noise levels at nearby sensitive receptors, Rincon Consultants, Inc. took three 15-minute noise measurements between 3:00 PM and 4:00 PM at the project site on February 18, 2016, using an ANSI Type II integrating sound level meter (see Appendix 4 for noise measurement data). Figure 4.6-1 shows the measurement locations. Table 4.6-1 lists the noise levels measured at these locations. Ambient noise levels near the project site range from 63 to 70 dBA Leq.

**Table 4.6-1
 Noise Measurement Results**

Measurement Location	Description	Distance from Centerline of Nearest Road	Approximate Sample Time	Leq (dBA)
1	Northern Project site boundary on S. Santa Monica Blvd	35 feet	3:00 PM - 3:15 PM	70
2	Southeast corner of Project site at Charleville Blvd	40 feet	3:17 PM – 3:32 PM	70
3	Southern Project site boundary on alley	10 feet	3:35 PM – 3:50 PM	63.6

All measurements were taken on February 18, 2016 using an ANSI Type II sound level meter. Refer to the Appendix 4 for noise measurement results.

Fehr & Peers prepared the transportation assessment for the Project and provided average daily trip (ADT) volumes for local roadway segments (Durant Drive and Charleville Boulevard) and peak hour trip volumes for intersections (South Santa Monica Boulevard/Charleville Boulevard and South Santa Monica Boulevard/Moreno Drive; see Appendix 5). ADT on South Santa Monica Boulevard was estimated from peak hour trips based on the assumption that ADT is typically ten times peak hour traffic levels. Using the trip data, existing traffic-generated noise levels along these segments were estimated using the U.S. Department of Transportation, Federal Highway Administration’s (FHWA) Traffic Noise Model Version 2.5. Table 4.6-2 shows the modeled traffic noise levels at the noise measurement locations near the Project site.

**Table 4.6-2
 Modeled Noise Results**

Measurement Location	Description	Modeled Noise Level (CNEL)	Difference between Measured (Leq) and Modeled (CNEL) Noise Levels
1	Northern Project site boundary on S. Santa Monica Blvd	74.0	4 dBA
2	Southeast corner of Project at Charleville Blvd	68.8	1.2 dBA
3	Southern Project site boundary on alley	64.2	0.6 dBA

Calculated using the FHWA Traffic Noise Model Version 2.5. Refer to Appendix 4 for model outputs.



Modeled traffic noise levels in the study area range from about 64 dBA to 74 dBA CNEL. Noise levels are greatest at Measurement Location 1, which is on the Project site’s northern boundary adjacent to traffic on South Santa Monica Boulevard. As discussed under “Overview of Sound Measurement,” in urban areas near heavy traffic, the peak hourly Leq value is typically 2-4 dBA lower than the daily CNEL value. Because the Project area experiences constant traffic, the noise measurements are reflective of noise levels during peak hour. As such, modeled CNEL would be expected to be greater than measured Leq by up to 4 dBA. As shown in Table 4.6-2, modeled noise levels at the measurement locations are within 4 dBA of the measured noise levels, indicating that the model is an appropriate tool for determining existing and future noise levels for this area.

e. Regulatory Setting. The City of Beverly Hills General Plan 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, etc.) and stationary sources (e.g., heating and cooling systems, mechanical rooms, etc.). Table 4.6-3 shows City noise compatibility guidelines for various land uses.

**Table 4.6-3
 Land Use Noise Compatibility Matrix**

Land Use Categories	Community Noise Equivalent Levels (CNEL, dBA)			
	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	75-85
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
Office Buildings, Business Commercial and Professional	50-75	67.5-77.5	75-85	NA

Source: Appendix 2 (based on the Office of Noise Control California Department of Health, Land Use Noise Compatibility Matrix) of the City of Beverly Hills General Plan (2010).

The City’s noise ordinance (Beverly Hills Municipal Code [BHMC] Section 51-201 through 5-1-210) includes noise standards and regulations. Title 5, Chapter 1, Noise Regulations, of the City of Beverly Hills Municipal Code contains the following that would apply to the 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 ten o'clock (10:00) PM and eight o'clock (8:00) AM 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 (5) 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). (1962 Code § 4-8.206).

Section 5-1-205 of the BHMC prohibits construction activity between the hours of 6:00 PM and 8:00 AM Monday through Friday and prohibits construction activity on Sundays and on public holidays, unless an after-hours construction permit is obtained. Based on the City's noise ordinance and General Plan Noise Element, the Proposed Project would result in significant noise impacts if construction activities on the Project site would result in an increase of 5 dBA or more outside the hours permitted by the City's noise ordinance without an after-hours construction permit. Further, construction work within 500 feet of a residential zone is prohibited on Saturdays unless an after-hours construction permit has been issued. The Project site is 20 feet from residences to the south. Therefore, construction work within these residential areas (including the Project site) would be prohibited on Saturdays or have to adhere to conditions of any after-hours construction permit issued for the Project. Section 5-1-206 of the BHMC prohibits the creation of noise on any street, sidewalk, or public place adjacent to any school, hospital, institution of learning, or church while in use where the noise substantially and unreasonably interferes, disturbs, or annoys the workings at such places. The Project site would not involve construction on any street, sidewalk, or public place adjacent to a school, hospital, church, or institute of learning.

The State of California requires that interior noise levels in multi-family residential uses not exceed 45 Ldn (day-night noise level). This standard is commonly used as an interior standard for all residential uses, but it is only required of multi-family residential buildings under the California Administrative Code, Title 24, Part 2 (City of Beverly Hills General Plan Noise Element). For the interior noise impact analysis in this section, the 45 dBA interior noise standard is used.

4.6.2 Impact Analysis

a. Methodology and Thresholds of Significance.

Methodology. The analysis of noise impacts considers the effects of both temporary construction-related noise and long-term noise associated with operation of the Proposed Project. Construction noise estimates are based upon noise levels reported by the FTA, Office of Planning and Environment (2006) at specific distances. Reference noise levels from that document were then used to estimate noise levels at nearby sensitive receptors based on a standard noise attenuation rate of 6 dBA per doubling of distance (line-of-sight method of sound attenuation for point sources of noise) to determine if a 5 dBA increase or more would occur. Construction noise level estimates do not account for the presence of intervening structures or topography, which could reduce noise levels at receptor locations. In addition, construction equipment estimates used for the analysis for excavation and building construction noise levels are representative of worse case conditions, since it is very unlikely that all the equipment contained on-site would operate simultaneously or continuously throughout the work day. Therefore, the noise levels presented herein represent a conservative, reasonable worst-case estimate of construction noise.



To determine ambient noise levels at nearby sensitive receptors, Rincon Consultants, Inc. took three 15-minute noise measurements between 3:00 PM and 4:00 PM around the Project site on February 18, 2016, using an ANSI Type II sound level meter (see Appendix 4 for noise measurement data). Measurement locations were selected to represent ambient noise levels experienced by sensitive receptors near the Project site. At each location, consideration was given to site-specific characteristics and the sound level meter was placed away from walls and topographic features, which might skew noise measurements. The noise measurements recorded the equivalent noise level (Leq) at each location.

Rincon modeled noise levels associated with existing and future traffic along local roadways at proposed and existing nearby residences using the U.S. Department of Transportation, FHWA Traffic Noise Model Version 2.5 (noise modeling data sheets can be viewed in Appendix 4) and traffic volumes from the transportation assessment prepared by Fehr & Peers (see Appendix 5 and Section 4.7, *Transportation and Traffic*). ADT on South Santa Monica Boulevard was estimated from peak hour trips based on the assumption that ADT is typically ten times peak hour traffic levels. The fleet mix for vehicle trips along South Santa Monica Boulevard was assumed to be 95% passenger vehicles and 5% light- and medium-duty trucks during the day (7 AM to 7 PM) and evening (7 PM to 10 PM) and 99% passenger vehicles and 1% light- and medium-duty trucks at night (10 PM to 7 AM). These assumptions are reasonable for South Santa Monica Boulevard because the road is a local access road that parallels North Santa Monica Boulevard, which is utilized by heavy duty trucks to travel through the area. The fleet mix for vehicle trips along Durant Drive and Charleville Boulevard was assumed to be 99% passenger vehicles and 1% light- and medium-duty trucks during the day, evening, and night. This assumption is reasonable for Durant Drive and Charleville Boulevard because these roads are predominately utilized by local passenger vehicle traffic and infrequent delivery and trash truck traffic. Roadway noise level estimates take into account noise attenuating due to topography, intervening buildings, and distance.

The interior noise level is the difference between the projected exterior noise level at the structure's façade and the noise reduction provided by the structure itself. Typical residential construction in California provides approximately 15 dBA of noise reduction from exterior noise sources with windows partially open, and approximately 25 dBA of noise reduction with windows kept closed (California Department of Transportation, 2009). For this analysis, interior noise level was determined by subtracting the estimated noise reduction achieved by the building shell from the estimated exterior noise level of the Project site.

In addition to traffic noise, noise associated with operation of the Proposed Project may be periodically audible at adjacent uses. On-site operations would generate noise associated with common rooftop pool activities, ventilation and heating systems, trash hauling, and delivery trucks. Noise associated with operation of the parking garage (including the automated parking lifts) would not be audible off-site because it is enclosed underground. Noise levels at receptor locations were calculated for rooftop mounted equipment and pool activities using the standard noise attenuation rate of 6 dBA per doubling of distance (line-of-sight method of sound attenuation for point sources of noise) and accounted for height and distance to nearby residential receptors.

Significance Thresholds. Potentially significant impacts would occur if the Project would result in any of the following conditions:



- a) *Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies*
- b) *Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels*
- c) *A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project*
- d) *A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project*
- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, exposure of people residing or working in the project area to excessive noise levels*
- f) *For a project within the vicinity of a private airstrip, exposure of people residing or working in the project area to excessive noise levels*

As discussed in the Initial Study (Appendix 1), the Project site is not located in the vicinity of a private airstrip nor is it located within two miles of an airport or within an airport land use plan. There would be no impacts related to airport noise; therefore, thresholds (e) and (f) are not discussed further in this section.

Construction Noise and Vibration. With respect to temporary construction noise and vibration, thresholds (a) and (d), the following quantitative thresholds would apply:

- *Construction activities occurring on the Project site resulting in a noise increase of 5 dBA or more outside the hours permitted by the City's noise ordinance (i.e., between 6 PM and 8 AM on weekdays, or at any time on Saturday, Sunday, or a public holiday) or would increase noise by 5 dBA or more during daytime hours at a school, hospital, church, or institute of learning.*
- *Vibration exceeds FTA recommended threshold of 72 VdB for residences during hours when people normally sleep, or would exceed 100 VdB at fragile buildings or 95 VdB at extremely fragile historic buildings.*

Long-Term Operation. Impacts to existing offsite development (Impacts N-2) would be significant if Project-related traffic or operational noise sources would cause a noise increase equal to or exceeding the levels shown in Table 4.6-4 at a sensitive receptor. These thresholds reflect Policy N 1.5 of the current Noise Element of the Beverly Hills General Plan, which was adopted in 2010.



**Table 4.6-4
 Significance of Changes in
 Operational Noise Exposure**

Existing Noise Exposure (CNEL)	Significant Noise Increase
55	3
60	2
65	1
70	1
Over 75	1

Source: City of Beverly Hills, Noise Element of the General Plan, Policy N 1.5, 2010.

b. Project Impacts and Mitigation Measures.

<i>Project Thresholds</i>	<p><i>Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.</i></p> <p><i>A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.</i></p>
<i>Quantitative Threshold</i>	<p><i>Increase of 5 dBA or more outside the hours permitted by the City's noise ordinance (i.e., between 6 PM and 8 AM on weekdays, or at any time on Saturday, Sunday, or a public holiday) or during daytime hours at a school, hospital, church, or institute of learning.</i></p>

Impact N-1 Construction activities associated with the Proposed Project would generate temporary noise increases that would be audible at nearby sensitive receptors. Maximum and daily construction-related noise would not result in an increase of 5 dBA or more outside the daytime hours permitted by the City's noise ordinance or at a school, hospital, church, or institute of learning. Therefore, impacts would be *less than significant*.

Construction would be temporary and daily construction activities would be limited by the BHMC (Section 5-1-205) to less noise sensitive daytime hours (between 8:00 AM and 6:00 PM). Construction noise impacts primarily result when construction activities occur during times of the day when people are most sensitive to noise (early morning, evening, or nighttime hours), the construction occurs in areas immediately adjoining noise-sensitive land uses, or when construction duration lasts over extended periods of time.



Temporary noise impacts associated with construction of the Proposed Project may adversely affect adjacent sensitive receptors, including The Peninsula Hotel approximately 100 feet to the east, the Beverly Hilton Hotel 320 feet to the north, and multi-family residences 25 feet to the south of construction activities. The grading/excavation phase of Project construction tends to create the highest construction noise levels because of the operation of heavy equipment. As shown in Table 4.6-5, the maximum noise level associated with heavy equipment at construction sites can range from about 80 to 94 dBA at 25 feet from the source (the location of the nearest sensitive receptors), depending upon the types of equipment in operation at any given time and phase of construction (FTA, 2006). Because heavy equipment cannot operate directly on the Project boundary, construction activities would occur approximately 25 feet from the nearest sensitive receptors. Construction noise levels would diminish at approximately 6 dBA per doubling of distance.

**Table 4.6-5
 Typical Construction Equipment Maximum Noise Levels**

Equipment	Noise Level at 25 feet	Noise Level at 50 feet	Noise Level at 100 feet
Augur Drill Rig	90	84	78
Backhoe	84	78	72
Compactor (ground)	89	83	77
Dozer	88	82	76
Dump Truck	82	76	70
Excavator	87	81	75
Flat Bed Truck	80	74	68
Front End Loader	85	79	72
Generator	87	81	75
Grader	89	83	77
Jackhammer	94	88	82
Pickup Truck	81	75	69
Pneumatic Tools	91	85	79
Roller	86	80	74
Scraper	90	84	78
Warning Horn	89	83	77
Welder/Torch	80	74	68

Source: FTA, 2006

Note: Pile drivers are not permitted onsite pursuant to the City of Beverly Hills Building and Safety Department (Ryan Gohlich, personal communication, April 2012). In lieu of pile drivers, Project construction would use drilled pile installations, which is not included in the FTA 2006 or 2012 Federal Railroad Administration construction noise levels assessments, and are therefore not included in Table 4.6-5.



Table 4.6-6 shows noise levels generated at the nearest sensitive receptor (residences 25 feet south of construction activities) during the various phases of construction. Any locations that would have an uninterrupted line of sight to the construction noise sources could be exposed to construction noise.

The earthmoving phase of Project construction tends to create the highest construction noise levels because of the operation of heavy equipment. Noise levels would range from 79 dBA CNEL during the mechanical trades phase to 89 dBA CNEL during the shoring and excavation phase at the nearest sensitive receptors (25 feet south of construction activities). The existing CNEL at the closest sensitive receptor at the southern boundary of the Project site would be 64.2. The increase in CNEL as a result of construction would occur within the hours permitted by the City’s noise ordinance (between 8 AM and 6 PM on weekdays). Construction is prohibited between 6 PM and 8 AM on weekdays, or at any time on Saturday, Sunday, or a public holiday). Additionally, the Project site is not located within the vicinity of a school, hospital, church, or institute of learning.

