



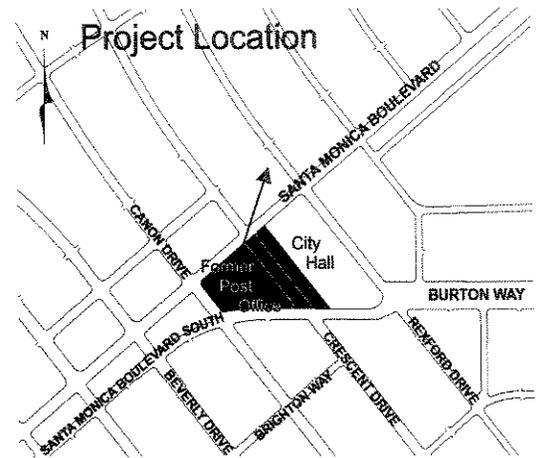
STAFF REPORT
CITY OF BEVERLY HILLS

For the Planning
Commission Meeting of
August 7, 2008

TO: The Planning Commission

FROM: Michele McGrath, Senior Planner *M.M.*

SUBJECT: Draft Environmental Impact Report and General Plan Consistency Review for a Proposed Performing Arts Center Project Including Rehabilitation and Reuse of the Former Main Post Office and Construction of a New Theater at **470 North Canon Drive (Applicant: Wallis Annenberg Center for the Performing Arts)** and Construction of a Subterranean Public Parking Garage at **455 North Crescent Drive (Applicant: City of Beverly Hills)**



EXECUTIVE SUMMARY

A project has been proposed on the site of the City's former main Post Office on Santa Monica Boulevard North between North Crescent Drive and North Canon Drive. The project site includes Crescent Drive and the lawn in front of City Hall. The site is owned by the City of Beverly Hills. The project has two main components: a performing arts center complex proposed by the Wallis Annenberg Center for the Performing Arts ("Center") that includes rehabilitation and reuse of the historic Beverly Hills Post Office and construction of a new, 500-seat theater, a pedestrian walkway and sculpture gardens (470 North Canon Drive); and, a two-level (270-300 space) or three-level (400-430 space) subterranean public parking garage proposed by the City (455 North Crescent Drive).

The Wallis Annenberg Center is currently occupying the former Main Post Office building under a lease agreement with the City that was initiated in 2000; however, the anticipated use of the performing arts center has evolved over time and the City Council will be considering revisions to the lease agreement in October, 2008. The project was presented to the Planning Commission on May 28, 2008. A Draft Environmental Impact Report (DEIR) was prepared for this project and released to the public on June 13, 2008. The Planning Commission

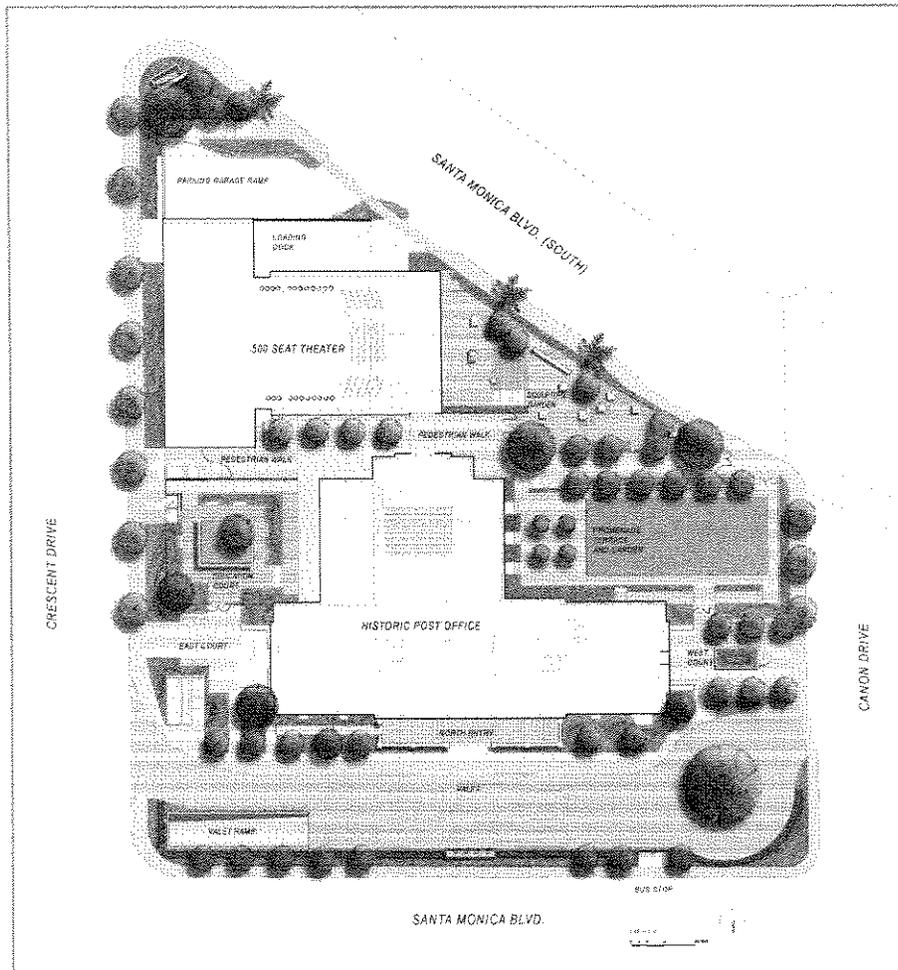
Staff Report

470 North Canon Drive and 455 North Crescent Drive (Post Office Site)
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is in the process of reviewing the DEIR and will be making recommendations on it to the City Council. The City Council will be charged with certifying the EIR and approving a lease agreement with the Center that would address the proposed project. The City Council had a study session on June 24, 2008 and provided direction to the Planning Commission on the public review process for this project (City Council staff report attached). The Commission first reviewed the DEIR for the project on June 26, 2008 and took public comment.

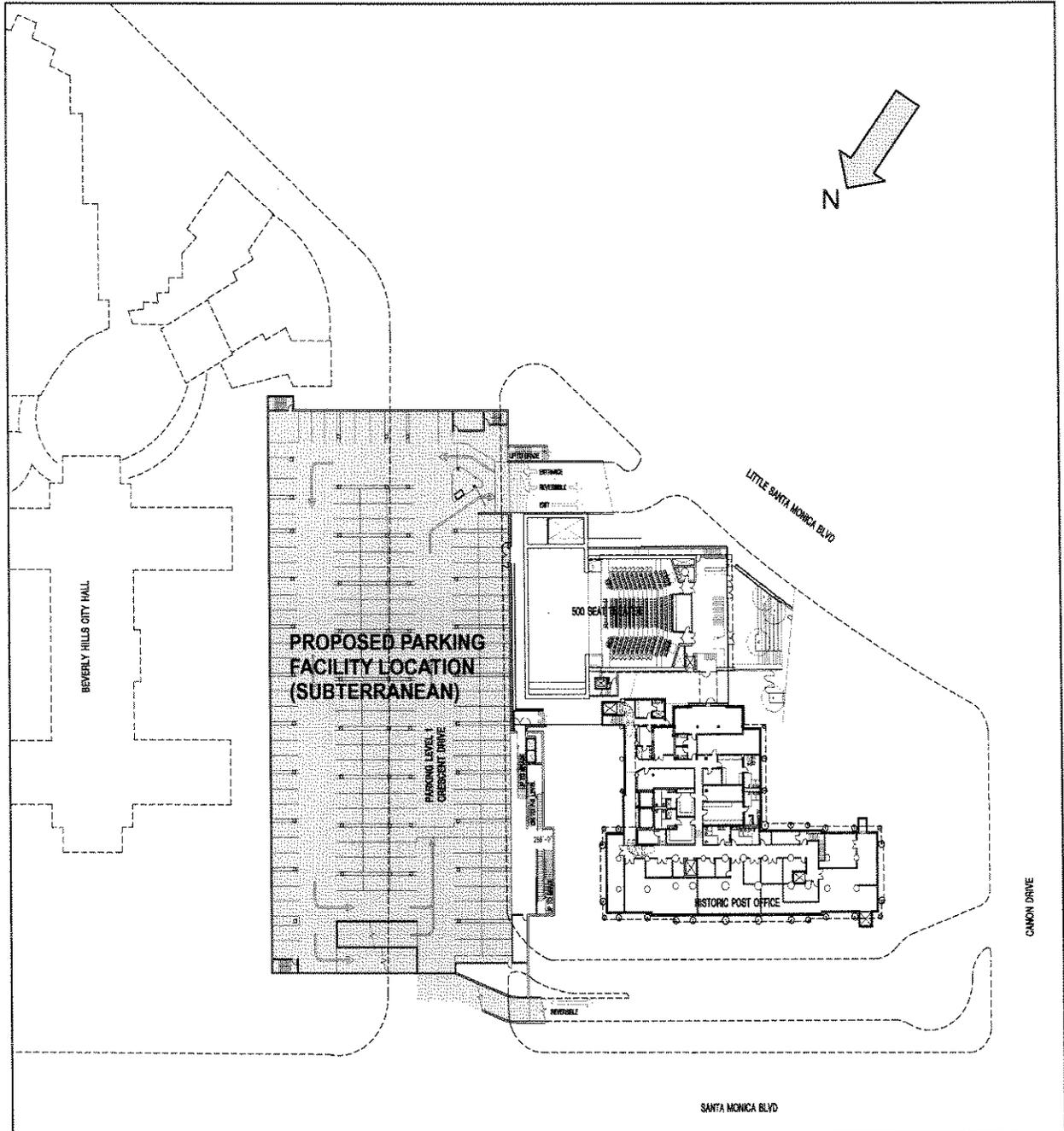
The Commission requested that the applicants review additional access to the proposed garage and appointed a subcommittee of Chair Furie and Vice Chair Reims to meet with staff on this issue. The subcommittee met on July 2, 2008 and July 30, 2008. The result is an additional garage access option presented in this report; however, plans are still being prepared for this option and will be provided to the Commission prior to the meeting. This report will also respond to questions asked by the Planning Commission at the June 26, 2008 meeting.

Wallis Annenberg Center for the Performing Arts



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City of Beverly Hills Public Parking Garage



ENVIRONMENTAL ASSESSMENT

The City of Beverly Hills is the Lead Agency responsible for the preparation of the environmental documentation in compliance with the California Environmental Quality Act (CEQA). In accordance with the CEQA Guidelines, an initial study was prepared for this proposal and it was determined that an EIR is the appropriate level of analysis for this project as it may have a significant effect on the environment. An Environmental Impact Report (EIR) was prepared for the proposed project. The purpose of the EIR is to inform the public on the implications of the project on its environment and provide guidance on how the project's impacts can be addressed. A Draft Environmental Impact Report (DEIR) was released for public review on June 13, 2008. The period for public comment on the DEIR is required to run for a minimum of 45 days from the date it is released for review. The period for public comment will run from Wednesday, June 18, 2008 until Friday, August 1, 2008. The City has received a number of letters (attached).

PROJECT DESCRIPTION

Public Parking Garage (City of Beverly Hills)

The project analyzed in the DEIR includes the proposed performing arts center and a public parking garage. With regard to the proposed garage, the project analyzed in the DEIR includes both a two level garage with 270-300 spaces and a three-level garage with an additional 130 spaces (400-430 total). The basic design of the garages would be the same, occurring in the same location with the same configuration, extending east from the east edge of the Post Office property under Crescent Drive, and the west lawn of City Hall; however, the three level garage would extend deeper into the ground (approximately 45 feet according to the DEIR) increasing the amount of excavation. The intention of including both in the DEIR was that either option could be designated as the project, pursuant to City Council direction. According to the DEIR, the two-level garage does not have unmitigable significant impacts whereas the three-level garage would have unavoidable significant impacts at Canon Drive and Santa Monica Boulevard South and also at Wilshire and Santa Monica Boulevard South.

The proposed two-level, 270-300 space, subterranean public parking garage would have two access points at grade. The main public driveway to the garage would be located on Santa Monica Boulevard South and an entry lane, exit lane and reversible center lane would be provided at this location. The second vehicular entry to the site would be provided on Canon Drive, in a similar location to the existing surface parking lot entry to the Post Office site, parallel to Santa Monica Boulevard North. This entry leads to three queuing lanes that can accommodate 35 cars onsite. The left lane, for valet use only, leads to a

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reversible ramp down to the subterranean garage. A vehicular exit is provided at Crescent Drive. All cars exiting at this location will be restricted to right turns (south) only. It is anticipated this entry/exit will be used primarily for pedestrian drop-off and valet service. Pedestrians would access the parking garage by escalator, elevator, or stairs at two locations along the Crescent Drive side of the parcel.

The proposed three-level, 400-430 space garage would have the same two access points even though it would be a larger garage. According to DEIR Appendix H, the Traffic Report, the site access analysis indicates that the increased amount of traffic entering and exiting the Santa Monica Boulevard South project driveway under the three-level garage alternative would create additional impacts on traffic flows along Santa Monica Boulevard South during both peak arrival and peak departure periods that may require provision of an additional means of public access into and out of the garage. This garage alternative would provide additional parking spaces to the City during its peak period of 11:00 a.m. to 2:00 p.m. Monday through Saturday. Additionally, the DEIR Appendix H states that the 400-430 spaces under the three-level garage alternative would provide sufficient supply to accommodate the projected Annenberg weeknight and weekend evening demands on-site with the possible exception of the heaviest occasional weekday evening scenario.

At the June 26, 2008 Planning Commission meeting, the Commission indicated a strong preference that the public parking garage should provide as many parking spaces as possible; however, understanding that the City Council will ultimately determine the garage size, the Commission focused on garage access issues with the goal of developing a public parking garage that operates as well as possible given the constraints of the site. The Planning Commission subcommittee met on July 2, 2008 with staff, staff's traffic consultant and the applicant's construction consultant to review all previous proposed designs for the garage, discuss pros and cons, and choose the best options for further analysis by staff prior to discussion by the full Planning Commission. Due to the unusual shape of the Post Office site, its location adjacent to major streets and the City's Business Triangle and the location of buildings on the site, no other access points could be identified for the purpose of vehicle ingress or egress other than the existing access point at Santa Monica Boulevard South. Instead, other access options on City Hall property were considered and analyzed for discussion at a second subcommittee meeting on July 30, 2008. The result is a plan that would locate the main garage access on the east side of North Crescent Drive adjacent to City Hall; however, plans are still being prepared for this option and will be provided to the Commission prior to the meeting.