**Table 4.6-6
Construction Noise Levels by Phase**

Construction Phase	Required Equipment	Anticipated Noise at Nearest Sensitive Receptor (25 feet) (dBA CNEL)
Shoring and Excavation	Drill Rigs, Excavators, Loaders, Tractors, Forklifts, Dump Trucks, Cranes	89
Concrete and Waterproofing	Backhoes, Tractors, Cranes, Fork Lifts, Concrete Pumps, Concrete Trucks, Concrete Finishing Machines	86
Mechanical Trades	Trucks, Forklifts, Pipe Machines, Cranes	79
Enclosure	Cranes, Forklifts, Plaster Mixer/Pump, Dump Trucks	84
Exterior/Interior Finishes	Delivery Trucks, Forklifts, Paint Sprayers, Concrete Mixers	82
<i>Existing Ambient Noise Levels (CNEL dBA) at Receptor</i>		<i>64.2^a</i>
<i>Maximum Exceedance of Existing CNEL</i>		<i>24.8</i>

See Appendix 4 for heavy equipment noise impact estimation data sheets and assumptions.

^a CNEL from Noise Measurement #3 in Table 4.6-2, representative of noise at nearest sensitive receptor location.

Additional factors to consider are that the estimated construction noise levels do not take into account the fact that equipment is dispersed in various portions of the site in both time and space. Due to site and equipment limitations, only a limited amount of equipment can operate near a given location at a particular time. In addition, construction equipment estimates used for the analysis for grading, shoring, and building construction noise levels are representative of worse case conditions, since it is assumed that all the equipment contained on site would operate simultaneously and continuously for at least 80 percent of the work day. Therefore, the noise levels presented in Table 4.6-6 represent a conservative, reasonable worst-case estimate of construction noise.



During construction, soil excavated from the Project site would be hauled off-site by trucks via South Santa Monica Boulevard and North Santa Monica Boulevard north of the Project site. The Project would export a total of 20,500 cubic yards of soil over an approximately two-month period, totaling 25 trucks per day. Maximum noise levels generated by the approximately 25 daily truck trips would not significantly affect noise conditions on South or North Santa Monica Boulevard since such trips would constitute a 0.2% of overall roadway traffic within the City, and 0.06% of overall traffic on Interstate Highway 405, which currently carry more than 11,000 and 40,000 average daily vehicle trips, respectively (Fehr & Peers, 2016).

Pursuant to Section 5-1-205 of the BHMC, construction is restricted to the hours between 8:00 AM to 6:00 PM on weekdays. Limiting construction activities to daytime hours would ensure that nearby sensitive receptors would not be exposed to construction noise during hours when people normally sleep. Additional conditions are typically imposed by the City on construction projects of this size that include requirements for a construction management plan to regulate hauling activities, construction parking, and other relevant issues. Furthermore, the El Rodeo School (K-8th grade) and Beverly Hills High School are approximately 0.25 miles from the project site. Therefore, construction noise would not conflict with Section 5-1-206 of the BHMC because the project would not involve construction during daytime hours in the vicinity of a school, hospital, church, or institute of learning. Adverse impacts associated with construction noise would be less than significant.

Mitigation Measures. None required.

<i>Project Thresholds</i>	<i>Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.</i>
	<i>A substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project.</i>
<i>Quantitative Thresholds</i>	<i>See Table 4.6-4.</i>

Impact N-2 **Noise associated with operation of the Proposed Project, including noise from traffic on nearby roads, common rooftop pool activities, ventilation and heating systems, trash hauling, and delivery trucks could be audible at nearby receptor locations. However, the Proposed Project’s operational noise would not increase ambient noise levels beyond thresholds established by the Policy N 1.5 of the General Plan Noise Element (2010). Therefore, operational noise impacts associated with the Proposed Project would be less than significant.**

Operation of the Proposed Project would result in onsite and offsite operational noise impacts. The anticipated onsite operational noise sources as a result of the Project would include common rooftop pool activities and the ventilation and heating systems. Delivery trucks, trash hauling trucks, and roadway noise would result in offsite noise impacts. The proposed rooftop activities and infrastructure would not exceed existing ambient noise levels at the nearest



receptor, and delivery and trash truck trips to the site would be a periodic source of operational noise and would not result in substantial noise increases. As for roadway noise, Table 4.6-7 provides the pre-project and post-project noise at the surrounding sensitive receptors, which would not exceed the City's significance threshold of 1 dBA CNEL at any receptor location. Therefore, long-term noise impacts would be less than significant, as explained in the following analysis.

Onsite Operational Impacts. The Project would include new noise sources from common rooftop pool activities, ventilation and heating systems, trash hauling, and delivery trucks, which could be audible at nearby sensitive receptors. Noise associated with operation of the parking structure would not be audible off-site because it would be enclosed underground. Noise associated with the terrace pools would be an intermittent source of operational noise because the pools are for private use only and would not result in a substantial increase in CNEL (24-hour average). The nearest sensitive receptors are residences located 20 feet south of the project site boundary or approximately 35 feet south of the proposed building. At 66 feet, rooftop activities would be located approximately 46 feet above the height of the nearest sensitive receptor, which are two-story residences.

Common Rooftop Pool Activities. Typically, pools that are open to the public produce noise levels of approximately 55 dBA Leq at 50 feet during the busiest hours of operation (North Fork Associates, 2011). The proposed common rooftop pool area would likely generate lower levels of noise than those associated with a public pool because the pool would be smaller and only residents and their guests would access the pool, also the perimeter walls (four-foot tall tempered glass guardrails) of the roof would be a noise barrier. Accounting for the height of the pool above the nearest receptors (46 feet), the distance to the nearest receptor (35 feet), rooftop pool activities would be approximately 58 feet from the nearest receptor. At a distance of 58 feet, noise from pool activities would be approximately 53.7 dBA Leq. Assuming that the pool is open to residents from 7 AM to 10 PM, the activities at the pool would result in a CNEL of about 54.4 dBA at the nearest receptor.

Rooftop Mounted Equipment. Typically, rooftop mounted equipment produce noise levels of approximately 56 dBA Leq at 50 feet. Accounting for the height of the equipment above the nearest receptors (46 feet) and the distance to the nearest receptor (35 feet), rooftop mounted equipment would be approximately 58 feet from the nearest receptor. At a distance of 58 feet, noise from rooftop mounted equipment would be approximately 54.7 dBA Leq. Assuming the equipment operates 24 hours a day, the equipment would result in 61.4 dBA CNEL at the nearest receptor.

Offsite Operational Impacts.

Delivery and Trash Hauling Trucks. Delivery trucks and trash hauling trucks would access the site using an alley located south of the Project site, between the site and the adjacent residences. The California Motor Vehicle Code establishes maximum sound levels for trucks operating at speeds less than 35 miles per hour (Section 23130) of 86 dBA at 50 feet, equivalent to 92 dBA at 25 feet (noise from a point source typically attenuates at about 6 dBA per doubling of distance). However, maximum noise levels generated by passages of medium duty delivery trucks generally range from 61 to 70 dBA at a distance of 25 feet, depending on the speed at which the truck is driving (Olson, 1972). Loading zones are located approximately 25 feet from



the nearest residential receptor. Average noise levels for single idling trucks generally range from 72 to 77 dBA Leq at a distance of 25 feet. However, California State law prohibits trucks from idling for longer than 5 minutes. Delivery and trash truck trips to the site would be a periodic source of operational noise and would not result in a substantial increase in CNEL (24-hour average).

Offsite Roadway Noise Impacts. Offsite operational impacts would result from roadway noise. The Proposed Project would increase the number of vehicle trips to and from the site. This would increase traffic noise on roadways within the vicinity of the Project site. In order to determine whether the Proposed Project would create traffic noise resulting in a significant noise increase (as described in Table 4.6-4), existing and potential future noise levels at sensitive receptor locations in the area were modeled based on traffic volumes from the transportation assessment prepared by Fehr & Peers for the Project. The increase in noise is shown in Table 4.6-7. Figure 4.6-2 shows the location of modeled sensitive receptor locations.

As shown in Table 4.6-7, the Proposed Project would increase future traffic-related noise by up to 0.1 dBA at sensitive receptors along South Santa Monica Boulevard. The Proposed Project would not result in an exceedance of the City of Beverly Hills significance threshold of 1 dBA CNEL at any receptor location within the Project vicinity.

**Table 4.6-7
 Pre-Project and Post-Project Traffic Noise at Existing Sensitive Receptors**

Receptor Number ^a	Description	Noise Level (dBA CNEL)			
		Existing [1]	Existing Plus Project [2]	Change in Noise Level [2] – [1]	Significant? (Change > 1)
SR1	Existing residences south of S. Santa Monica Blvd.	68.5	68.6	0.1	No
SR2	Existing residences south of S. Santa Monica Blvd.	71.5	71.5	0	No
SR3	Existing residences west of Charleville Blvd.	67.9	67.9	0	No
SR4 ^b	Existing residences south of the project site.	65.3	65.1	-0.2 ^b	No
SR8	Existing residences north of Durant Dr.	65.9	65.9	0	No

Refer to Appendix 5 for the traffic assessment traffic volumes and Appendix 4 for the estimates from the FHWA Traffic Noise Model Version 2.5.

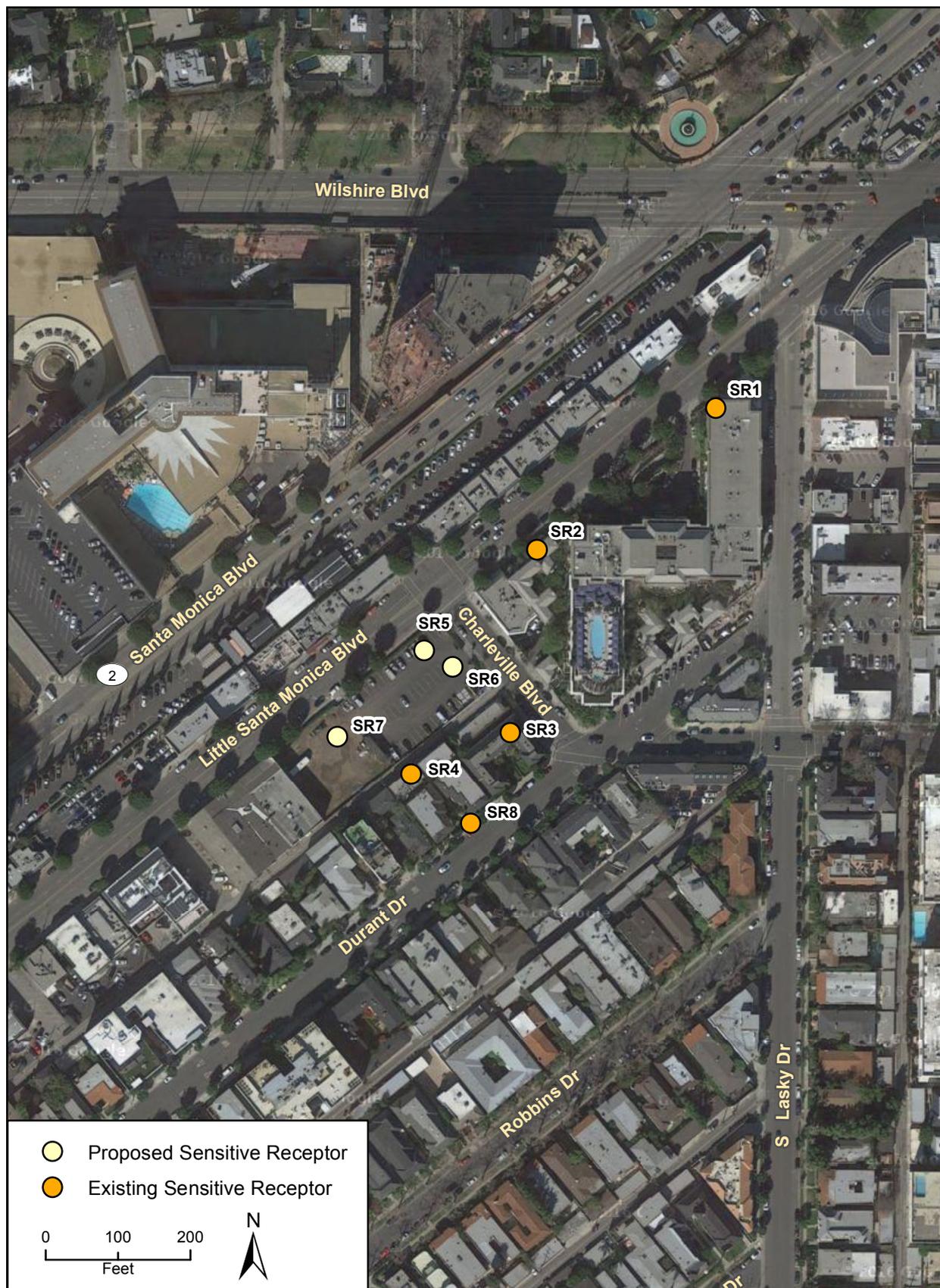
^a Sensitive receptor locations are shown on Figure 4.6-2.

^b Traffic noise at sensitive receptor SR4 would be expected to decrease because the proposed building would block noise from South Santa Monica Boulevard.

Summary of Conclusions. Onsite and offsite noise associated with the Proposed Project would not generate significant long-term noise increases due to operational noise. Therefore, impacts would be less than significant.

Mitigation Measures. None required.





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Modeled Sensitive Receptor Locations

Figure 4.6-2

City of Beverly Hills

<i>Project Threshold</i>	<i>Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels.</i>
<i>Quantitative Threshold</i>	<i>Vibration exceeds FTA recommended threshold of 72 VdB for residences during hours when people normally sleep, or would exceed 100 VdB at fragile buildings or 95 VdB at extremely fragile historic buildings.</i>

Impact N-3 Project construction would generate ground-borne vibration. Construction vibration would be temporary and intermittent, and would not exceed FTA recommended thresholds. Therefore, impacts would be less than significant.

Project construction activities would result in vibration that may be felt on properties in the immediate vicinity of the Project site, as commonly occurs with construction projects. Table 4.6-8 identifies various vibration velocity levels for different types of construction equipment. Project construction would likely involve the use of drilled piles, bulldozers and jackhammers on the Project site. Additionally, loaded trucks carrying construction materials would operate on the Project site and surrounding streets during construction.

**Table 4.6-8
Vibration Levels for Construction Equipment**

Equipment	Approximate VdB			
	25 Feet	50 Feet	75 Feet	100 Feet
Pile Installation	93	87	83	81
Large Bulldozer	87	81	77	75
Loaded Truck	86	80	76	74
Jackhammer	79	73	69	67
Small Bulldozer	58	52	48	46

Source: Federal Railroad Administration, 2012.

Installation of drilled piles would generate about 93 VdB at a distance of 25 feet (the distance to the nearest residences). Vibration levels would not exceed the threshold of 100 VdB at fragile buildings or 95 VdB at extremely fragile historic buildings. Pursuant to Section 5-1-205 of the BHMC, construction is restricted to the hours between 8:00 AM to 6:00 PM. Because construction would only occur during daytime hours, residents would not be exposed to vibration levels in excess of the threshold for residences during hours when people normally sleep (72 VdB). Vibration from construction would be temporary and intermittent, and would not exceed levels that would affect fragile buildings or occur during hours when people normally sleep. Therefore, vibration impacts would be less than significant.

Mitigation Measures. None required.



<i>Quantitative Standard</i>	<i>Exposure to exterior noise level of over 65 dBA CNEL or interior noise level of 45 dBA CNEL for residential uses.</i>
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Impact N-4 Although the effect of ambient noise on a proposed project is not an impact under CEQA, the potential noise levels at the proposed residences are provided for public disclosure. The estimated noise levels could exceed City standards for interior and exterior noise, 45 and 65 dBA CNEL, respectively.