Crescent Access Proposal

The plan proposed would add a new driveway in front of City Hall along Crescent Drive and accessed from Crescent Drive. This driveway would have two, reversible lanes that could be used for ingress and egress. The plan would maintain a driveway on Santa Monica Boulevard South that would likely be for egress only (the City's architect is studying the possibilities for this driveway and staff will report on this at the August 7 meeting). The plan would also maintain the one-lane, reversible valet ramp at the motor court along Santa Monica Boulevard North. This particular access option was selected by the subcommittee as potentially superior because it would allow vehicles arriving from the north and west to turn left from North Crescent Drive into the parking garage and would allow vehicles exiting the parking garage onto Crescent to turn left onto Santa Monica Boulevard North. Most other options require vehicles arriving from the north and west to make several right-hand turns into the available parking, thereby making the garage more difficult to use, increasing local circulation problems and potentially placing additional traffic on Rexford Drive which is a key City emergency access route.

Traffic Impacts of Crescent Access Proposal

The traffic consultant for the project has indicated that it would not be expected that the traffic impacts of this proposal would differ much from the impacts analyzed in the draft EIR as vehicles would still generally arrive along the same streets as before. There would likely be improvement to the operation of the garage because there would be at least one additional exit point for vehicles from the garage.

Visual/Historic Impacts of Crescent Access Proposal

There would naturally be aesthetic concerns with placing a driveway in front of a potential historic resource like City Hall and the subcommittee discussed locations that would have the least impact from a visual/historic perspective. Staff asked the landscape architect for the project, Pamela Burton & Company, to prepare draft landscape plans and renderings to illustrate how such a driveway might look and these will be provided to the Planning Commission with the garage/access plans prior to the meeting. The EIR consultant for the project is also conducting additional research to determine any impacts on City Hall that might result from this proposal.

GENERAL PLAN CONFORMANCE

The site is shown in the Land Use Element of the City's current General Plan as "Public Buildings." The site is proposed to be developed with a performing arts Center that will provide ongoing cultural activities for the community and a public parking structure that will provide much-needed additional public parking for the community as well as the performing arts center. As such, the project is consistent with the City's General Plan.

PUBLIC NOTICE AND COMMENTS

Notice of completion of the DEIR and the public hearing was mailed on June 13, 2008 to all property owners and residential tenants within a 300-foot radius of the property, and all owners of single-family zoned properties within 500 feet from the exterior boundaries of the property, as required by Code. In addition, notices were mailed to all persons who contacted the City about the project. Notices were also mailed to owners and occupants of residences in the 500 blocks of North Crescent and Canon Drives (single-family residential) and the east side of the 300 block of North Crescent Drive (multi-family residential) who may not have been included in the required notice area. A notice was sent previously to the same group of property owners and residential tenants on May 16, 2008 for the May 28, 2008 hearing on the project. The notice of this hearing was published in the *Beverly Hills Courier* on Friday, June 13, 2008 and in the *Beverly Hills Weekly* on Thursday, June 19, 2008. The public hearing was continued to July 24, 2008 and again to August 7, 2008. Courtesy notices were mailed to all persons who have attended meetings or written letters related to this project. All letters received since the last meeting are attached to this report.

RECOMMENDATION

It is recommended that the Planning Commission review the proposed access options for the public parking garage portion of the project and direct staff to work with one option to be thoroughly analyzed prior to the next Planning Commission meeting, anticipated to take place in September. As a result of any additional analysis that may be required, it is possible additional significant, unavoidable impacts could be identified. If that is the case, it is possible the EIR would need to be recirculated to allow adequate time for the public to comment on any new impacts. Whether or not the EIR would need to be recirculated, it is staff's recommendation that the Planning Commission provide staff with all comments and questions at the August 7, 2008 meeting, so staff may return in September with responses to all questions and comments received up to that point. This may

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allow the Planning Commission to make a recommendation to the City Council on the EIR, since it will be the City Council that will receive the Final EIR for certification. The Planning Commission will also be making a recommendation on conformance of the project with the General Plan as it does with all of the City's capital improvement projects.

MICHELE MCGRATH

Attachments:

- A. Planning Commission Staff Report, June 26, 2008 (with attachments)
- B. City Council Staff Report, June 24, 2008
- C. Public Comment Letters
- D. Public Parking and Regional Transit Map
- E. City Parking Facility Information Sheet
- F. Beverly Hills General Plan Land Use Plan (Transmittal 12)
- G. Draft EIR (provided previously; additional copies are available)

Planning Commission Meeting
August 7, 2008
Wallis Annenberg Center for the Performing Arts
and Public Parking Garage

ATTACHMENT A

Planning Commission Staff Report, June 26, 2008 (with attachments)



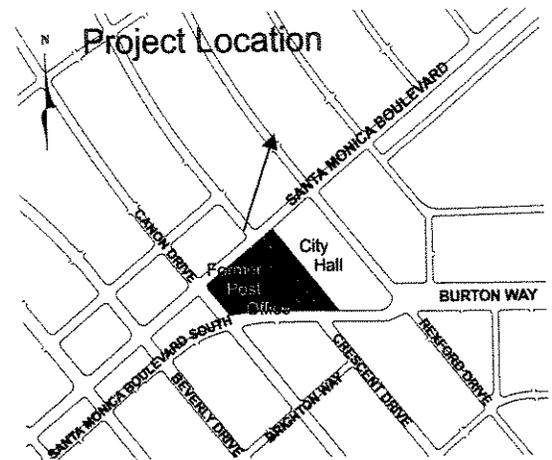
STAFF REPORT
CITY OF BEVERLY HILLS

For the Planning
Commission Meeting of
June 26, 2008

TO: The Planning Commission

FROM: Michele McGrath, Senior Planner *M.M.*

SUBJECT: Draft Environmental Impact Report for a Proposed Performing Arts Center Project Including Rehabilitation and Reuse of the Former Main Post Office and Construction of a New Theater at 470 North Canon Drive (Applicant: Wallis Annenberg Center for the Performing Arts) and Construction of a Subterranean Public Parking Garage at 455 North Crescent Drive (Applicant: City of Beverly Hills)



EXECUTIVE SUMMARY

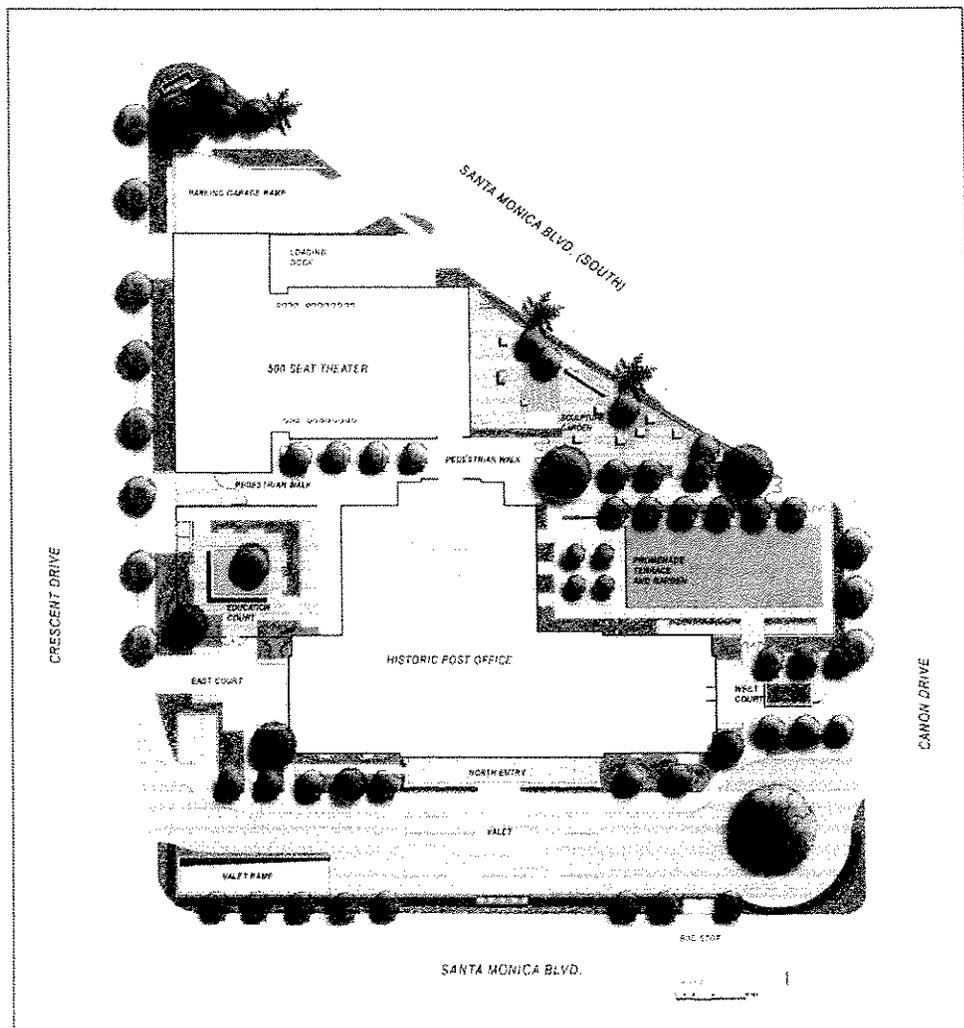
A project has been proposed on the site of the City's former main Post Office on Santa Monica Boulevard North between North Crescent Drive and North Canon Drive. The project site includes Crescent Drive and the lawn in front of City Hall. The site is owned by the City of Beverly Hills. The project has two main components: a performing arts center complex proposed by the Wallis Annenberg Center for the Performing Arts ("Center") that includes rehabilitation and reuse of the historic Beverly Hills Post Office and construction of a new, 500-seat theater, a pedestrian walkway and sculpture gardens (470 North Canon Drive); and, a two-level (270-300 spaces) or three-level (400-430 space) subterranean public parking garage proposed by the City (455 North Crescent Drive).

The Wallis Annenberg Center is currently occupying the former Main Post Office building under a lease agreement with the City that was initiated in 2000; however, the anticipated use of the performing arts center has evolved over time and the City Council will be considering revisions to the lease agreement in October, 2008. The project was presented to the Planning Commission on May 28, 2008 to give the Planning Commission and the public an opportunity to

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470 North Canon Drive and 455 North Crescent Drive (Post Office Site)
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review the project. A Draft Environmental Impact Report (DEIR) was prepared for this project and released to the public on June 13, 2008. The purpose of this hearing is for the Planning Commission to review the DEIR for the project, hear public comment, discuss the DEIR and make recommendations about the DEIR to the City Council. The City Council will be charged with certifying the EIR and approving a lease agreement with the Center that would address the proposed project. The City Council will have a study session on June 24, 2008 to provide direction to the Planning Commission on the public review process for this project. Staff will transmit that information to the Planning Commission prior to the June 26, 2008 meeting.



ENVIRONMENTAL ASSESSMENT

The City of Beverly Hills is the Lead Agency responsible for the preparation of the environmental documentation in compliance with the California Environmental Quality Act (CEQA). In accordance with the CEQA Guidelines, an initial study was prepared for this proposal and it was determined that an EIR is the appropriate level of analysis for this project as it may have a significant effect on the environment. An Environmental Impact Report (EIR) was prepared for the proposed project. The purpose of the EIR is to inform the public on the implications of the project on its environment and provide guidance on how the project's impacts can be addressed. A Draft Environmental Impact Report (DEIR) was released for public review on June 13, 2008. The period for public comment on the DEIR is required to run for a minimum of 45 days from the date it is released for review. The period for public comment will run from Wednesday, June 18, 2008 until Friday, August 1, 2008.

Project Description in the DEIR

The project analyzed in the DEIR includes the proposed performing arts center and a public parking garage. With regard to the proposed garage, the project analyzed in the DEIR includes both a two level garage with 270-300 spaces and a three-level garage with an additional 130 spaces (400-430 total). The analysis for a two-level garage was completed prior to a three-level garage being considered. As a result, the analysis for the two-level garage is contained in Chapter 3 and the analysis for the three-level garage is contained in Chapter 4, "Alternatives" as Alternative 4. The intention is that either option could be designated as the project, pursuant to City Council direction.

In reviewing the project and the DEIR, staff recognizes there may be alternate garage access locations that merit study. As a result staff has been studying alternate garage access scenarios and will be presenting these at the meeting.

Environmental Impacts

The Draft EIR analyzed the environmental impacts associated with implementation of the project. The summary of the DEIR's findings related to impacts is outlined below.

The Draft EIR focused on eleven issues, summarized in the table below.

Staff Report

470 North Canon Drive and 455 North Crescent Drive (Post Office Site)

For the Planning Commission Meeting of June 26, 2008

Impacts Analyzed in the EIR	
ISSUE	IMPACT FOUND TO BE SIGNIFICANT?
<p>VISUAL RESOURCES</p> <p>No significant impacts were found with regard to scenic views/vistas or shading/glare. A view of city hall looking east from Santa Monica Boulevard South is considered by the DEIR criteria to be of moderate quality. The shadow lines resulting from the new theater building would, at the time of greatest shadow, extend across the width of Crescent Drive to part of the front lawn of city hall. No private properties would be affected by shadow lines. The proposed project could have potential glare and spillover lighting impacts from artificial lighting but these would be reduced to less than significant with the proposed mitigation measure.</p>	POTENTIALLY SIGNIFICANT BUT MITIGABLE
<p>AIR QUALITY</p> <p>The air quality of the basin is affected in large part by the regional use of motor vehicles. However, construction activity for the proposed project, particularly that associated with excavation, can be a source of dust and emissions and result in temporary adverse impacts to regional ambient air quality and potentially expose sensitive persons to elevated levels of contaminants. Operational activities associated with the project were not found to impact air quality.</p>	No
<p>BIOLOGICAL RESOURCES</p> <p>Construction of the proposed project has the potential to result in the removal or destruction of potential bird nesting or roosting sites by removal of mature trees. With implementation of proposed mitigation measures, no unavoidable significant adverse impacts on biological resources are anticipated due either to the construction or operation of the proposed project.</p>	POTENTIALLY SIGNIFICANT BUT MITIGABLE
<p>HISTORICAL RESOURCES</p> <p>The Beverly Hills Post Office (completed in 1934) is a historic resource that is listed on the National Register of Historic Places. Construction activities have the potential to affect historic fabric and the setting of the Post Office; however, alterations would be consistent with the Secretary of the Interior Standards and the new theater building would be compatible in term of scale, massing and color. Excavation of the underground garage could inadvertently damage city hall's footings/substructure and placement of garage access structures could degrade city hall's historic setting if improperly designed.</p>	POTENTIALLY SIGNIFICANT BUT MITIGABLE
<p>ARCHAEOLOGICAL AND PALEONTOLOGICAL RESOURCES</p> <p>The potential for encountering prehistoric archaeological remains is also low. Nonetheless, if significant resources are encountered during construction, construction activities could disturb or destroy these resources. Additionally, The proposed project would require excavation depths of approximately 30-40 feet to accommodate the subterranean parking structure. Significant paleontological resources could be encountered during the excavation.</p>	POTENTIALLY SIGNIFICANT BUT MITIGABLE