As shown in Table 4.6-9, noise levels on the Project site range from 68 to 72 dBA CNEL, which are in the conditionally acceptable (55 to 70 dBA CNEL) to normally unacceptable (70 to 75 dBA CNEL) range for residential uses (see Table 4.6-3). Noise levels at exterior living areas, except the rooftop pool area, along South Santa Monica and Charleville Boulevards, such as patios, balconies, and terraces, could exceed the City’s 65 dBA CNEL standards. Noise levels at the rooftop pool area would not be exposed to noise in excess of 65 dBA CNEL because the four-foot tall, glass wall around the rooftop perimeter would break the line of sight between the roadway and pool area, resulting in a noise reduction of 5 to 10 dBA.

Table 4.6-9 also includes estimates of interior noise levels for proposed residences that account for the fact that typical residential construction in California provides approximately 25 dBA of noise reduction from exterior noise sources with closed windows (California Department of Transportation, 2009). Interior noise levels could range from 43 to 47 dBA CNEL. All residences facing South Santa Monica Boulevard could be exposed to interior noise levels in excess of the 45 dBA CNEL, while only residences on floors one through three facing Charleville Boulevard could be exposed to excessive interior noise levels.

**Table 4.6-9
 Noise Levels at Proposed Residences**

Receptor Number ^a	Description	Existing Exterior Noise Level (dBA CNEL)	Exceed Exterior Standard? (>65 dBA CNEL)	Estimated Interior Noise Level (dBA CNEL) ^b	Exceed Interior Standard? (>45 dBA CNEL)
SR5	Proposed 1 st floor residence nearest to S. Santa Monica Blvd	71.8	Yes	46.8	Yes
SR5	Proposed 4 th floor residence nearest to S. Santa Monica Blvd	70.4	Yes	45.4	Yes
SR6	Proposed 1 st floor residence nearest to Charleville Blvd	70.2	Yes	45.2	Yes
SR6	Proposed 4 th floor residence nearest to Charleville Blvd	69.1	Yes	44.1	No
SR7	Proposed roof pool area nearest to S. Santa Monica Blvd	63.8 ^c	Yes	43.8	No

Refer to Appendix 5 for the traffic assessment traffic volumes and Appendix 4 for the estimates from the FHWA Traffic Noise Model Version 2.5.

^a *Receptor locations are shown on Figure 4.6-2.*

^b *Estimated interior noise levels account for the fact that typical residential construction in California provides approximately 25 dBA of noise reduction from exterior noise sources with windows closed (California Department of Transportation, 2009)*

^c *Exterior noise levels at the pool account for the presence of a four-foot tall, glass wall that would break the line of sight between the roadway and pool area, resulting in a noise reduction of 5 to 10 dBA.*



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 described in Section 2.0, *Project Description*, Noise Condition 1 (Interior Noise Attenuation Features) would incorporate building materials and techniques that would reduce sound transmission through walls, windows, doors, ceilings, and floors of on-site residences for all floors facing South Santa Monica Boulevard and for floors one through three facing Charleville Boulevard, to achieve interior noise levels of 45 dBA CNEL.

c. Cumulative Impacts. Project construction would coincide with other planned and pending construction projects in the area, including projects such as the Beverly Hilton Revitalization Plan and 9900 Wilshire Boulevard (One Beverly Hills) projects that are within 1-2 blocks of the Project site. Project construction could also overlap with the Santa Monica Boulevard Reconstruction Project. Ongoing, planned, and pending construction projects, in combination with the Proposed Project would create significant temporary cumulative construction noise and vibration impacts. However, as discussed under Impact N-1, the Project would not result in construction noise outside of the hours allowed by BHMC 5-1-206 and would not result in daytime construction noise within the vicinity of a school, hospital institution of learning, or church. Furthermore, as discussed under Impact N-3, the Project would not result in vibration impacts at fragile buildings or at residences during hours when people normally sleep. Therefore, the Project would not contribute considerably to temporary cumulative construction noise and vibration impacts.

Nearby ongoing, planned, and pending projects would increase ambient noise levels in the Project vicinity. The Proposed Project would be similar to existing residential land uses within the Project vicinity. As discussed under Impact N-2, operational noise from the Project, including common rooftop pool activities, ventilation and heating systems, trash hauling, and delivery trucks, would not significantly increase noise levels at nearby sensitive receptors. Therefore, the project would not contribute considerably to cumulative operational noise increases in the project vicinity.

Cumulative traffic noise was calculated based on cumulative and cumulative plus project traffic volumes. Results are shown in Table 4.6-10. As shown therein, the Proposed Project would not increase future traffic-related noise at receptors located in the vicinity of SR1, SR2, SR3 and SR8; and would result in a decrease in traffic noise at sensitive receptors located in the vicinity of SR4, south of the Project site, because the proposed building would block those residences from the increased noise levels along S. Santa Monica Blvd. The Proposed Project in combination with cumulative traffic volumes from other projects in the vicinity would not result in a cumulative exceedance of the City of Beverly Hills significance threshold of 1 dBA CNEL at any receptor location within the Project vicinity. Therefore, the Proposed Project would not substantially add to cumulative traffic noise impacts.



**Table 4.6-10
 Cumulative and Cumulative Plus Project Traffic Noise
 at Existing Sensitive Receptors**

Receptor Number ^a	Description	Noise Level (dBA CNEL)			
		Cumulative [1]	Cumulative Plus Project [2]	Change in Noise Level [2] – [1]	Significant? (Change > 1)
SR1	Existing residences south of S. Santa Monica Blvd.	69.3	69.3	0	No
SR2	Existing residences south of S. Santa Monica Blvd.	72.3	72.3	0	No
SR3	Existing residences west of Charleville Blvd.	68.1	68.1	0	No
SR4 ^b	Existing residences south of the project site.	65.9	65.6	-0.3	No
SR8	Existing residences north of Durant Dr.	66.1	66.1	0.	No

Refer to Appendix 5 for the traffic assessment traffic volumes and Appendix 4 for the estimates from the FHWA Traffic Noise Model Version 2.5.

^a Sensitive receptor locations are shown on Figure 4.6-2.

^b Traffic noise at sensitive receptor SR4 would be expected to decrease because the proposed building would block noise from South Santa Monica Boulevard.



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4.7 TRANSPORTATION AND TRAFFIC

This section analyzes the potential for the Proposed Project to cause significant impacts to the existing traffic and transportation facilities in the City of Beverly Hills and the surrounding areas of the City of Los Angeles. The analysis in this section is based on a Traffic Assessment prepared for the Project by Fehr & Peers, in August 2016. The full study is provided in Appendix 5.

4.7.1 Setting

a. Existing Street System. The Project site is located on the south side of South Santa Monica Boulevard, along the western edge of Beverly Hills. The Project study area includes South Santa Monica Boulevard and Durant Boulevard from Charleville Boulevard to Moreno Drive, and Charleville Boulevard between South Santa Monica Boulevard and Durant Drive (Figure 2-2 shows the location of the project site and the surrounding roads within the study area). Most roadways within the Project study area are local roadways, and there is a one-way westbound alley between Moreno Drive and Charleville Boulevard that is adjacent to the southern boundary of the Project site. The following are the major roadways within the study area:

Santa Monica Boulevard South. Santa Monica Boulevard South or “Little Santa Monica Boulevard” is a commercial street that parallels Santa Monica Boulevard through Beverly Hills and runs along the northern border of the Project study area. The roadway begins east of Moreno Drive and becomes Burton Way at Rexford Drive. The roadway has two travel lanes in each direction. The roadway is classified as a Minor Arterial within the study area west of Wilshire Boulevard. Limited metered parking is permitted in the study area.

Charleville Boulevard. Charleville Boulevard is an east-west roadway that extends across the eastern limit of the study area. However, in the vicinity of the Project site, Charleville Boulevard turns to be a north-south roadway along the east side of the Project site. Charleville Boulevard extends from South Santa Monica in the west to South Le Doux Road in the east. The roadway has one travel lane in each direction. The limited parking along Charleville Boulevard consists of metered and permitted parking within the Project area.

Moreno Drive. Moreno Drive functions as a north-south roadway that runs along the west boundary of the Project study area. Moreno Drive provides one travel lane in each direction. Parking along Moreno Drive is not permitted within the Project study area.

Durant Drive. Durant Drive is an east-west street that runs parallel to Santa Monica Boulevard through the Project study area between Moreno Drive and Charleville Boulevard. Durant Drive provides one travel lane in each direction.

b. Existing Transit. The following transit lines operate within or near the Project study area with service provided by the Metropolitan Transportation Authority (Metro):

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. Service is provided every eight to 16 minutes during the peak hours on weekdays. On weekends, headways are approximately every 10 to 15 minutes.

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. Service is provided every five to 12 minutes during peak hours on weekdays and bus headways are approximately 10 minutes on Saturdays and Sundays.

Metro Line 16/316. Line 16 and 316 operate along Santa Monica Boulevard and Burton Way within the City of Beverly Hills and provide transit service between the Century City area of Los Angeles and Downtown Los Angeles. Line 316 is a limited version of Line 16, and therefore only stops at selected bus stops. During peak hours, the line operates at headways of three to five minutes.

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. Line 704 is an express service bus route with two stops located within the study area at Santa Monica Boulevard & Wilshire Blvd and Santa Monica Boulevard & Avenue of the Stars. Buses operate along Santa Monica Boulevard every 10 to 30 minutes on weekdays and weekends.

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. Line 720 is an express service bus route with one stop located within the study area at Wilshire Boulevard & Beverly Drive. Buses operate along Wilshire Boulevard every two to 10 minutes during peak hours on weekdays. On weekends headways are every 4 to 10 minutes.

c. Existing Bicycle Master Plan and Bicycle Facilities. Bicycle facilities generally consist of three types of facilities: Class I are multi-use or shared use paths; Class II are bike lanes; and Class III are bike routes or signed shared roadways. There are no bicycle facilities within the Project study area.

d. Existing Pedestrian Facilities. A majority of the roadways within the study area have sidewalks and crosswalks. Within the Project study area there are sidewalks along South Santa Monica Boulevard, Charleville Boulevard, Durant Boulevard, and Moreno Drive. There are also cross walks provided on at least two approaches at all intersections in the Project study area.

e. Existing Intersection Volumes and Lane Configurations. Weekday AM and PM peak hour turning movements at the two study intersections, and 24-hour machine counts at



the two analyzed street segments were collected on Wednesday, February 3, 2016. Intersection counts were taken at both study intersections at the following times:

- *Weekday morning peak hour (7:00 AM to 9:00 AM)*
- *Weekday evening peak hour (4:00 PM to 6:00 PM)*

Existing lane configurations and signal controls were obtained through field observations. Traffic count data sheets are provided in Appendix B of the Traffic Assessment in Appendix 5 of this EIR.

Roadway segment counts were taken on Charleville Boulevard and Durant Drive on Wednesday, February 3, 2016. Counts were taken over a 24-hour period through automatic tube counters. Results are summarized in Table 4.7-1.

**Table 4.7-1
 Daily Traffic Volumes on Residential Streets**

Roadway Segments	Total Daily Traffic
Charleville Boulevard (between S. Santa Monica Blvd and Durant Dr.)	4,236
Durant Drive (between Moreno Dr. and Charleville Dr.)	2,772

Source: Fehr & Peers, August 2016. (see Appendix 5 for the full Traffic Assessment)

f. Existing Intersection Levels of Service. The operation of roadway facilities are described by the level of service (LOS), which is a qualitative description of traffic flow based on factors such as speed, travel time, delay, and freedom to maneuver. Six levels are defined from LOS A, with the least congested operating conditions, to LOS F, with the most congested operating conditions. LOS E represents “at-capacity” operations. Operations are designated as LOS F when volumes exceed capacity, resulting in stop-and-go conditions (see “Methodology and Significance Thresholds” for further explanation).

Existing peak hour volumes and lane configurations were used to calculate the LOS for each of the study intersections. The results of the existing LOS analysis are presented in Table 4.7-2 and the corresponding LOS calculation sheets are included as Appendix A of the Traffic Assessment in Appendix 5 of this EIR. Neither of the study intersections currently operate at LOS E or F.

**Table 4.7-2
 Existing (2016) Intersection Level of Service**

Intersection	Control	Peak Hour	Existing (2015)	
			V/C	LOS ¹
1. S. Santa Monica Boulevard and Charleville Boulevard.	Signal	AM	0.556	A
		PM	0.762	C
2. S. Santa Monica Boulevard and Moreno Drive	Signal	AM	0.651	B
		PM	0.768	C

Source: Fehr & Peers, August 2016. (see Appendix 5 for the full Traffic Assessment)

V/C = volume to capacity ratio

¹ *LOS calculations for Beverly Hills signalized intersections were performed using the ICU methodology*



g. Regulatory Setting

Beverly Hills General Plan. The City's Circulation Element has two overarching objectives. First, the neighborhoods of Beverly Hills should be preserved and enhanced, including limiting negative effects caused by vehicles. Secondly, vehicles should move into, out of, or through Beverly Hills as expeditiously as possible (City of Beverly Hills, 2010). 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.*

Congestion Management Program (CMP). In Los Angeles County, ICU intersection analysis methodology is used to analyze CMP operations. In June 1990, the passage of the Proposition 111 gas tax increase required urbanized areas in the State with a population of 50,000 or more to adopt a CMP. Metro is the Congestion Management Agency (CMA) for the County. Metro has been charged with the development, monitoring, and biennial updating of Los Angeles County's CMP, which is intended to address the impact of local growth on the regional transportation system. The CMP Highway System includes specific roadways, including State highways, and CMP arterial monitoring locations/intersections. The CMP is also the vehicle for proposing transportation projects that are eligible to compete for the State gas tax funds.



New projects within Beverly Hills must comply with the Los Angeles County CMP. Appendix D of the CMP includes Transportation Impact Assessment (TIA) guidelines. The TIA guidelines require analysis at monitored street intersections and segments, including freeway on- or off-ramp intersections where a project is expected to add 50 or more peak-hour vehicle trips. If a Project does not add, but merely shifts, trips at a given monitoring location, the CMP analysis is not required. An evaluation of transit impacts is required by the CMP for all projects for which an EIR will otherwise be prepared.

State Senate Bill (SB) 743. California's SB 743 will eventually alter how transportation and traffic impacts are analyzed under State CEQA Guidelines. SB 743 requires the Office of Planning and Research (OPR) to amend the CEQA Guidelines to provide an alternative to level of service (LOS) as the metric for evaluating transportation impacts. However, because amendments required by SB 743 have not been adopted, this EIR was based on the existing CEQA Guidelines and therefore relies on the existing LOS criteria to evaluate potential transportation impacts.

4.7.2 Impact Analysis

a. Methodology and Significance Thresholds. The analysis of transportation system impacts employs a variety of methodologies, based on empirical research conducted by the Transportation Research Board and other authorities. The methodologies, analysis scenarios, and significance thresholds employed for the transportation and traffic impact analyses are described in the subsections below.

Intersection Capacity Utilization (ICU). According to *Beverly Hills Traffic Thresholds of Significance* (Beverly Hills, 2010), this study is required to use the Intersection Capacity Utilization (ICU) method of intersection capacity calculation to analyze signalized intersections within Beverly Hills. The ICU methodology is a planning-level analysis tool that provides intersection LOS and volume-to-capacity (V/C) ratios. Table 4.7-3 describes the relationship between the various ratios and the LOS for signalized intersections.



**Table 4.7-3
 Level of Service Definitions for Signalized Intersections**

Level of Service	Description	V/C Ratio
A	EXCELLENT. No vehicle waits longer than one red light and no approach phase is fully used.	0.000-0.600
B	VERY GOOD. An occasional approach phase is fully utilized; many drivers begin to feel somewhat restricted within groups of vehicles.	0.601-0.700
C	GOOD. Occasionally drivers may have to wait through more than one red light; backups may develop behind turning vehicles.	0.701-0.800
D	FAIR. Delays may be substantial during portions of the rush hours, but enough lower volume periods occur to permit clearing of developing lines, preventing excessive backups.	0.801-0.900
E	POOR. Represents the most vehicles intersection approaches can accommodate; may be long lines of waiting vehicles through several signal cycles.	0.901-1.000
F	FAILURE. Backups from nearby locations or on cross streets may restrict or prevent movement of vehicles out of the intersection approaches. Tremendous delays with continuously increasing queue lengths.	> 1.000

Source: Fehr & Peers, August 2016. (see Appendix 5 for the full Traffic Assessment)

Per City of Beverly Hills requirements, the ICU methodology was used to determine the V/C ratio and corresponding LOS for two signalized study intersections in the City. A peak hour factor was applied to both the existing and future year analysis scenarios to account for fluctuations in traffic flows throughout the peak travel hours. The peak hour factor is a measure of how traffic demand fluctuates within the peak hour, which is calculated by comparing the hourly peak hour volume to the peak 15-minute flow rate within the peak hour. The application of a peak hour factor of 0.85 under existing conditions and 0.90 under cumulative conditions was found to produce LOS results that more closely matched current travel conditions in the study area. Without the peak hour factor, LOS results would be better than those observed in the study area and would not reflect the actual peak hour congestion experienced by drivers.

Analysis Scenarios. Operation of the study locations was evaluated during the weekday morning (AM) and evening (PM) peak hours for the following scenarios:

- **Existing (2016) Conditions** – *The analysis of existing traffic conditions is intended to provide a basis for the remainder of the study. The existing conditions analysis includes a description of the street system serving the Project site, existing traffic volumes, and an assessment of the operating conditions at the study analysis locations. For this analysis it is assumed that no trips are currently generated from the Project site.*
- **Existing (2016) plus Project Conditions** – *This traffic scenario provides Projected traffic volumes and an assessment of operating conditions under existing conditions with the addition of Project-generated traffic. The impacts of the Proposed Project on existing traffic operating conditions were then identified.*
- **Cumulative (Year 2018) Conditions** – *Future traffic Projections without the Proposed Project were developed for the year 2018, which is the year projected for project completion. The objective of this analysis was to Project future traffic growth and operating conditions that could be*



expected to result from regional growth and related Projects in the vicinity of the Project site by the year 2018.

- **Cumulative (Year 2018) plus Project Conditions** – *This traffic scenario provides projected traffic volumes and an assessment of operating conditions under future conditions with the addition of Project-generated traffic. The impacts of the Proposed Project on future traffic operating conditions were then identified.*

Significance Thresholds. Impacts related to transportation and circulation would be potentially significant if development facilitated by the Proposed Project would:

1. *Conflict with an applicable plan, ordinance, or policy establishing a measure of effectiveness for the performance of a circulation system, taking into account all modes of transportation, including mass transit and nonmotorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit.*
2. *Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.*
3. *Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.*
4. *Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).*
5. *Result in inadequate emergency access.*
6. *Conflict with adopted policies, plans, or programs regarding public transit, bikeways, or pedestrian facilities, or otherwise substantially decrease the performance or safety of such facilities.*
7. *Create a temporary, but prolonged impact due to lane closure, need for temporary signals, emergency vehicle access, traffic hazards to bicycles and/or pedestrians, damage to the roadbed, truck traffic on roadways not designated as truck routes, and other similar impediments to circulation during the construction period.*

All study intersections are within Beverly Hills. Significance criteria established by the City of Beverly Hills to assess the potential for significant Project impacts at the intersections are described below.

According to the City of Beverly Hills, impacts to intersections are considered significant if:

- *The addition of Project traffic increases the V/C ratio 0.03 or greater at signalized intersections operating at LOS D*
- *The addition of Project traffic increases the V/C ratio by 0.02 or greater at signalized intersections operating at LOS E or F*
- *The addition of Project traffic increases the total delay by 4.0 seconds or greater at unsignalized intersections operating at LOS D*
- *The addition of Project traffic increases the total delay by 3.0 seconds or greater at unsignalized intersections operating at LOS E or F*

Impacts to residential streets in Beverly Hills would be significant if:

- *Project traffic is 16% or more of final ADT, 16% or more of peak hour, or both where the Projected final ADT is 0-2,000.*



- *Project traffic is 12% or more of final ADT, 12% or more of peak hour, or both where the Projected final ADT is 2,001-4,000.*
- *Project traffic is 8% or more of final ADT, 8% or more of peak hour, or both where the Projected final ADT is 4,001-6,750.*
- *Project traffic is 6.25% or more of final ADT, 6.25% or more of peak hour, or both where the Projected final ADT is 6,751 or more.*

The Initial Study for the Proposed Project (Appendix 1) determined that the Project would have less than significant impacts with respect to the following issues; therefore, thresholds related to these topics are not discussed further in this EIR:

3. *Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?*

b. Project Impacts and Mitigation Measures.

<i>Thresholds</i>	<p><i>Conflict with an applicable plan, ordinance, or policy establishing a measure of effectiveness for the performance of a circulation system, taking into account all modes of transportation, including mass transit and nonmotorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit</i></p> <p><i>Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways</i></p>
<i>City of Beverly Hills Quantitative Thresholds</i>	<p><i>The addition of Project traffic increases the V/C ratio 0.03 or greater at signalized intersections operating at LOS D</i></p> <p><i>The addition of Project traffic increases the V/C ratio by 0.02 or greater at signalized intersections operating at LOS E or F</i></p> <p><i>The addition of Project traffic increases the total delay by 4.0 seconds or greater at unsignalized intersections operating at LOS D</i></p> <p><i>The addition of Project traffic increases the total delay by 3.0 seconds or greater at unsignalized intersections operating at LOS E or F</i></p>

Impact T-1 Implementation of the Proposed Project would generate traffic at study area intersections; however, Project-generated traffic would not cause any intersection to exceed City standards under existing plus Project traffic conditions. Impacts associated with the Proposed Project would be *less than significant*.



A detailed explanation of how the trip estimates for the Proposed Project were calculated can be found in the Traffic Assessment in Appendix 5. As illustrated in Table 4.7-4, the Proposed Project would generate an estimated 180 daily vehicle trips, including 15 AM peak hour trips and 18 PM peak hour trips. As demonstrated on Table 3 in the Traffic Impact Assessment (Appendix 5), apartment generation rates are used for a more conservative analysis, as condominiums generate fewer trips.

**Table 4.7-4
 Project Trip Generation**

Land Use	Size	Daily Trips	AM Peak Hour Trips			PM Peak Hour Trips		
			In	Out	Total	In	Out	Total
Apartments	27 units	180	4	11	15	11	7	18

Source: Fehr & Peers, August 2016. (see Appendix 5)

The geographic distribution of trips generated by the Project is dependent on characteristics of the street system serving the Project site, the level of accessibility of routes to and from the Project site, and the locations to which patrons of the Project would be visiting. The distribution of Project traffic assumes that:

- *Approximately 45 percent of Project traffic will travel through the study intersection of South Santa Monica Boulevard & Charleville Boulevard in the AM and PM Peak Hours as follows:*
 - *Eastbound South Santa Monica Boulevard Project Trips – 4 in the AM peak hour and 3 in the PM peak hour exiting the Project site*
 - *Westbound South Santa Monica Boulevard Project Trips – 2 in the AM peak hour and 4 in the PM peak hour entering the Project site*
 - *Northbound/Southbound Charleville Boulevard Project Trips – 1 in the AM peak hour exiting the project site and 1 in the PM peak hour entering the Project site*
- *Approximately 55 percent of Project traffic will travel through the study intersection of South Santa Monica Boulevard & Moreno Drive in the AM and PM Peak Hours as follows:*
 - *Eastbound South Santa Monica Boulevard Project Trips – 2 in the AM peak hour and 6 in the PM peak hour entering the Project site*
 - *Westbound South Santa Monica Boulevard Project Trips – 6 in the AM peak hour and 4 in the PM peak hour exiting the Project site*
- *Project trips would not utilize the alley on the southern border of the site to access the project.*

Impacts to intersections were analyzed by comparing the existing V/C ratio and LOS at each study intersection to the existing plus Project scenario V/C ratio and LOS. Additionally cumulative (2018) conditions were compared to cumulative plus Project conditions. The existing plus Project and cumulative plus Project peak periods turning movement volumes, corresponding lane configurations, and traffic control devices are shown in Figure 2 and Figure 4 of the Traffic Assessment in Appendix 5 of this EIR. Raw traffic count data sheets are provided in Appendix B of the Traffic Assessment.

Table 4.7-5 shows V/C ratios and LOS at the study area intersections under existing plus Project conditions scenario. Implementation of the Proposed Project would incrementally increase the V/C ratio at the study intersections. However, the increases would not exceed City of Beverly Hills significance thresholds. Therefore, Project impacts to local intersections would be less than significant.



**Table 4.7-5
 Existing Baseline Plus Project Intersection Level of Service**

Intersection	Control	Peak Hour	Existing (2016)		Existing Plus Proposed Project		V/C Change	Threshold	Significant Impact?
			V/C	LOS	V/C	LOS			
1. S. Santa Monica Blvd & Charleville Blvd.	Signal	AM	0.556	A	0.556	A	0.0	N/A*	No
		PM	0.762	C	0.765	C	0.003	N/A	No
2. S. Santa Monica Blvd & Moreno Dr.	Signal	AM	0.651	B	0.654	B	0.003	N/A	No
		PM	0.768	C	0.770	C	0.002	N/A	No

Source: Fehr & Peers, August 2016. (see Appendix 5 for full Traffic Assessment)

*N/A = Not Applicable/Does not meet threshold.

Mitigation Measures. Mitigation is not required.

<i>Threshold</i>	<i>Conflict with an applicable plan, ordinance, or policy establishing a measure of effectiveness for the performance of a circulation system, taking into account all modes of transportation, including mass transit and nonmotorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit</i>
<i>City of Beverly Hills</i>	
<i>Quantitative Thresholds</i>	<p><i>Project traffic is 16% or more of final ADT, 16% or more of peak hour, or both where the Projected final ADT is 0-2,000.</i></p> <p><i>Project traffic is 12% or more of final ADT, 12% or more of peak hour, or both where the Projected final ADT is 2,001-4,000.</i></p> <p><i>Project traffic is 8% or more of final ADT, 8% or more of peak hour, or both where the Projected final ADT is 4,001-6,750.</i></p> <p><i>Project traffic is 6.25% or more of final ADT, 6.25% or more of peak hour, or both where the Projected final ADT is 6,751 or more.</i></p>

Impact T-2 **Implementation of the Proposed Project would increase traffic on residential streets east and south of the Project site. However, Project-generated traffic would not exceed City thresholds under existing plus Project traffic conditions on any street segment. Impacts to residential streets would, therefore, be less than significant.**



Fehr & Peers evaluated the impact of the Project on two nearby residential streets: Charleville Boulevard west of Durant Drive, and Durant Drive south of Charleville Boulevard. To determine whether the addition of Project-generated trips to a residential street segment results in a significant impact that would require mitigation. The City of Beverly Hills has established thresholds of significance for residential roadway segments as discussed in “Methodology and Significance Thresholds” and listed above.

Potentially affected residential road segments were analyzed based on comparison of existing conditions to existing conditions plus the Proposed Project. Additionally, the cumulative (2018) conditions were compared to the cumulative conditions plus the Project conditions, which are discussed under Cumulative Impacts in subsection (c), below. The results of the residential street analysis are presented in Table 4.7-6. As shown, the worst-case scenario would result in a 0.29% increase in the Daily ADT on Durant Drive south of Charleville Boulevard. This increase would not result in a significant impact under the City’s thresholds. Therefore, the Proposed Project would not result in significant impacts to any of the studied residential roadway segments.

**Table 4.7-6
 Residential Street Impacts – Existing and Existing Plus Project**

Location	Volume			Impact Analysis		
	Existing	Project Only	Existing Plus Project	% of Final ADT	Significance Threshold	Significant Impact?
Daily						
Charleville Blvd. (between S. Santa Monica Blvd and Durant Dr.)	4,236	8	4,244	0.19%	+8.0%	No
Durant Dr. (between Moreno Dr. and Charleville Blvd.)	2,722	8	2,780	0.29%	+12.0%	No
Peak Hour						
Charleville Blvd (between S. Santa Monica Blvd and Durant Dr.)	421	1	422	0.24%	+8.0%	No
Durant Dr. (between Moreno Dr. and Charleville Blvd.)	405	1	406	0.25%	+12.0%	No

Fehr & Peers, August 2016. (see Appendix 5 for full Traffic Assessment)

Mitigation Measures. Mitigation is not required.



Threshold	<i>Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?</i>
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Impact T-3 **Project driveways would provide adequate site access and would not create hazardous traffic conditions. Therefore, impacts associated with the Proposed Project would be *less than significant with implementation of mitigation.***

Access to the Project site could result in hazardous conditions if Project driveways operate at LOS that would prevent motorists from entering and exiting the Project site safely. The Project would be accessed via two driveways from South Santa Monica Boulevard along the north side of the Project site. One driveway would serve as ingress into the Project site and one would serve as egress. Similarly, access to the parking structure within the Project site would be provided via two driveways, one for ingress and one for egress.

Vehicles entering the Project from traveling west on South Santa Monica Boulevard would need to turn left across traffic without the benefit of a designated turn lane or turn pocket. Similarly, vehicles turning left out of the Project would have to cross traffic on South Santa Monica Boulevard. Traffic entering the project site from westbound South Santa Monica Boulevard would potentially disrupt the flow of traffic while slowing down to enter the Project. However, as described in the Project trip generation analysis shown in the Traffic Assessment (Appendix 5), the Project would generate approximately four trips into and 11 out of the Project at AM peak hours, and 11 trips into and seven trips out of the Project at PM peak hours. This additional traffic volume entering and leaving the Project site would not create a substantial number of vehicles crossing traffic or making left hand turns from westbound lanes compared to the existing conditions of South Santa Monica Boulevard.

Passenger pick-up and drop-off trips would occur within the loading area in the northern portion of the project site accessed by the two proposed driveways on South Santa Monica Boulevard. Project trips would not utilize the alley on the southern border of the site to access the project, due to the lack of vehicular entrances or driveways on the alley. However, trash collection and moving trucks/vans would utilize the alley for project access.

Based on a review of the project site plan, a water feature would be placed between the inbound and outbound driveways. The driveways serving the project site are on South Santa Monica Boulevard with adjacent commercial and retail uses. Consequently, pedestrian activity regularly occurs along the corridor, including the sidewalk along the frontage of the project site, which could result in hazardous traffic conditions that would be potentially significant and require mitigation.

Mitigation Measure. Mitigation Measure TRAF-1, as stated below, would apply to the Proposed Project:

TRAF-1 **Review of Project Features.** Prior to constructing the water feature or other project features (such as walls or landscaping) adjacent to the project driveways, the City Traffic Engineer shall review the proposed design to ensure that the site distance for vehicles exiting the Project site meets the applicable site distance standards.



Significance After Mitigation. Implementation of Mitigation Measure TRAF-1 would ensure that vehicles exiting the Project site can safely cross the sidewalk area, and potential impacts would be less than significant.