Staff Report
 470 North Canon Drive and 455 North Crescent Drive (Post Office Site)
 For the Planning Commission Meeting of June 26, 2008

<p>GEOLOGY/SOILS/SEISMICITY</p> <p>The proposed project site is not expected to have any significant impacts with regard to construction (not expected to affect any unique geologic features), slope stability (a relatively flat site), accelerated erosion, landslides, operational soil erosion (when the project is complete), subsidence, expansive soils, groundwater (operational) or mineral resources. Excavations made adjacent to existing structures and/or utilities may result in settlement and distress of the structures, in particular, from excavations that undermine the adjacent structure footings and/or utilities. Construction-related vibrations may also impact adjacent structures if the vibrations exceed threshold levels developed during the design of the project. Potential earthquake impacts will be affected by the size and type of construction. Collapsible soils may underlay the project site and pose a risk of adverse settlement that can result in distress to structures. The proposed construction may be affected by corrosive soils. All identified potential impacts would be reduced to less than significant with the proposed mitigation measures.</p>	<p>POTENTIALLY SIGNIFICANT BUT MITIGABLE</p>
<p>HAZARDOUS MATERIALS</p> <p>Construction activities such as demolition and excavation have the potential to result in exposure of previously unknown sources of soil and water contamination. Construction equipment that would be used to build the proposed project requires the use of oils, greases, solvents and other hazardous materials. All identified potential impacts would be reduced to less than significant with the proposed mitigation measures</p>	<p>POTENTIALLY SIGNIFICANT BUT MITIGABLE</p>
<p>LAND USE AND PLANNING</p> <p>The project would be consistent with the General Plan land use designation of "public buildings," compatible with surrounding uses and appropriate to its location between the City's Civic Center and Business Triangle.</p>	<p>No</p>
<p>NOISE</p> <p>The proposed project would introduce additional activity to the site. The proposed project would have noise associated with the project's loading facility, motor court, and outdoor activities. Construction would also temporarily introduce noise to the area.</p>	<p>No</p>
<p>TRANSPORTATION, TRAFFIC AND PARKING</p> <p>Construction of the proposed project will impact local intersections and streets, due to the closure of Crescent Drive during construction and this impact is significant and unavoidable. Following are additional potential impacts that would be reduced to less than significant with mitigation: The addition of project traffic would contribute to already-deficient conditions on local roads resulting in significant impacts at the following three study intersections during one or more peak hours for typical days. The projected performing arts center demands would exceed the available supply for the performing arts center use in each of the analysis scenarios.</p> <p>Note: Additional analysis of the traffic and parking impacts will be provided prior to the meeting.</p>	<p>SIGNIFICANT AND UNMITIGABLE</p> <p>POTENTIALLY SIGNIFICANT BUT MITIGABLE</p>

Impacts Analyzed in the EIR	
ISSUE	IMPACT FOUND TO BE SIGNIFICANT?
PUBLIC UTILITIES The proposed project would introduce a new use to site and therefore place additional demand for public services and utilities.	POTENTIALLY SIGNIFICANT

Project Alternatives

The California Environmental Quality Act requires Environmental Impact Reports to evaluate alternatives to the project being assessed by the report. The primary goal of evaluating alternatives is to explore whether there is another way to achieve the objectives of the project which might be better for the environment. The Draft EIR evaluated six alternatives. Additional analysis of these alternatives will be provided prior to the meeting. :

FINAL ENVIRONMENTAL IMPACT REPORT (EIR)

At the end of the 45-day comment period, the City's EIR consultant, ICF Jones & Stokes, will prepare a written response to substantive comments received on environmental issues. The written response, which must be a good faith and reasoned analysis, will describe the disposition of significant environmental issues raised. The Response to Comments along with the DEIR will then become the Draft Final EIR that will be reviewed by the City Council for final action.

PUBLIC NOTICE AND COMMENTS

Notice of completion of the DEIR and the public hearing was mailed on June 13, 2008 to all property owners and residential tenants within a 300-foot radius of the property, and all owners of single-family zoned properties within 500 feet from the exterior boundaries of the property, as required by Code. In addition, notices were mailed to all persons who contacted the City about the project. Notices were also mailed to owners and occupants of residences in the 500 blocks of North Crescent and Canon Drives (single-family residential) and the east side of the 300 block of North Crescent Drive (multi-family residential) who may not have been included in the required notice area. A notice was sent previously to the same group of property owners and residential tenants on May 16, 2008 for the May 28, 2008 hearing on the project. The notice of this hearing was published in the *Beverly Hills Courier* on Friday, June 13, 2008 and in the *Beverly Hills*

Staff Report
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Weekly on Thursday, June 19, 2008. Staff has not as yet received any written responses.

RECOMMENDATION

The June 26, 2008 meeting is the second Planning Commission meeting on the project and it is anticipated that there would be at least one more meeting with the Planning Commission to finalize recommendations to the City Council.

Tentative Planning Commission Review Schedule

August 7, 2008

Planning Commission Meeting

MICHELE MCGRATH

Attachments:

- A. Public Notice
- B. Staff Report from May 28, 2008
- C. Letter from Applicant's Consultant, Hirsch Green Transportation Consulting, Inc.)
- D. Draft EIR (provided separately)

ATTACHMENT 1

Public Notice



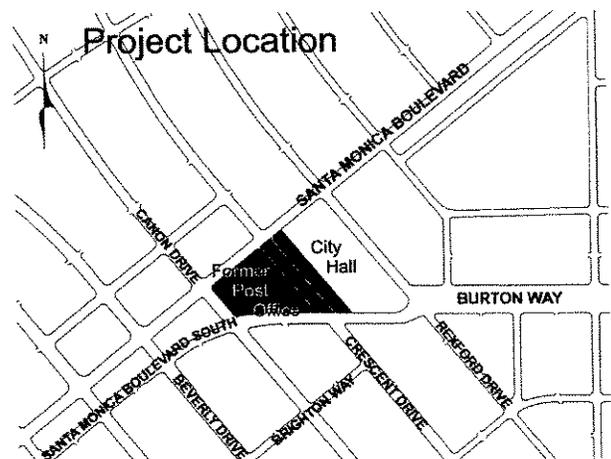
**NOTICE OF COMPLETION AND AVAILABILITY OF DRAFT ENVIRONMENTAL IMPACT
REPORT (DEIR) AND PUBLIC HEARING**

A Draft Environmental Impact Report (DEIR) has been prepared for a proposed performing arts center and public parking garage Project ("Project") to be located at 470 North Canon Drive (Former Main Post Office) and 455 North Crescent Drive, respectively, in the City of Beverly Hills, County of Los Angeles. The Draft EIR will be released on *Friday, June 13, 2008* for public review and comment. The City of Beverly Hills, the lead agency, encourages public comment on the Draft EIR.

The Planning Commission of the City of Beverly Hills will hold a public hearing on the Draft EIR and the Project on Thursday, June 26, 2008 at 7:00 p.m. in City Council Chambers, Beverly Hills City Hall, 455 North Rexford Drive, Beverly Hills, California 90210.