<i>Threshold</i>	<i>Result in inadequate emergency access</i>
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Impact T-4 The Proposed Project does not include design features that would impede emergency access vehicles. Impacts associated with the Proposed Project would be *less than significant*.

The Project site has a high level of accessibility for emergency vehicles to the north on South Santa Monica Boulevard. South Santa Monica Boulevard provides direct routes to the site for emergency vehicles. Once emergency vehicles have reached the site, they can access the project driveway on South Santa Monica Boulevard. Smaller emergency vehicles, such as police cars and ambulances, would be able to access the parking structure as necessary.

The Proposed Project would be required to conform to traffic and safety regulations that specify adequate emergency access measures. The Project site would also be required to meet the standards set forth by the Beverly Hills Fire Department and Police Department. In addition, the Project does not include any permanent street closures or changes in traffic flow. Therefore, impacts to emergency access would be less than significant.

Construction of the Proposed Project has the potential to create temporary impacts to emergency access from additional construction related traffic (truck trips and construction workers). Impacts associated with construction traffic are discussed under Impact T-6 and include mitigation measures. No additional mitigation is necessary for emergency access during the construction period.

Mitigation Measures. Mitigation is not required.

<i>Threshold</i>	<i>Conflict with adopted policies, plans, or programs regarding public transit, bikeways, or pedestrian facilities, or otherwise substantially decrease the performance or safety of such facilities?</i>
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Impact T-5 The Proposed Project would not involve any disruptions to the local active transportation system. Further, the Proposed Project would not conflict with applicable policies associated with public transit. Therefore, impacts in this regard would be *less than significant with implementation of mitigation*.

Potential impacts to existing and planned transit service, bicycle facilities, and pedestrian facilities are discussed below.

Existing Transit Service. Existing transit service is provided along the Project frontage on South Santa Monica Boulevard through the Metro 704 Line, 720 Line, 4 Line, and 16/316 Line. The proposed driveways would potentially impact existing transit service. The Proposed Project would add two driveways along South Santa Monica Boulevard, one for ingress and one for egress. Vehicles traveling on westbound South Santa Monica Boulevard would not have a turn pocket to access project site. However, as discussed under Impact T-3, the Project would not



add a substantial number of vehicles entering the Project site from westbound South Santa Monica Boulevard and, therefore, would not disrupt the flow of vehicles along South Santa Monica Boulevard.

Based on the above, the proposed site access to the Proposed Project would not result in a disruption to existing transit service. This impact would be less than significant and no mitigation would be required.

Planned Transit Service. No major transit projects are planned on Charleville Boulevard or South Santa Monica Boulevard. The proposed land use and site access to the Proposed Project would not result in a disruption to existing transit service. However, Metro is adding rail service to the Project area through the extension of the Purple Line from its current terminus at Wilshire Boulevard and Western Avenue to Wilshire at the Veterans Administration Hospital in West Los Angeles. Construction of the extension is separated into three sections. Section 2 of the Purple Line right-of-way will be constructed approximately 0.25 mile south of the Project site, and the Century City/Constellation Station will be approximately 0.5 southwest of the Project site. Pre-construction activities are currently occurring for Section 2 and will continue until 2018. Construction of Section 2 is scheduled from 2019 until 2026 (Metro, 2015). Considering the 18-month construction schedule anticipated for the Proposed Project, construction activities for the Metro Project and the Proposed Project could potentially temporarily overlap. However, given the distance between the Project site and the temporary nature of construction activities, potential traffic conflicts would not be significant.

Based on the City's Circulation Element, Policy CIR 2.1a encourages supporting uses in and around transit stations. The development of residences within walking distance of the Century City/Constellation Station are supporting uses that would encourage residents and visitors to utilize public transit. Therefore, the Proposed Project would not conflict with the applicable policies and would not adversely affect the performance or safety of the Purple Line.

Existing and Planned Bicycle Facilities. There are no existing or planned bicycle facilities adjacent to the Project site. Therefore, there would be no impacts under the Proposed Project and no mitigation is required.

Adopted Bicycle System Plans, Guidelines, Policies, or Standards. Because there are no existing or planned bicycle facilities along the Project frontage, there is no conflict with the adopted system, plan, or other standards. There would be no impact under the Proposed Project and no mitigation is required.

Existing and Planned Pedestrian Facilities. The Project site plan would maintain the existing sidewalks along the Project frontage on South Santa Monica Boulevard and Charleville Boulevard. The Project would require two new curb cuts along South Santa Monica Boulevard to accommodate the Project driveways. However, curb cuts would comply with all ADA accessibility requirements and would not diminish the performance or safety of the existing sidewalks. The Project driveways along the South Santa Monica Boulevard would potentially pose a hazard to pedestrians along the existing sidewalks due to the visual obstructions to traffic leaving the Project due to the proposed eight-foot tall decorative screen and 12-foot tall pedestrian entry way. These design features could impact drivers' ability to see pedestrians as they exit the Project driveway. Therefore, the Project would result in potentially significant



impacts associated with pedestrian safety along South Santa Monica Boulevard and would require mitigation.

Adopted Pedestrian System Plans, Guidelines, Policies, or Standards. There are existing sidewalks along the Project frontage at South Santa Monica Boulevard and Charleville Boulevard. There are no adopted plans to add any new pedestrian facilities along the Project frontage. There would be no impact and no mitigation is required.

Mitigation Measures. Mitigation Measure TRAF-2, as listed below, would apply to the Proposed Project:

TRAF-2 Driveway Plans. Prior to the issuance of a building permit, the Developer shall submit driveway plans for review and approval by the City of Beverly Hills, which shall include pedestrian safety measures such as visual and/or audible warning to pedestrians along the South Santa Monica Boulevard to indicate when vehicles are exiting the Project driveway. The Project shall include a stop sign for vehicles leaving the Project driveway prior to entering the public sidewalk.

Significance After Mitigation. Implementation of Mitigation Measure TRAF-2 would reduce impacts to pedestrian safety along South Santa Monica Boulevard to a less than significant level by alerting pedestrians to the presence of cars exiting the Project driveway. Additionally installation of a stop sign at the project exit would reduce speed of vehicles crossing the public sidewalk.

<i>Threshold</i>	<i>Create a temporary, but prolonged impact due to lane closure, need for temporary signals, emergency vehicle access, traffic hazards to bicycles and/or pedestrians, damage to the roadbed, truck traffic on roadways not designated as truck routes, and other similar impediments to circulation during the construction period.</i>
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Impact T-6 Construction activities for the Proposed Project would result in traffic impacts due to haul truck traffic, equipment and material deliveries, worker traffic, and worker parking. Impacts associated with the Proposed Project would be less than significant with implementation of mitigation.

Construction traffic impacts associated with the Proposed Project include trucks traveling to and from the site to remove debris, fill, and other items (haul trucks); equipment and material delivery and staging; worker traffic; and worker parking. These impacts would be temporary and limited to the approximately 21-month construction schedule.

Truck Traffic. During construction of the Project, haul trucks would be regularly traveling to and from the site to remove debris and fill, and other items. These trucks would utilize the local street system to access and egress the Project site throughout the 21-month construction duration. The increase in truck traffic could potentially impact traffic on local roadways.



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 residential units. These materials would have to be delivered to the site and stored on-site as well. These deliveries would occur through variously sized vehicles including small delivery trucks to cement mixer trucks, and possible 18-wheel trucks.

Additionally, heavy construction equipment would have to be delivered to the site. This equipment could 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 similar 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 will be needed for the subgrade parking structure and the building.*
- *Some of the materials and equipment could require the use of large trucks (18-wheelers) which can create additional congestion on the adjacent roadways.*
- *Delivery vehicles may need to park temporarily on adjacent roadways such as Santa Monica Boulevard, and Charleville Boulevard as they deliver their items.*

Worker Parking. The number of workers on the project site would vary through different phases of construction. Construction workers would require adequate parking on or near the Project site that would allow them to park for the duration of the work day. Workers parking off site could impact parking in adjacent areas, including residential areas along Charleville Boulevard and Durant Street, as well as parking for commercial uses along Santa Monica Boulevard.

As discussed above construction period under the Proposed Project would occur over 21 months. Traffic impacts associated with the Proposed Project would be potentially significant and require mitigation.

Mitigation Measures. Mitigation Measures TRAF-3 and TRAF-4, as listed below, would apply to the Proposed Project.

TRAF-3 Construction Traffic Management Plan. The Developer shall create a Draft 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 for 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 Santa Monica Boulevard;*
- *Construction equipment traffic from the contractors shall be controlled by flagman;*
- *Designated transport routes for heavy trucks and haul trucks to be used over the duration of the Proposed Project;*
- *Schedule vehicle movements to ensure that there are no vehicles waiting offsite 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;*
- *Coordinate with adjacent businesses and emergency service providers to ensure adequate access exists to the Project site and neighboring businesses; and*
- *Prohibit parking for construction workers except on the Project site and any designated offsite parking locations. These off site locations will require the approval of the City of Beverly Hills. These offsite parking locations cannot include any parking garage in the City of Beverly Hills or any residential streets including Charleville Boulevard, Durant Street, and those streets which connect to Charleville Boulevard.*

The Final Construction Traffic Management Plan shall be submitted and approved by the City prior to issuance of a grading or building permit, whichever comes first.

TRAF-4 Construction Workers Parking Plan. The Developer shall submit a Construction Workers Parking Plan identifying parking locations for construction workers. To the maximum extent feasible, all worker parking shall be accommodated on the project site. During 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 to and from the project site for approval by the City prior to issuance of a grading or building permit, whichever comes first. 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 south of Santa Monica 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, for hiring a security guard to enforce these parking provisions. The contractor shall be responsible for all costs associated with enforcement of this mitigation measures; 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. Temporary impacts related to increased traffic and parking during construction activities would be less than significant with implementation of MM-TRAF-3 and TRAF-4.

c. Cumulative Impacts. Cumulative development within the Project area would cause increases in traffic on area roadways. Section 3.0, *Environmental Setting*, describes planned and pending projects in the vicinity of the Project site that were included in the cumulative traffic forecasts. The cumulative (2018) plus Proposed Project peak periods turning movement volumes, corresponding lane configurations, and traffic control devices are shown in Figure 4 of the Traffic Assessment in Appendix 5 of this EIR. Raw traffic count data sheets are provided in Appendix B of the Traffic Assessment. Table 4.7-7 summarizes existing, cumulative, and cumulative plus Project intersection capacities. Without the Proposed Project both study intersections would operate at an LOS of D or better in 2018 for both of the peak periods.

With the Project in place in 2018, both intersections would experience slight increases in V/C. However, both study intersections would continue to operate at LOS D or better. Therefore, cumulative traffic impacts would be less than significant.

**Table 4.7-7
 Intersection Level of Service – Cumulative and Cumulative Plus Project**

Intersection	Control	Peak Hour	Cumulative (2018)		Cumulative Plus Proposed Project		V/C Change	Threshold (increase in V/C)	Significant Impact?
			V/C	LOS	V/C	LOS			
1. S. Santa Monica Blvd & Charleville Blvd.	Signal	AM	0.603	B	0.604	B	0.001	N/A*	No
		PM	0.852	C	0.855	D	0.003	0.03	No
S. Santa Monica Blvd & Moreno Dr.	Signal	AM	0.699	B	0.0701	C	0.002	N/A	No
		PM	0.803	D	0.805	D	0.002	0.03	No

Source: Fehr & Peers, August 2016. (see Appendix 5 for the full Traffic Assessment)
 *N/A = Not Applicable



Table 4.7-8 shows the increase in traffic due to the Project on residential streets south and east of the Project site. Under cumulative conditions, both Charleville Boulevard and Durant Boulevard are expected to receive an increase of eight daily trips due to the Project. The highest percentage increases (0.28%) would occur on Durant Boulevard. Such increases would not exceed City thresholds; therefore, cumulative impacts to neighborhood streets would be less than significant.

**Table 4.7-8
 Residential Street Impacts – Cumulative and Cumulative Plus Project**

Location	Volume			Impact Analysis		
	Future	Project Only	Future Plus Project	% of Final ADT	Significance Threshold	Significant Cumulative Impact?
Daily						
Charleville Blvd. (west of Durant Dr.)	4,363	8	4,371	0.18%	+8.0%	No
Durant Dr. (south of Charleville Blvd.)	2,855	8	2,863	0.28%	+12.0%	No
Peak Hour						
Charleville Blvd (west of Durant Dr.)	434	1	435	0.23%	+8.0%	No
Durant Dr. (south of Charleville Blvd.)	417	1	418	0.24%	+12.0%	No

Fehr & Peers, August 2016. (see Appendix 5 for full Traffic Assessment)

Cumulative construction-related impacts could occur as the result of simultaneous construction of the Proposed Project, the One Beverly Hill Project at 9900 Wilshire Boulevard, the reconstruction of Santa Monica Boulevard, Extension of the Metro Purple Line, 10000 Santa Monica, the Westfield Shopping Center, and the Beverly Hilton Revitalization Plan (9876 Wilshire Boulevard), since construction schedules would likely 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. There may also be temporary queuing of these delivery vehicles if large numbers of vehicles arrive or depart at once.*
- *Simultaneous construction worker parking- Construction workers for both Projects could potentially park in areas adjacent to the site.*

Construction associated with the Proposed Project would make a cumulatively considerable contribution to cumulative traffic impacts.



Mitigation Measures.

TRAF-5 Cumulative Construction Management Plan. The applicant for the Proposed Project shall coordinate with the applicant for One Beverly Hills, the Beverly Hilton Revitalization Plan, Metro Purple Line Extension, 10000 Santa Monica, Westfield Shopping Center, and the City of Beverly Hills as follows:

- *Any temporary roadway closures shall be coordinated to limit overlap of roadway closures.*
- *All major deliveries for all three Projects shall be coordinated to limit the occurrence of simultaneous deliveries. The Project applicants shall ensure that deliveries of items such as concrete and other high-volume items shall not be done simultaneously.*
- *The applicants shall coordinate regarding the loading and unloading of delivery vehicles. Any offsite staging areas for delivery vehicles shall be consolidated and shared.*
- *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. Temporary cumulative impacts related to construction activity would be less than significant with implementation of MM-TRAF-5.



5 OTHER CEQA-REQUIRED DISCUSSIONS

This section discusses growth-inducing impacts, irreversible environmental impacts, and energy impacts that would be caused by the Proposed Project.

5.1 GROWTH INDUCEMENT

Section 15126(d) of the *CEQA Guidelines* requires a discussion of a Proposed Project's potential to foster economic or population growth, including ways in which a project could remove an obstacle to growth. 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 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

The Proposed Project would add 27 residential units in Beverly Hills and would accommodate approximately 63 new residents based on California Department of Finance's (DOF) estimate of 2.34 individuals per household (California DOF, 2016). The current population of Beverly Hills is 34,763 (California DOF, 2016). The Project's 63 residents would therefore increase the population of the City to 34,826. The Southern California Association of Government's (SCAG) population growth forecast for Beverly Hills is 37,200 in 2040 (SCAG, 2012). As discussed in Section 4.1, *Air Quality*, under Impact AQ-1, the population increase associated with the Proposed Project would be within SCAG's 2040 population forecast. As discussed in sections 4.2, *Air Quality*, and 4.3, *Greenhouse Gas Emissions*, of this EIR, the Project would generally be consistent with the regional goals contained in the Air Quality Management Plan (AQMP) and the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) (SCAG, 2012). Moreover, as discussed in the Initial Study (Appendix 1), the Project involves infill development on a currently vacant site within an urbanized area that lacks significant scenic resources, native biological habitats, known cultural resource remains, surface water, or other environmental resources. Therefore, population growth associated with the Project would not result in significant long-term physical environmental effects.