Planning Commission Public Hearing:

DATE: June 26, 2008
TIME: 7:00 p.m.
LOCATION: City Council Chambers
Beverly Hills City Hall
455 North Rexford Drive
Beverly Hills, CA 90210



Project Description:

- The rehabilitation and reuse of the City's former main Post Office into Wallis Annenberg Center for the Performing Arts at 470 North Canon Drive. The Center would include:
 - A 500-seat auditorium
 - A studio/rehearsal hall for up to 150 occupants
 - Three classrooms (up to 60 occupants altogether)
 - A functional 3,400 square-foot entry hall
 - Administrative offices
 - Incidental food concession (750 square-foot) (plus outdoor seating)
 - Sculpture gardens, landscaped walkways, and open space

The performing arts center would involve the rehabilitation and reuse of the City's former main Post Office to house the classrooms, studio, ancillary activity space, administrative offices, and theater support areas. The Project also involves the construction of a new 43 foot, nine inch (43'-9") high theater and sculpture gardens on the southern portion of the Post Office site. The performing arts center is subject to the approval of a lease amendment for the Post Office site by the City Council.

- A City subterranean parking structure proposed at 455 North Crescent Drive, under Crescent Drive between the former Post Office and City Hall. The parking facility is proposed with options as either a two-level garage or a three-level garage. The two-level option is proposed to provide between 270 and 300 parking spaces with points of access at Santa Monica Boulevard South and through the parking lot along the north side of the former Post Office (proposed as a motor court). It is addressed in the main impact discussion of the Draft Environmental Impact Report. The three-level option would provide between 400 and 430 parking spaces. As it has much in common with the two-level option, most of its environmental issues are covered in discussion of the two-level option. Specific discussion of the three-level option is included in the Alternatives section of the EIR, which focuses are areas where the three-level option differs from the two-level option. The Project may be approved with either option by the City Council.

Copies of the Draft EIR will be available for public review beginning *Friday, June 13, 2008*, in the Community Development Department at 9357 Third Street, Beverly Hills, California 90210. A copy of the Draft EIR will also be available for review at the Beverly Hills Public Library at 444 North Rexford Drive. One copy (per person or organization) of the Draft EIR may be obtained

from the Community Development Department without charge. (Reproduction costs may be charged for additional copies.) The Draft EIR will also be posted on the City's Website at www.BeverlyHills.org on Tuesday, June 17, 2008.

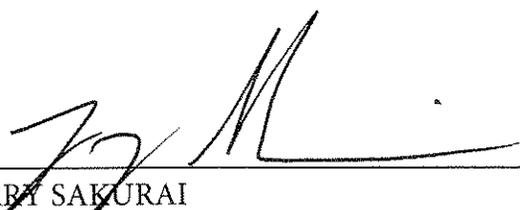
After evaluating the Project's potential effects on the environment, the Draft EIR has identified the following significant impacts: temporary traffic impacts during Project construction, The Project alternative (three-level parking facility) was found to have potentially significant traffic impacts at certain intersections along Santa Monica Boulevard South ("Little" Santa Monica). In conjunction with other development in the region, the Project was found to contribute to cumulative environmental impacts.

The **45-day public comment period** will be from **Friday, June 13, 2008, through Tuesday, July 29, 2008**. Comments on the EIR will be accepted at the June 26, 2008 public hearing and in writing prior to the end of the public comment period.

Copies of all relevant material, including the Project specifications and the environmental initial study are available for review in the offices of the Community Development Department of the City of Beverly Hills.

If you have any questions regarding this Project, please contact Michele McGrath, Senior Planner, at 310.285.1135.

If you challenge the City's action on the Project, you may be limited to raising only those issues you or someone else raised as part of the public hearing process for the Project.



LARRY SAKURAI
Principal Planner

PUBLISHED: JUNE 13 2008

ATTACHMENT 2

Staff Report from May 28, 2008

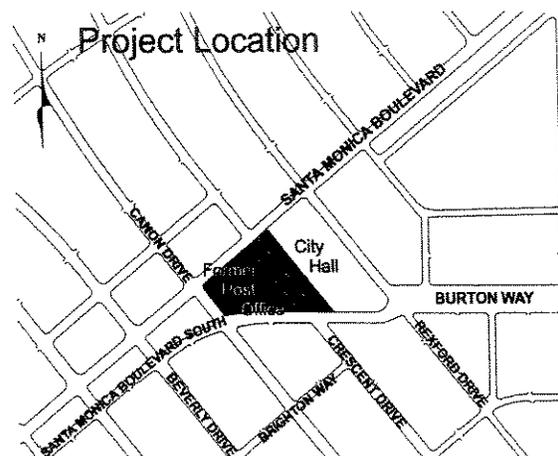
STAFF REPORT
CITY OF BEVERLY HILLS

For the Planning
Commission Meeting of
May 28, 2008

TO: The Planning Commission

FROM: Michele McGrath, Senior Planner *MM*

SUBJECT: Development Plan Review Request for a Proposed Performing Arts Center Project Including Rehabilitation and Reuse of the Former Main Post Office and Construction of a New Theater at 470 North Canon Drive (Applicant: Wallis Annenberg Center for the Performing Arts) and Construction of a Subterranean Public Parking Garage at 455 North Crescent Drive (Applicant: City of Beverly Hills)



PURPOSE OF MEETING

- Staff will provide an overview of the project
- Project Applicant, Wallis Annenberg Center, will make a presentation
- Project Applicant, City of Beverly Hills, will make a presentation
- The public will comment on the project
- The Planning Commission will ask questions and comment on the project
- At the conclusion of the meeting, staff will request direction as to additional information needed by the Commission so staff can prepare a comprehensive response and present it to the Commission (anticipated for June 26, 2008)

EXECUTIVE SUMMARY

A project has been proposed on the site of the City's former main post office on Santa Monica Boulevard North between North Crescent Drive and North Canon Drive. The project site also includes Crescent Drive and the lawn in front of City

Staff Report

470 North Canon Drive and 455 North Crescent Drive (Post Office Site)

For the Planning Commission Meeting of May 28, 2008

Hall. The site is owned by the City of Beverly Hills. The project has two main components:

- A performing arts center complex proposed by the Wallis Annenberg Center for the Performing Arts ("Center") that includes rehabilitation and reuse of the historic Beverly Hills Post Office into classrooms, Center offices, a donor's lounge and a flexible performance/rehearsal/lecture space as well as construction of a new, 500-seat theater and a pedestrian walkway to the site with sculpture gardens available to the public (470 North Canon Drive); and,
- A two-level subterranean public parking garage proposed by the City that would provide additional public parking for the City's Business Triangle area as well as the Civic Center area including the proposed performing arts center (455 North Crescent Drive).

In accordance with the CEQA Guidelines, an initial study was prepared for this proposal and it was determined that an EIR is the appropriate level of analysis for this project as it may have a significant effect on the environment. A Draft Environmental Impact Report (DEIR) is expected to be released for public review on June 13, 2008. The period for public comment on the DEIR will run for a minimum of 45 days from the date it is released for review.

The project is being presented prior to release of the DEIR to give the Planning Commission and the public an opportunity to review the project and gain a better understanding of it prior to focusing on the specific environmental impacts of the project as will be presented in the DEIR. The next Planning Commission hearing on the project, including the DEIR, is tentatively scheduled for June 26, 2008.