5.1.2 Economic Growth

The Proposed Project would generate temporary employment opportunities during construction. Because construction workers would be expected to be drawn from the existing regional work force, construction of the Project would not be growth-inducing from a temporary employment standpoint.

The population associated with the Project would contribute to the local economy as demand for general goods increases, which in turn could result in economic growth for various sectors, such as retail and services. However, the Project would be infill development in an existing urban area and would add approximately 63 new residents to the 34,763 current population of Beverly Hills (an increase of less than 0.2 percent). Therefore, the Project would not be expected to induce substantial economic expansion to the extent that direct physical environmental effects would result. Moreover, the environmental effects associated with any future



development in or around Beverly Hills would be addressed as part of the CEQA environmental review for such development projects.

5.1.3 Removal of Obstacles to Growth

The Proposed Project involves infill development on a site located within a fully urbanized area that is well served by existing infrastructure. As discussed in Section XVII, *Utilities and Service Systems*, of the Initial Study and section 4.7, *Transportation and Traffic* of this EIR, existing infrastructure in Beverly Hills would be adequate to serve the Project. No new or expanded roads or other infrastructure would be required to serve the Project. Therefore, the Project would not remove any obstacles to growth.

5.2 IRREVERSIBLE ENVIRONMENTAL EFFECTS

The *CEQA Guidelines* require that EIRs evaluating projects involving amendments to public plans, ordinances, or policies contain a discussion of significant irreversible environmental changes. This section addresses non-renewable resources, the commitment of future generations to the proposed uses, and irreversible impacts associated with the Proposed Project.

The Proposed Project involves infill development on a currently vacant lot in Beverly Hills. Construction and operation of the Project would involve an irreversible commitment of construction materials and non-renewable energy resources. The Project would involve the use of building materials and energy, some of which are non-renewable resources, to construct the overall building floor area of 89,988 square feet. Consumption of these resources would occur with any development in the region, and are not unique to the Proposed Project.

The Proposed Project would also 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. As discussed in Section 2.0, *Project Description*, the Project includes a number of sustainability features aimed at reducing energy demands of the Project, such as a solar ready roof and EV charging stations. 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. Consequently, the Project would not use unusual amounts of energy or construction materials 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.

Additional vehicle trips associated with the Proposed Project would incrementally increase local traffic and regional air pollutant and GHG emissions. However, as discussed in Sections 4.2, *Air Quality*, Section 4.3, *Greenhouse Gas Emissions*, and Section 4.7, *Transportation and Traffic*, long-term impacts associated with the Proposed Project would be less than significant based on City and regional thresholds.



The Project would also 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 XVII, *Utilities and Service Systems*, of the Initial Study in Appendix 1, impacts to these service systems would not be significant.

CEQA requires decision makers to balance the benefits of a Proposed Project against its unavoidable environmental risks in determining whether to approve a project. The analysis contained in this EIR concludes that the Proposed Project would not result in any significant and unavoidable impacts.

5.3 ENERGY EFFECTS

Public Resources Code Section 21100(b)(2) and Appendix F of the *CEQA Guidelines* require that EIRs include a discussion of the potential energy consumption and/or conservation impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful or unnecessary consumption of energy.

The Proposed Project would involve the use of energy during the construction and operational phases of the Project. Energy use during the construction phase would be in the form of fuel consumption (e.g., gasoline and diesel fuel) to operate heavy equipment, light-duty vehicles, machinery, and generators for lighting. In addition, temporary grid power may also be provided to any temporary construction trailers or electric construction equipment. Long-term operation of the Proposed Project would require permanent grid connections for electricity and natural gas service to power internal and exterior building lighting, and heating and cooling systems.

Southern California Edison (SCE) would provide electricity service for the Proposed Project. SCE's power mix consists of approximately 24 percent renewable energy sources (wind, geothermal, solar, small hydro, and biomass) (SCE, 2016). Gas service would be provided by the Southern California Gas Company (SoCal Gas). According to the SoCal Gas natural gas is available in abundance domestically, with sufficient natural gas, in its traditional form, to meet the country's demand for more than 100 years (SoCal Gas, 2016). New technologies also offer the potential to capture methane, the primary ingredient in natural gas, from existing waste stream sources to make a renewable form of natural gas.

California used 296,843 gigawatt-hours (GWh) of electricity in 2014 (CEC, 2015) and 2,313 billion cubic feet of natural gas in 2012 (CEC, 2012). Californians presently consume over 18 billion gallons of motor vehicle fuels per year (CEC, 2016).

The Proposed Project's estimated motor vehicle fuel use is detailed in Table 5-1. Total estimated energy usage, including motor vehicle fuel, calculated using CalEEMod and shown in CalEEMod output files in Appendix 2, is summarized and compared to statewide usage in Table 5-2. The Proposed Project would result in increased weekday trips, and vehicle miles traveled (VMT) as compared to the currently vacant Project site. However, the Proposed Project would make a minimal contribution to statewide energy consumption and would not adversely affect energy supplies.



**Table 5-1
 Estimated Project-Related Annual Motor Vehicle Fuel Consumption**

Vehicle Type	Percent of Vehicle Trips¹	Annual Vehicle Miles Traveled²	Average Fuel Economy (miles/gallon)³	Total Annual Fuel Consumption (gallons)
Passenger Cars	50.77%	231,026	34.2	6,755
Light/Medium Trucks	44.74%	203,587	23.5	8,663
Heavy Trucks/Other	4.06%	18,475	7.7	2,399
Motorcycles	0.43%	1,957	50	39
Total	100%	455,045	--	17,856

¹ Percent of vehicle trips found in Table 4.3 "Trip Type Information" in CalEEMod output (see Appendix 2)

² Mitigated annual VMT found in Table 4.2 "Trip Summary Information" in CalEEMod output (see Appendix 2)

³ Average fuel economy for light/medium trucks, heavy trucks/other, and motorcycles provided by the United States Department of Transportation, Bureau of Transportation Statistics (2010); average fuel economy for passenger vehicles provided by the United States Department of Transportation, Bureau of Transportation Statistics (2016).

Note: Total may not add up due to rounding.

**Table 5-2
 Estimated Project-Related Energy Usage
 Compared to State-Wide Energy Usage**

Form of Energy	Units	Annual Project-Related Energy Use	Annual State-Wide Energy Use	Project % of State-Wide Energy Use
Electricity	mWh	287 ¹	296,843,000 ²	0.0001%
Natural Gas	kBTU	369,272 ¹	2,313,000,000,000 ³	0.00002%
Motor Vehicle Fuels	gallons	17,856 ⁴	18,019,000,000 ⁵	0.0001%

¹ CalEEMod output provided in the Air Quality Analysis (see Appendix 2 for calculation results);

² California Energy Commission, California Energy Almanac, 2015. Total Electricity System Power, data as of September 2015. Available: http://energyalmanac.ca.gov/electricity/total_system_power.html

³ California Energy Commission, California Energy Almanac, Overview of Natural Gas in California – Natural Gas Supply. Available: <http://energyalmanac.ca.gov/naturalgas/overview.html>

⁴ See Table 5-2.

⁵ California Energy Commission, 2014 Integrated Energy Policy Report, Available at http://www.energy.ca.gov/2014_publications/CEC-100-2014-001/CEC-100-2014-001-CMF.pdf.

Note: Total may not add up due to rounding.

The Proposed Project would also be subject to the energy conservation requirements of the California Energy Code (Title 24, Part 6, of the California Code of Regulations, *California's Energy Efficiency Standards for Residential and Nonresidential Buildings*) and the California Green Building Standards Code (Title 24, Part 11 of the California Code of Regulations). The California Energy Code provides energy conservation standards for all new and renovated commercial and residential buildings constructed in California. The Code applies to the building envelope, space-conditioning systems, and water-heating and lighting systems of buildings and appliances. The Code provides guidance on construction techniques to maximize energy conservation. Minimum efficiency standards are given for a variety of building elements, including appliances; water and space heating and cooling equipment; and insulation for doors, pipes, walls and ceilings. The Code emphasizes saving energy at peak periods and seasons, and



improving the quality of installation of energy efficiency measures. In addition, the California Green Building Standards Code sets targets for: energy efficiency; water consumption; dual plumbing systems for potable and recyclable water; diversion of construction waste from landfills; and use of environmentally sensitive materials in construction and design, including ecofriendly flooring, carpeting, paint, coatings, thermal insulation, and acoustical wall and ceiling panels.

The Proposed Project is required to comply with Title 24 standards. Specific sustainability features to be incorporated into the Project are described in subsection 2.5.3 of Section 2.0. Meeting Title 24 energy conservation requirements in combination with the Project sustainability components described in Section 2.0 would ensure that energy is not used in an inefficient, wasteful, or unnecessary manner per Public Resources Code Section 21100(b)(2).



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6 ALTERNATIVES

As required by Section 15126.6 of the *CEQA Guidelines*, this EIR examines a range of reasonable alternatives to the Proposed Project that would attain most of the basic Project objectives (stated in Section 2 of this EIR) but would avoid or substantially lessen any of its significant effects.

As discussed in Section 2, *Project Description*, the objectives for the Proposed Project, are as follows:

- *Redevelop a currently vacant urban in-fill site into a luxury residential project that is compatible with adjoining residential development and adjoining luxury hotel, office and service businesses.*
- *Enhance and activate a currently vacant site in an underutilized area of the city with limited parking, limited circulation, and adjacent sensitive residential uses by bringing high end 24-hour residential use to the site.*
- *Support infill development in an existing urban area in a manner which minimizes traffic impacts.*
- *Enhance housing opportunities in the city, bring new residents to the area, and provide an opportunity for downsizing Beverly Hills residents to remain in the city.*
- *Create luxury medium density urban housing with ample landscaped setbacks, spacious living areas, high ceilings, private outdoor open space and luxury roof top amenities*
- *Improve the aesthetic quality of the site by creating a first class architectural building to replace vacant land.*
- *Create construction jobs and increase housing opportunities in the city.*
- *Improve public safety by bringing 24-hour residents and residential activity to an underutilized area of the City.*
- *Increase activity and customer base for surrounding commercial businesses by bringing residents to the area.*

Included in this analysis are four alternatives, including the CEQA-required “no project” alternative, that involve changes to the Project that may reduce the Project-related environmental impacts as identified in this EIR. 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 EIR:

- *Alternative 1: No Project/Development*
- *Alternative 2: Mixed Use Residential and Commercial (27 residential units and 5,000 square feet of ground floor retail)*
- *Alternative 3: Mixed Use Office and Commercial (67,004 square feet of office and 5,000 square feet of ground floor retail)*
- *Alternative 4: Office building with minimal retail use to serve building*

The potential environmental impacts of each alternative are analyzed in Sections 6.1 through 6.4.



Table 6-1 provides a summary comparison of the development characteristics of the Proposed Project and each of the alternatives considered. A more detailed description of the alternatives is included in the impact analysis for each alternative.

**Table 6-1
 Comparison of Project Alternatives' Buildout Characteristics**

Characteristic	Alternatives				
	Proposed Project	No Project/ Development (Alternative 1)	Mixed Use Commercial and Residential (Alternative 2)	Mixed Use Commercial and Office (Alternative 3)	Office Building (Alternative 4)
Residential Units	27	--	27	--	--
Residential SF	89,988	--	89,988	--	--
Retail	--	--	5,000 SF	5,000 SF	2,000 SF
Restaurant	--	--	--	--	999 SF
Office	--	--	--	67,004	69,002 SF
Overall SF	89,988 SF	--	94,988 SF	72,004 SF	72,004 SF
Parking	74 spaces	--	89 spaces	205 spaces	205 spaces
Parking Levels	1	--	2	4	4
Building Stories	5	--	5	3	3
Building Height	66 feet	--	66 feet	45 feet	45 feet

SF = square feet

6.1 ALTERNATIVE 1: NO PROJECT/DEVELOPMENT ALTERNATIVE

6.1.1 Description

This alternative assumes that the Proposed Project is not constructed and the site would remain in its current condition. As described in detail in Section 2, *Project Description*, the Project site is currently vacant.

6.1.2 Impact Analysis

a. Aesthetics. As discussed in Section 4.1, *Aesthetics*, the Project site is currently vacant with the eastern portion paved with asphalt to be used as a parking lot and is characterized as a low level of visual quality. Under the No Project/Development Alternative, the Project site would remain undeveloped. While construction of the Proposed Project would be considered to generally improve the visual quality of the site with new housing and landscaping, it would represent a change in character of the site. Therefore, because there would be no change from the existing conditions under this alternative, the changes to the character of the Project site would be less than the changes associated with the Proposed Project.

b. Air Quality. As discussed in Section 4.1, *Air Quality*, construction-related emissions of PM₁₀ associated with the Proposed Project would exceed SCAQMD thresholds and require implementation of fugitive dust mitigation measures. Under the No Project/Development



Alternative, no construction would take place on the Project site and all construction-related emissions would be avoided. Impacts would be less than the Proposed Project.

In the long term, the Proposed Project would not generate emissions exceeding SCAQMD regional thresholds, nor would it conflict with the SCAQMD's Air Quality Management Plan (AQMP). By not constructing the Proposed Project, many long term emissions would be avoided as the site would remain vacant. With the site remaining vacant, the potential for fugitive dust to be generated by exposed portions of the vacant lot would persist. However, the majority of the Project site is currently paved with an asphalt surface. Overall, no impacts would be associated with the No Project/Development Alternative and would be less than those of the Proposed Project.

c. Greenhouse Gas Emissions. Emissions associated with this alternative would be less than the Proposed Project due to the elimination of construction emissions as well as the elimination of emissions associated with operation of the project, such as vehicle miles traveled (VMT) and energy generation. Therefore, under the No Project/Development Alternative impacts associated with greenhouse gas emissions would be less than the Proposed Project. Additionally, under this alternative, leaving the Project site as a vacant lot would not conflict with any applicable plans or policies related to GHG emissions. This alternative would have no impact; therefore, the impact would be less than those of the Proposed Project.

d. Hazards and Hazardous Materials. As discussed in Section 4.4, *Hazards and Hazardous Waste*, the Phase I ESA for the Project site revealed no evidence of soil contamination. Further, under this alternative, the Project site would remain vacant and no soil would be disturbed. In comparison to the Proposed Project, impacts would be lower, but would remain less than significant.

e. Land Use and Planning. By eliminating development of the Proposed Project under this alternative, the site would remain vacant. As a vacant lot, the site would not be consistent with the current commercial zoning or General Plan designations. However, in comparison to the Proposed Project, no amendments would be necessary under the No Project/Development Alternative. In addition, at this time, it would be uncertain if future proposed uses of the site would comply with the existing General Plan and zoning designations. The Proposed Project, by comparison, would require land use amendments, a Planned Development Permit, and mitigation measures to achieve compliance with the current C-3A zoning and the General Plan. With adoption of the amendments and permit, and implementation of mitigation measures, the Proposed Project would be compliant with applicable land use plans and policies and impacts would be less than significant. Nevertheless, this alternative's impact would be somewhat lower.

f. Noise and Vibration. Implementation of the No Project/Development Alternative would eliminate the temporary construction-related noise and vibration impacts from the Proposed Project. Further, this alternative would eliminate noise associated with the operation of the Proposed Project, such as increased vehicle traffic and typical residential noise. Noise levels would remain at the current ambient noise levels of approximately 70 dBA Leq. Overall, impacts associated with noise and vibration would be incrementally less than those of the Proposed Project.



g. Transportation and Traffic. Under the No Project/Development Alternative, transportation and traffic would remain at current conditions. Temporary traffic delays associated with construction activities under the Proposed Project would be eliminated. Additionally, there would be no increase in the number of vehicle trips associated with the Proposed Project. All intersections would continue to operate at existing level of service (LOS) as discussed in section 4.7, *Transportation and Traffic*, and there would be no impact to local streets. Implementation of mitigation would reduce cumulative impacts to less than significant under the Proposed Project. Impacts under this alternative would be less than significant without mitigation and would be less than the Proposed Project.