Following is a list of required actions on the project:

- Certification of EIR
- City approval of public parking garage and Planning Commission General Plan consistency determination
- City approval of Development Plan Review for the performing arts center
- City approval of lease agreement with the Center and Planning Commission General Plan consistency determination.

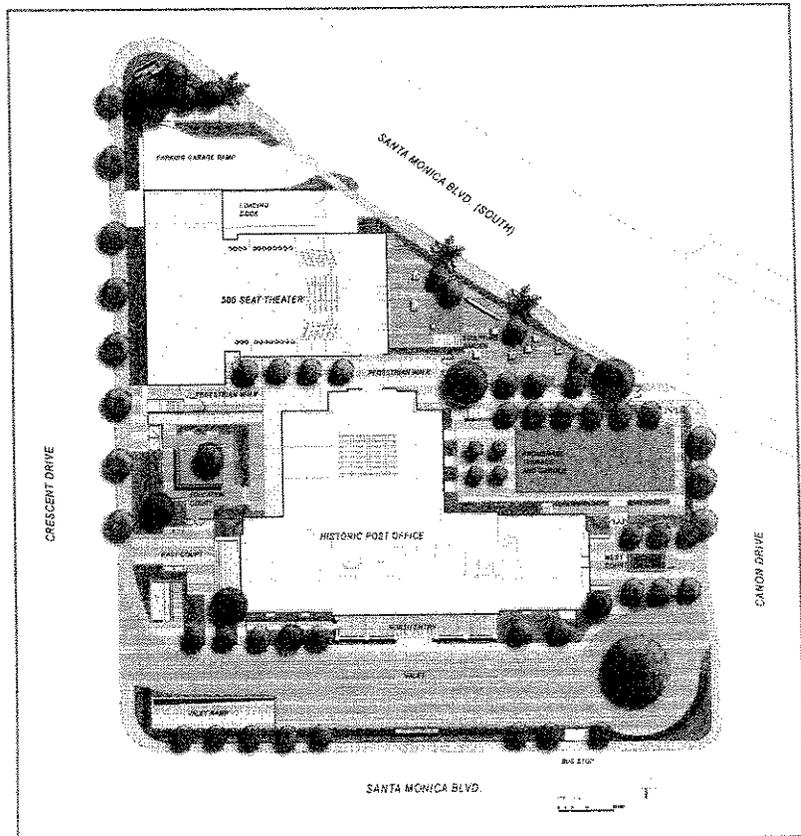
Staff Report
 470 North Canon Drive and 455 North Crescent Drive (Post Office Site)
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PROJECT DESCRIPTION AND AREA CHARACTERISTICS

GENERAL INFORMATION	
Property Owner	City of Beverly Hills
Project Applicants	Wallis Annenberg Center for the Performing Arts (performing arts center) City of Beverly Hills (public parking garage)
Current Zoning District	Unzoned
Site Area	3.9 acres (169,884 square feet) including 2.55 acres (111,078 square feet) for the Post Office site with the balance under Crescent Drive and the "front" yard of City Hall
Permit Streamlining Act Deadline	180 days from certification of an EIR

Location

The project site is 3.9 acres and consists of the following: a 2.55-acre trapezoid-shaped parcel developed with the former Beverly Hills Post Office; a section of Crescent Drive adjacent to the Post Office parcel; and, the lawn of and landscaped area of Beverly Hills City Hall adjacent to Crescent Drive. The 2.55 acre Post Office site, proposed for the performing arts center, is bordered by Santa Monica Boulevard North to the north, Santa Monica Boulevard South to the south, Canon Drive to the west and Crescent Drive to the east. The Post Office site is currently developed with the historic



Staff Report

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For the Planning Commission Meeting of May 28, 2008

Post Office, the Post Office's wall-enclosed service/truck delivery yard, and surface parking lots (found along the northern and southern edges of the property). The City's public parking garage is proposed to be located under the eastern edge of the Post Office parcel, under Crescent Drive between Santa Monica Boulevard North and Santa Monica Boulevard South adjacent to the Post Office parcel, including the public rights of way (parkway, sidewalk), and under a section of the traditional front lawn of City Hall from the public right of way on the east side of Crescent Drive to a line approximately 14 to 15 feet from the façade of City Hall (the City Hall "wings" that extend from City Hall toward Crescent Drive).

Setting

The subject site is adjacent to the City's Civic Center area incorporating City Hall, the police department, fire station, library and Beverly Hills Municipal Court building. A diversity of uses is found in the immediate vicinity of the subject site. Commercial uses adjoin the site to the south (across Santa Monica Boulevard South) and west (across Canon Drive). These include the Union 76 gas station, commercial and medical offices to the south and corporate offices at the southeast corner of Santa Monica Boulevard South and Crescent Drive (Platinum Equity office site). Further southeast are multi-family and single-family residential areas. A combination of high-end retail stores, salons and offices housed in one, two and multi-story buildings are located to the west and southwest across Canon Drive (the Business Triangle). Santa Monica Boulevard North, a major, heavily trafficked east-west thoroughfare, separates the subject site from Beverly Gardens Park, a linear park that borders the north side of the street. Bordering Beverly Gardens to the north is a single-family residential neighborhood whose homes are located approximately 200 feet or more from the proposed project.

PROJECT DESCRIPTION

Performing Arts Center (Wallis Annenberg Center for the Performing Arts)

The following components comprise the Wallis Annenberg Center for the Performing Arts:

Rehabilitation and Re-use of the City's Former Main Post Office

The existing, historic Post Office building is listed on the National Register of historic Places and its approximately 38,000 square feet of floor area would be rehabilitated according to federal standards including:

- A flexible, multi-purpose performance/rehearsal/lecture space that can seat 150 (approximately 2,100 sq. ft.);
- Three (3) classrooms (approximately 1,750 sq. ft. total);

Staff Report

470 North Canon Drive and 455 North Crescent Drive (Post Office Site)

For the Planning Commission Meeting of May 28, 2008

- Basement-level dressing rooms, and a mechanical equipment room;
- Donors Lounge;
- Rehabilitated Lobby area (approximately 3,900 sq. ft.);
- Education and Administrative offices; and,
- Incidental food concession with outdoor seating (approximately 750 sq. ft.).

500-Seat Theater

A new, 28,000 square-foot, state-of-the-art theater for live performances, lectures and special events is proposed behind the existing Post Office building. The building is proposed to be built partially underground to reduce the total height of the building to 43'-9", the height of the existing Post Office at its highest point.

Pedestrian Path and Gardens

Site improvements would include both planted landscape and hardscape areas to define a series of pedestrian spaces that would help activate the project's open space to provide a sense of enclosure and guide visitors through the site. Pedestrian-oriented features would include a landscaped public access pathway through the parcel from Crescent Drive to Canon Drive as a means of linking the performing arts center and the Civic Center (to the east) and Business Triangle (to the west), various courtyards and gardens, including a sculpture garden, and possibly a water feature. These linkages would be ADA accessible paths of travel intended to encourage visitation and appreciation of the Center's resources, events, activities, and art. Landscaping on the Santa Monica Boulevard North side, adjacent to the historic building, would be designed to complement the historic structure and visually identify this as the official entry to the complex.

Approximately 40% of the site would be open space. 22% of that space would be planted with landscape / permeable materials the remaining. 18% would be covered by various paving materials. Landscape materials would include a palette of low water-using or drought tolerant plants, including mature ornamental trees and a mix of shrubs and ground cover, to create a series of flexible use garden rooms. A fully developed landscape plan will be completed in the near future as part of the proposed project.