6.2 ALTERNATIVE 2: MIXED USE RESIDENTIAL AND COMMERCIAL ALTERNATIVE

6.2.1 Description

This alternative would involve a mixed use building that includes both commercial and residential uses. This alternative would have 27 residential units encompassing a total of 89,988 SF of building area, and would add up to 5,000 SF of ground floor retail uses. The overall square footage of the building under this alternative would be up to 94,988 SF. The building would be five stories with a total height of 66 feet.

The addition of retail to the project would increase the parking requirement of the Project and would require an additional 15 stalls. The additional stalls would require a second level of subterranean parking that would extend the construction/excavation period in comparison to the Proposed Project, and would eliminate the parking lifts that are included as part of the Project. This alternative would require separate secure parking areas and additional driveway access for the residential and commercial users, as well as a loading area for commercial trucks and deliveries. Additionally, this alternative would require separate secure pedestrian entrances for the residential lobby and the commercial uses.

6.2.2 Impact Analysis

a. Aesthetics. As discussed in Section 4.1, *Aesthetics*, the changes to the Project site and its surroundings that would be produced by the Proposed Project would be consistent with applicable regulations and policies relating to visual character and quality, and would not have a significant negative impact on the overall visual character and quality of the area. Under the Mixed Use Residential and Commercial Alternative, commercial uses would be added to the site, which would represent a different character from the Proposed Project. Commercial uses would be added along South Santa Monica Boulevard, reducing the setbacks and eliminating some of the landscape areas that would be included under the Proposed Project. However, the proposed structure would remain at the same overall building height and the mixture of residential and commercial uses on the Project site would remain consistent with applicable regulations and policies as well as the character of the surrounding land uses. Therefore, this alternative would result in changes to the aesthetic character of the site that would be similar to the Proposed Project, and impacts would remain less than significant.

b. Air Quality. Temporary construction-related air quality impacts associated with this alternative would be slightly greater due to the increased duration of excavation required for



the increased depth of the subterranean parking structure to accommodate two levels. However, increased emissions would be spread out over the extended excavation period and would not result in daily emissions levels that would exceed SCAQMD's regional or local significance thresholds.

In the long term, this alternative would generate 214 additional daily trips, an increase of approximately 118%, due to the addition of commercial uses. The Proposed Project's operational air quality emissions would be well below SCAQMD's thresholds (see Table 4.2-7 of Section 4.2, *Air Quality*). In fact, the alternative would need to increase the Proposed Project's vehicle trips thirtyfold to exceed a SCAQMD threshold for operational emissions. Therefore, although this alternative would increase transportation related emissions by approximately 118%, less than twofold, operational emissions would remain below SCAQMD's thresholds. Overall air quality impacts would, therefore, be slightly greater than those of the Proposed Project, but would remain less than significant. Impacts related to AQMP consistency would be similar to the Proposed Project as the number of residential units would not change.

c. Greenhouse Gas Emissions. Temporary construction-related GHG impacts associated with this alternative would be slightly greater than those of the Proposed Project since the amount and duration of construction would be greater due to the increased excavation required for the two levels of subterranean parking and the increased building size. The addition of commercial uses under this alternative would also generate 214 additional daily trips, an increase of approximately 118%. The proposed project's GHG emissions would be well below SCAQMD's threshold (see Table 4.3-2 of Section 4.3, *Greenhouse Gas Emissions/Climate Change*). In fact, the alternative would need to increase the proposed project's vehicle trips fifteenfold to exceed SCAQMD's recommended threshold (3,000 metric tons [MT] carbon dioxide equivalent [CO₂e] per year). Therefore, although this alternative would increase transportation related emissions by approximately 118%, less than twofold, GHG emissions would remain below SCAQMD's threshold. Overall impacts related to GHGs and climate change would be slightly greater than those of the Proposed Project. Neither this alternative nor the Proposed Project would conflict with applicable plans or policies related to GHG emissions since both entail infill development that would comply with applicable energy conservation requirements, implement proposed sustainability features, and generally be consistent with regional efforts to reduce regional vehicle miles traveled by providing housing in an already urbanized area.

d. Hazards and Hazardous Materials. As discussed in the Initial Study (Appendix A), the Project site is not located within a quarter mile of a school or within the vicinity of an airport or private airstrip. The mixed use building under this alternative would be required to comply with all applicable codes and regulations pertaining to emergency response and fire protection. Based on the type of commercial uses that are permitted in the C-3 zone (refer to Table 4.5-1 in Section 4.5, *Land Use and Planning*), commercial uses under this alternative would not involve the routine transport, use, storage, or disposal of hazardous materials. Additionally, as discussed in Section 4.4, *Hazards and Hazardous Waste*, the Phase I ESA for the project site revealed no evidence of soil contamination. However, as discussed in Section 4.4, *Hazards and Hazardous Waste*, there is a possibility that underground storage tanks (USTs) could be discovered during excavation for the subterranean parking levels. If USTs were uncovered during grading, removal under permits issued by LACDPW and Beverly Hills Fire Department



would be required. Impacts would be similar to those of the Proposed Project and would remain less than significant.

e. Land Use and Planning. Like the Proposed Project, this alternative would require amendments to the General Plan and the BHMC to create a residential overlay to be in compliance with the C-3A zone. In addition, a Planned Development Permit would be required, along with implementation of mitigation measures to ensure compliance with the permit. As discussed for the Proposed Project in Section 4.5, *Land Use and Planning*, adoption of the required amendments and permit under this alternative would not conflict with other City plans or policies, nor would it result in an increase in the severity of environmental effects that would occur under the Proposed Project. Under this alternative, the housing component would still result in the need for the amendments and permit; however, the commercial development component of this alternative would comply with the intended land uses under the General Plan, as well as the permitted land uses under the BHMC. However, this alternative would still require a Residential Overlay to allow the proposed residences, increased height, increased floor area ratio, etc. Therefore, impacts would be similar to the Proposed Project.

f. Noise and Vibration. Maximum daily noise levels associated with construction of this alternative would be similar to those of the Proposed Project; however, the overall duration of construction would be longer to accommodate the increased excavation area. Nonetheless, construction activity for either this alternative or the Proposed Project would be limited to daytime hours, thus avoiding generation of high noise or vibration levels when residents are most sensitive to noise. Therefore, construction and vibration impacts would incrementally increase under this alternative, but would remain less than significant.

In the long term, exposure of future onsite residents to noise would be the same as under the Proposed Project. However, the addition of retail space to the Project under this alternative would result in an increase in the average daily trips (ADT) generated (394 ADT from the 180 ADT of the Proposed Project). This increase in traffic would incrementally increase traffic noise on local streets; however, overall noise increases would remain below the City's thresholds. Therefore, impacts associated with noise would be greater, but would remain less than significant.

g. Transportation and Traffic. As shown in Table 6-2, this alternative would generate an estimated 394 ADT, including 20 AM peak hour trips and 37 PM peak hour trips. This is 214 more ADT, 5 more AM peak hour trips and 19 more PM peak hour trips as compared to the Proposed Project. This alternative would potentially result in greater impacts to study intersections than those associated with the Proposed Project. However, additional analysis would be required to determine the severity of such impacts. As with the Project, implementation of mitigation for cumulative impacts associated with construction-related traffic with nearby development would also be required under this alternative. Impacts related to residential streets and the Congestion Management Program (CMP) would also be somewhat higher than those of the Proposed Project due to overall increase in vehicle trips, but would not be expected to exceed local or CMP significance thresholds. Impacts related to site access and alternative transportation modes would be similar to those of the Proposed Project.



Construction impacts would also be slightly greater than those of the Proposed Project since construction trips and the overall timeframe for construction would be greater due to increased excavation required for the second level of subterranean parking.

**Table 6-2
 Alternative 2 – Trip Generation Comparison**

	Proposed Project	Mixed Use Residential and Commercial (Alternative 2)	Difference
Average Daily Traffic (ADT)	180	394	+214
A.M. Peak Hour Trips	15	20	+5
P.M. Peak Hour Trips	18	37	+19

Source: Trip Generation, 9th Edition, Institute of Transportation Engineers (ITE), 2012.

6.3 ALTERNATIVE 3: MIXED USE OFFICE AND COMMERCIAL ALTERNATIVE

6.3.1 Description

Under this alternative, the Project would be converted to a mixed use building with both office and commercial uses. The residential units of the Proposed Project would be replaced with 5,000 SF of ground-floor commercial space and 67,004 SF of office space. The overall square footage of the under this alternative would 72,004 SF. The ground floor would include retail and office uses and offices would occupy the second and third floors.

This alternative would require 205 parking stalls per City requirements. This increase in parking would require a four-level subterranean parking structure, which would extend the excavation activities in comparison to the Proposed Project. Parking lifts would be eliminated. Additionally, this alternative would reduce the building to three stories with a maximum building height of 45 feet.

6.3.2 Impact Analysis

a. Aesthetics. As discussed in Section 4.1, *Aesthetics*, the changes to the Project site and its surroundings that would be produced by the Proposed Project would be consistent with applicable regulations and policies relating to visual character and quality, and would not have a significant negative impact on the overall visual character and quality of the area. Under the Mixed Use Office and Commercial Alternative, the Project site would be used for ground-floor retail with office space on the first, second and third floors, which would represent a different character from the Proposed Project. Commercial uses would front on South Santa Monica Boulevard and eliminate setbacks and landscaping included under the Proposed Project. However, the use of the site for commercial uses would remain consistent with applicable regulations and policies as well as the character of the surrounding land uses. Under this alternative, the structure would be reduced to three stories. This reduction in height would reduce the visual impact of the Project. Therefore, this alternative would represent a change in character of the site similar to that of the Proposed Project, but the reduced building height would have slightly less impact than the Proposed Project.



b. Air Quality. Temporary construction-related air quality impacts associated with this alternative would be greater than those of the Proposed Project since the overall amount and duration of construction would be greater due to increased excavation to accommodate the four levels of subterranean parking. However, increased emissions would be spread out over the extended excavation period and would not result in daily emissions levels exceeding SCAQMD regional or local significance thresholds.

In the long term, this alternative would generate 1,002 more daily vehicle trips than the Proposed Project, an increase of approximately 550%, due to the inclusion of retail and office space rather than the proposed residential uses. The Proposed Project's operational air quality emissions would be well below SCAQMD's thresholds (see Table 4.2-7 of Section 4.2, Air Quality). In fact, the alternative would need to increase the Proposed Project's vehicle trips thirtyfold to exceed a SCAQMD threshold for operational emissions. Therefore, although this alternative would increase transportation related emissions by approximately 550%, operational emissions would remain below SCAQMD's thresholds. Additionally, the office space use would generate an estimated 152 employees.¹ Such employment growth would remain within SCAG forecasts for Beverly Hills; therefore, this alternative would not conflict with the AQMP. Overall air quality impacts would be greater than those of the Proposed Project, but would remain less than significant.

c. Greenhouse Gas Emissions. Temporary construction-related GHG impacts associated with this alternative would be greater than those of the Proposed Project due to the increased amount and duration of construction associated with the four levels of subterranean parking. Additionally, emissions associated with vehicle trips would be greater under this alternative than the Proposed Project. The alternative would generate 1,002 more daily vehicle trips than the proposed project, an increase of approximately 550%. The proposed project's GHG emissions would be well below SCAQMD's threshold (see Table 4.3-2 of Section 4.3, *Greenhouse Gas Emissions/Climate Change*). In fact, the alternative would need to increase the Proposed Project's vehicle trips fifteen fold to exceed SCAQMD's recommended threshold (3,000 MT CO₂e per year). Therefore, although this alternative would increase vehicle trips by approximately 550%, emissions would remain below SCAQMD's GHG threshold. Overall impacts related to GHGs and climate change would be higher than those of the Proposed Project. Neither this alternative nor the Proposed Project would conflict with applicable plans or policies related to GHG emissions since both entail infill development that would comply with applicable energy conservation requirements, implement proposed sustainability features, and generally be consistent with regional efforts to reduce regional vehicle miles traveled by providing housing and office space in an already urbanized area.

d. Hazards and Hazardous Materials. As discussed in the Initial Study (Appendix 1), the Project site is not located within a quarter mile from a school or within the vicinity of an airport or private airstrip. The commercial and office building under this alternative would be required to comply with all applicable codes and regulations pertaining to emergency response and fire protection. Based on the type of commercial uses that are permitted in the C-3 zone (refer to Table 4.5-1 in Section 4.5, *Land Use and Planning*), the proposed office space under this alternative would not involve the routine transport, use, storage, or disposal of hazardous

¹ This estimate assumes 440 square feet per employee, based on the average for Los Angeles County reported in the *Employment Density Study* prepared by the Natelson Company for the Southern California Association of Governments, 2001.



materials. Additionally, as discussed in Section 4.4, *Hazards and Hazardous Waste*, the Phase I ESA for the Project site revealed no evidence soil contamination. However, as discussed in Section 4.4, *Hazards and Hazardous Waste*, there is a possibility that underground storage tanks (USTs) could be discovered during excavation for the subterranean parking levels. If USTs were uncovered during grading removal under permits issued by LACDPW and Beverly Hills Fire Department would be required. Impacts would be similar to those of the Proposed Project and would remain less than significant.

e. Land Use and Planning. This alternative would be compatible with the C-3A zoning of the Project site. As discussed Section 4.5, *Land Use and Planning*, the Proposed Project would require General Plan and zoning amendments and a Planned Development Permit to comply with the C-3A zoning. Therefore, overall impact of this alternative would be less than the Proposed Project and would be less than significant. The office and retail use would generally be compatible with the mix of uses in the area.

f. Noise and Vibration. Maximum daily noise levels associated with construction of this alternative would be similar to those of the Proposed Project, however, the overall duration of construction would be longer to accommodate the increased excavation area. Nonetheless, construction activity for either this alternative or the Proposed Project would be limited to daytime hours, thus avoiding generation of high noise or vibration levels when residents are most sensitive to noise. Construction and vibration impacts would increase but would remain less than significant.

In the long term, this alternative would generate increased ADT (1,182 ADT compared to the 180 ADT for the Proposed Project). Assuming a distance of 30 feet from the centerline of a roadway, this ADT would generate approximately 56.4 dBA CNEL.² Adding 56.4 dBA CNEL to the existing ambient noise levels shown in Table 4.6-7 would result in a maximum increase in roadway noise of 0.5 dBA CNEL; however, this is a conservative estimate because it does not take into account the attenuating effect of intervening buildings or additional distance to receptors beyond 30 feet. This alternative's increase in traffic to 1,182 ADT would increase traffic noise on local streets in comparison to the Proposed Project; however, this increase would not exceed the City's noise thresholds (an increase of 1 dBA CNEL). In addition, as an office building is not a noise-sensitive use, the applicant-proposed noise attenuation measures for the Proposed Project would not be necessary under this alternative. Overall, the long-term noise impacts associated with this alternative would increase in comparison to the Proposed Project due to increased traffic, but this impact would not be significant.

g. Transportation and Traffic. As shown in Table 6-3, this alternative would generate an estimated 1,182 average ADT, including 143 AM peak hour trips and 172 PM peak hour trips. This is 1,002 more ADT, 128 more AM peak hour trips, and 154 more PM peak hour trips as compared to the Proposed Project. This alternative would potentially result in increased impacts to study intersections beyond those associated with the Proposed Project, though additional analysis would be required to determine the severity of such impacts. As with the Project, implementation of mitigation for cumulative impacts would also be required under this

² Roadway noise from 1,182 ADT was estimated using the U.S. Department of Housing and Urban Development's (HUD) Day/Night Noise Level (DNL) tool (see Appendix 4) to be 55.4 dBA DNL. The DNL estimate was converted to 56.4 dBA CNEL by adding 1 dBA because the CNEL value will usually be about 1 dBA higher than the DNL value (California State Water Resources Control Board, 1999).



alternative. Impacts related to residential streets and the Congestion Management Program (CMP) would also be somewhat higher than those of the Proposed Project due to overall increase in vehicle trips, but would not be expected to exceed local or CMP significance thresholds. Impacts related to site access and alternative transportation modes would be similar to those of the Proposed Project.

**Table 6–3
 Alternative 3 – Trip Generation Comparison**

	Proposed Project	Commercial and Office (Alternative 3)	Difference
Average Daily Traffic (ADT)	180	1,182	+1,002
A.M. Peak Hour Trips	15	143	+128
P.M. Peak Hour Trips	18	172	+154

Source: Trip Generation, 9th Edition, Institute of Transportation Engineers (ITE), 2012.

Construction impacts would be slightly greater than those of the Proposed Project since construction trips and the overall timeframe for construction would be greater due to increased excavation required for the four levels of subterranean parking.

6.4 ALTERNATIVE 4: OFFICE ALTERNATIVE

6.4.1 Description

Under this alternative, the residential units of the Proposed Project would be replaced with 69,002 SF of office space. In addition to the office space, this alternative would include 999 SF of restaurant space and 2,000 SF of retail space. This minimal restaurant and retail would primarily serve the office uses within the building.

This alternative would require 205 parking stalls per City requirements. This increase in parking would require a four-level subterranean parking structure, which would extend the excavation activities in comparison to the Proposed Project. Parking lifts would be eliminated. This alternative would reduce the setbacks and eliminate some of the landscape areas that would be included under the Proposed Project. Additionally, this alternative would reduce the building to three stories with a maximum building height of 45 feet.

6.4.2 Impact Analysis

a. Aesthetics. As discussed in Section 4.1, *Aesthetics*, the changes to the Project site and its surroundings that would be produced by the Proposed Project would be consistent with applicable regulations and policies relating to visual character and quality, and would not have a significant negative impact on the overall visual character and quality of the area. Under the Office Alternative, the Project site would be used for office space and commercial uses, which would represent a different character from the Proposed Project. However, the use of the site for commercial uses would remain consistent with applicable regulations and policies as well as the character of the surrounding land uses. Under this alternative, the structure would be reduced to three stories. This reduction in height would reduce the visual impact of the Project. Therefore, this alternative would represent a change in character of the site similar to that of the



Proposed Project, but the reduced building height would have slightly less impact than the Proposed Project.

b. Air Quality. Temporary construction-related air quality impacts associated with this alternative would be greater than those of the Proposed Project since the overall amount and duration of construction would be greater due to increased excavation to accommodate the four levels of subterranean parking. However, increased emissions would be spread out over the extended excavation period and would not result in daily emissions levels exceeding SCAQMD regional or local significance thresholds.

In the long term, this alternative would generate 895 more daily vehicle trips than the Proposed Project, an increase of approximately 500%, due to the inclusion of office space rather than the proposed residential uses. The Proposed Project's operational air quality emissions would be well below SCAQMD's thresholds (see Table 4.2-7 of Section 4.2, Air Quality). In fact, the alternative would need to increase the Proposed Project's vehicle trips thirtyfold to exceed a SCAQMD threshold for operational emissions. Therefore, although this alternative would increase transportation related emissions by approximately 500%, operational emissions would remain below SCAQMD's thresholds. Additionally, the office space use would generate an estimated 157 employees.³ Such employment growth would remain within SCAG forecasts for Beverly Hills; therefore, this alternative would not conflict with the AQMP. Overall air quality impacts would be greater than those of the Proposed Project, but would remain less than significant.

c. Greenhouse Gas Emissions. Temporary construction-related GHG impacts associated with this alternative would be greater to those of the Proposed Project since the amount and duration of construction would be the greater due to the four levels of subterranean parking. Additionally, emissions associated with vehicle trips would be greater under this alternative than the Proposed Project. The alternative would generate 895 more daily vehicle trips than the Proposed Project, an increase of approximately 500%. The Proposed Project's GHG emissions would be well below SCAQMD's threshold (see Table 4.3-2 of Section 4.3, *Greenhouse Gas Emissions/Climate Change*). In fact, the alternative would need to increase the Proposed Project's vehicle trips fifteen fold to exceed SCAQMD's recommended threshold (3,000 MT CO₂e per year). Therefore, although this alternative would increase vehicle trips by approximately 500%, emissions would remain below SCAQMD's GHG threshold. Overall impacts related to GHGs and climate change would be higher than those of the Proposed Project. Neither this alternative nor the Proposed Project would conflict with applicable plans or policies related to GHG emissions since both entail infill development that would comply with applicable energy conservation requirements, implement proposed sustainability features, and generally be consistent with regional efforts to reduce regional vehicle miles traveled by providing housing and office space in an already urbanized area.

d. Hazards and Hazardous Materials. As discussed in the Initial Study (Appendix A), the Project site is not located within a quarter mile from a school or within the vicinity of an airport or private airstrip. The office building under this alternative would be required to comply with all applicable codes and regulations pertaining to emergency response and fire

³ This estimate assumes 440 square feet per employee, based on the average for Los Angeles County reported in the *Employment Density Study* prepared by the Natelson Company for the Southern California Association of Governments, 2001.



protection. Based on the type of commercial uses that are permitted in the C-3 zone (refer to Table 4.5-1 in Section 4.5, *Land Use and Planning*), the proposed office space under this alternative would not involve the routine transport, use, storage, or disposal of hazardous materials. Additionally, as discussed in Section 4.4, *Hazards and Hazardous Waste*, the Phase I ESA for the Project site revealed no evidence soil contamination. However, as discussed in Section 4.4, *Hazards and Hazardous Waste*, there is a possibility that underground storage tanks (USTs) could be discovered during excavation for the subterranean parking levels. If USTs were uncovered during grading removal under permits issued by LACDPW and Beverly Hills Fire Department would be required. Impacts would be similar to those of the Proposed Project and would remain less than significant.

e. Land Use and Planning. This alternative would be compatible with the C-3A zoning of the Project site. As discussed Section 4.5, *Land Use and Planning*, the Proposed Project would require General Plan and zoning amendments and a Planned Development Permit to comply with the C-3A zoning. Therefore, overall impact of this alternative would be less than the Proposed Project and would be less than significant. The office use would generally be compatible with the mix of uses in the area.

f. Noise and Vibration. Maximum daily noise levels associated with construction of this alternative would be similar to those of the Proposed Project, however, the overall duration of construction would be longer to accommodate the increased excavation area. Nonetheless, construction activity for either this alternative or the Proposed Project would be limited to daytime hours, thus avoiding generation of high noise or vibration levels when residents are most sensitive to noise. Construction and vibration impacts would increase but would remain less than significant.

In the long term, this alternative would generate increased ADT (1,075 ADT from the 180 ADT of the Proposed Project). Assuming a distance of 30 feet from the centerline of a roadway, this ADT would generate approximately 56.0 dBA CNEL.⁴ Adding 56.0 dBA CNEL to the existing ambient noise levels shown in Table 4.6-7 would result in a maximum increase in roadway noise of 0.5 dBA CNEL; however, this is a conservative estimate because it does not take into account the attenuating effect of intervening buildings or additional distance to receptors beyond 30 feet. Therefore, this alternative's increase in traffic to 1,075 ADT would increase traffic noise on local streets in comparison to the Proposed Project, but would not exceed the City's thresholds (an increase of 1 dBA CNEL). Due to the fact that an office building is not a noise-sensitive use, the applicant-proposed noise attenuation measures associated with the Proposed Project would not be necessary under this alternative. Overall, the long-term noise impacts associated with this alternative would increase from the Proposed Project due to increased traffic; however, the impact would be less than significant.

g. Transportation and Traffic. As shown in Table 6-4, this alternative would generate an estimated 1,075 average ADT, including 143 AM peak hour trips and 163 PM peak hour trips. This is 895 more ADT, 128 more AM peak hour trips, and 145 more PM peak hour trips as compared to the Proposed Project. This alternative would potentially result in increased

⁴ Roadway noise from 1,1075 ADT was estimated using the U.S. Department of Housing and Urban Development's (HUD) Day/Night Noise Level (DNL) tool (see Appendix 4) to be 55.0 dBA DNL. The DNL estimate was converted to 56.0 dBA CNEL by adding 1 dBA because the CNEL value will usually be about 1 dBA higher than the DNL value (California State Water Resources Control Board, 1999).



impacts to study intersections beyond those associated with the Proposed Project, though additional analysis would be required to determine the severity of such impacts. As with the Project, implementation of mitigation for cumulative impacts associated with construction would also be required under this alternative. Impacts related to residential streets and the Congestion Management Program (CMP) would also be somewhat higher than those of the Proposed Project due to overall increase in vehicle trips, but would not be expected to exceed local or CMP significance thresholds. Impacts related to site access and alternative transportation modes would be similar to those of the Proposed Project.

**Table 6–4
 Alternative 4 – Trip Generation Comparison**

	Proposed Project	Office (Alternative 4)	Difference
Average Daily Traffic (ADT)	180	1,075	+895
A.M. Peak Hour Trips	15	143	+128
P.M. Peak Hour Trips	18	163	+145

Source: Trip Generation, 9th Edition, Institute of Transportation Engineers (ITE), 2012.

Construction impacts would be slightly greater than those of the Proposed Project since construction trips and the overall timeframe for construction would be greater due to increased excavation required for the four levels of subterranean parking.

6.5 ALTERNATIVES CONSIDERED BUT REJECTED

Alternatives considered but rejected include a range of scenarios that would reduce the Project size. However, because the Project would not result in significant and unavoidable impacts, the alternatives analysis focused on the impacts associated with a mix of land uses for the Project site, in particular, projects that would be code-compliant with the existing General Plan and zoning designations. As such, alternatives that would reduce the Project size were rejected from consideration.

6.6 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

Table 6-5 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.

The No Project/Development Alternative would avoid both the temporary construction impacts and the long-term operational impacts associated with the Proposed Project because the site would remain undeveloped. However, the Project site is an infill lot in a highly urban area. Therefore, it can be assumed that a future project would be developed on the Project site, which would have impacts similar to those of the Proposed Project.

The Mixed Use Residential and Commercial Alternative would have similar impacts as the Proposed Project with slightly greater impacts associated with air quality and GHG emissions due to increased amount of excavation required for the two levels of subterranean parking as



well as the increase in VMT⁵ associated with Project operation. The increase in ADT⁶ would result in increased impacts to transportation and traffic as well as an incremental increase in traffic generated noise on local streets. Impacts associated with aesthetics and hazards and hazardous materials would be similar as the Proposed Project. The commercial development associated with this alternative would comply with the intended use of the site and would result in slightly less impacts with respect to land use and planning. Overall, impacts would be slightly greater than those of the Proposed Project, and the Mixed Use alternative would not be considered environmentally superior.

The Mixed Use Office and Commercial Alternative would have impacts similar to those of the Proposed Project associated with hazards and hazardous materials. The commercial use of this alternative would reduce impacts with respect to land use and planning, as the construction and operation of commercial and office space are allowed under the current C-3A zoning and would not require amendments to the General Plan or Zoning Ordinance. Further, the reduced building height to three stories would have reduced impacts to aesthetics when compared to the Proposed Project. However, as discussed above, the Office Alternative would have increased impacts associated with air quality and GHG emissions due to the increased excavation required for four levels of subterranean parking and the increased VMT associated with the office land use. Further, the increase in ADT would result in slight increases in impacts associated with noise and substantial increases in impacts associated with transportation and traffic. Overall, land use and aesthetics impacts would remain less than significant while impacts associated with associated with air quality, GHG emissions, and transportation and traffic would increase in comparison to the Project. Therefore, overall impacts associated with the Mixed Use Office and Commercial Alternative would be greater than the Proposed Project and would not be environmentally superior.

The Office Alternative would have impacts similar to those of the Proposed Project associated with hazards and hazardous materials. The commercial use of this alternative would reduce impacts with respect to land use and planning, as the construction and operation of office space is allowed under the current C-3A zoning and would not require amendments to the General Plan or Zoning Ordinance. Further, the reduced building height to three stories would have reduced impacts to aesthetics when compared to the Proposed Project. However, as discussed above, the Office Alternative would have increased impacts associated with air quality and GHG emissions due to the increased excavation required for four levels of subterranean parking and the increased VMT associated with the office land use. Further, the increase in ADT would result in slight increases in impacts associated with noise and substantial increases in impacts associated with transportation and traffic. Overall, land use and aesthetics impacts would remain less than significant while impacts associated with associated with air quality, GHG emissions, and transportation and traffic would increase in comparison to the Project. Therefore, overall impacts associated with the Office Alternative would be greater than the Proposed Project and would not be environmentally superior.

As shown in Table 6-5, the No Project/Development Alternative would avoid all of the proposed project impacts and would be environmentally superior to the Proposed Project.

⁵ The CalEEMod results for the proposed project (Appendix 2) provide the impacts associated with GHG emissions by the VMT associated with the project.

⁶ The impacts associated with noise and traffic/transportation are analyzed based on the change in ADT, as shown in the Transportation Assessment (Appendix 5).



However, this alternative would not fulfill the Project objectives. Among the other alternatives being considered, the Proposed Project would be considered environmentally superior because air quality, greenhouse gas, noise, and transportation and traffic impacts would be less when compared to Alternatives 2-4. In addition, Alternatives 2-4 would not support all of the Project objectives. In particular, these alternatives would result in greater traffic impacts, which would not support the objective to minimize traffic impacts. Alternative 2 would reduce the housing opportunities in comparison to the Proposed Project, while Alternatives 3 and 4 would eliminate housing altogether; and the reduction or elimination in housing would minimize the Project’s contribution to improving public safety by bringing 24-hour residents and residential activity to an underutilized area of the City.

**Table 6-5
 Comparison of Environmental Impacts of Alternatives**

Issue	No Project/ Development (Alternative 1)	Mixed Use Commercial and Residential (Alternative 2)	Mixed Use Office and Commercial (Alternative 3)	Office (Alternative 4)
Aesthetics	-	=	-	-
Air Quality	-	+	+	+
Greenhouse Gas Emissions	-	+	+	+
Hazards and Hazardous Materials	-	=	=	=
Land Use and Planning	-	=	-	-
Noise and Vibration	-	+	+	+
Transportation and Traffic	-	+	+	+

+ Impacts greater than those of the Proposed Project

- Impacts less than those of the Proposed Project

= Impacts similar impact to the Proposed Project

Note: Although impacts are identified as greater than or less than those of the Proposed Project, the overall magnitude of impacts (significant versus less than significant) is the same for all alternatives for each of the studied issues with the possible exception of transportation/traffic impacts associated with the Office alternative, which could be significant.



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