To reduce water, if feasible, a "weather sensing" irrigation system will be employed along with drip irrigation and low-gallon emitters. Additionally, "gray water" or recycled water will be wherever practical.

Loading for the Performing Arts Center

Two loading spaces would be provided at the site. An internal loading dock would be located toward the corner of Crescent Drive and Santa Monica Boulevard South, at the south end of the theater stage. This loading area can accommodate large delivery and production trucks. Trucks would enter by making a right turn from southbound Crescent Drive and would proceed through the building to the loading area. Trucks would be able to exit the loading area with a right-only turn onto Santa Monica Boulevard South. An additional loading area for vans and small trucks would be located adjacent to the Santa Monica South vehicle entrance. This area would primarily be used as an overflow area for smaller occasional deliveries when the drive-through lane is already in use. With the exception of large sets and specialized lighting equipment, most deliveries for performances could be accomplished by small trucks and vans. The number of truck deliveries needed will vary by the type of production or event. It is anticipated that there may be six to ten very large truck deliveries annually and approximately four to eight smaller truck or van deliveries per month.

Administrative deliveries such as mail, office supplies, and other deliveries would utilize the front drop-off/pick-up entrance facing Santa Monica Boulevard.

Public Parking Garage (City of Beverly Hills)

The following components comprise the parking garage:

The proposed two-level, 270-300 space, subterranean public parking garage would be located under Crescent Drive adjacent to the Post Office site and would extend under the City Hall front lawn. The garage would have two access points at grade. The main public driveway to the garage would be located on Santa Monica Boulevard South and an entry lane, exit lane and reversible center lane would be provided at this location. The second vehicular entry to the site would be provided on Canon Drive, in a similar location to the existing surface parking lot entry to the Post Office site, parallel to Santa Monica Boulevard North. This entry leads to three queuing lanes that can accommodate 35 cars onsite. The left lane, for valet use only, leads to a reversible ramp down to the subterranean garage. A vehicular exit is provided at Crescent Drive. All cars exiting at this location will be restricted to right turns (south) only. It is anticipated this entry/exit will be used primarily for pedestrian drop-off and valet service. Pedestrians would access the parking garage by escalator, elevator, or stairs at two locations along the Crescent Drive side of the parcel.

In reviewing the project, staff recognized there may be alternate garage access locations that merit study. As a result staff has begun to explore possible garage access on the east side of Crescent Drive at City Hall.

Staff Report
470 North Canon Drive and 455 North Crescent Drive (Post Office Site)
For the Planning Commission Meeting of May 28, 2008

ENVIRONMENTAL REVIEW

The EIR will particularly address traffic, parking, aesthetics, historic resource, noise, and air quality impacts, among others.

PUBLIC NOTICE AND COMMENTS

Notice of the proposed project and public hearing was mailed on May 16, 2008 to all property owners and residential tenants within a 300-foot radius of the property, and all owners of single-family zoned properties within 500 feet from the exterior boundaries of the property, as required by Code. In addition, notices were mailed to all persons who contacted the City about the project. Notices were also mailed to owners and occupants of residences in the 500 blocks of North Crescent and Canon Drives (single-family residential) and the east side of the 300 block of North Crescent Drive (multi-family residential) who may not have been included in the required notice area. The notice of this hearing was published in the *Beverly Hills Courier* on Friday, May 16, 2006 and in the *Beverly Hills Weekly* on Thursday, May 22, 2008. Staff has not as yet received any written responses.

RECOMMENDATION

The May 28, 2008 meeting is the first of a series of Planning Commission and City Council meetings on the project. It is recommended that the public hearing be continued to allow time for the public to continue reviewing the project, including review of the Draft EIR which is expected to be released June 13, 2008, and for staff to prepare responses to questions and comments from the Commission and public.

MICHELE MCGRATH

Attachments:

- A. Public Notice
- B. Project Application (provided separately with the project plans)
- C. Biographies of Applicant Team (provided separately)
- D. Color Renderings of Project (provided separately)
- E. Project Plans (provided separately)

ATTACHMENT 3

**Letter from Applicant's Consultant, Hirsch Green
Transportation Consulting, Inc.**



Hirsch/Green Transportation Consulting, Inc.

June 19, 2008

Mr. Noah D. Furie
Chairman, City of Beverly Hills Planning Commission
City Hall
455 North Rexford Drive
Beverly Hills, California 90210

RE: Review of Wallis Annenberg Center for the Performing Arts/City Public Parking Structure Draft Environmental Impact Report (SCH 2007-011008), Dated June 2008

Dear Chairman Furie and Honorable Members of the Planning Commission,

We recently reviewed the "Traffic" section of the Draft Environmental Impact Report (DEIR) prepared for the joint Wallis Annenberg Center for the Performing Arts ("Annenberg Center")/City of Beverly Hills Public Parking Structure project, which was released to the public on June 13, 2008. In general, we find that the analyses referenced therein, prepared by Fehr & Peers/Kaku Associates (Appendix H of the DEIR), is very thorough and adequately evaluate the potential "worst case" project traffic and parking impacts of the joint development. Further, we are pleased that the DEIR concluded that there would be no significant and unavoidable traffic or parking impacts related to the operations of the Annenberg Center.

The DEIR recognizes the inherent "fluid" nature of the anticipated operations at the Annenberg Center, and that the analyses contained therein under both the "typical" and "occasional" scenarios provide a "worst-case" analysis of potential and parking impacts. We would like to take this opportunity merely to emphasize that the assumptions upon which the analyses are based were developed in order to assure that any potential impacts of the joint development were identified and addressed. While this is true for both the Annenberg Center and the Public Parking Structure components of the joint project, it is particularly important to a complete understanding of the operations and effects of the Annenberg Center itself.

It is essential, first and foremost, to continue to acknowledge that the Annenberg Center is a performing arts center, and as such, does not operate on a single, typical daily activity schedule. The scheduling of activities, classes, and performances at the Annenberg Center are quite fluid; consequently, the staffing for and attendance at such activities is variable on both an hourly and daily basis, and can range from non-activity to full operations for any of the on-site programs. However, at the request of the City Planning Department, Fehr & Peers/Kaku Associates employed in its analysis a number of potential "worst case" operational scenarios that are based on highly simplified and "static" activity assumptions. Similarly, the assumptions used to evaluate the traffic and parking impacts of the City's proposed Public Parking Structure component of the project also produce "worst case" operational characteristics.

Accordingly, in order to assure the Planning Commission and the general public that the DEIR presents and addresses a highly conservative model of potential project-related traffic and parking impacts, the information below provides a brief explanation of the operational assumptions utilized in the project traffic and parking analyses, and contrasts those assumptions with the actual anticipated operations of the Annenberg Center and the Public Parking Structure.

Annenberg Center

Traffic

- The Annenberg Center trip generation assumptions indicate that most “office” staff, “classroom” teachers and students/attendees, and rehearsal cast and crew were assessed using travel characteristics more applicable to general “office” or other commercial uses, during which the majority of employees and patrons/visitors arrive and depart the project site during the typical AM and PM peak hours. In actuality, many of the morning trips would not occur until well after 9:00 AM, outside the typical AM peak commute traffic period, thereby reducing potential project impacts during this time. Similarly, staff, teachers, students, cast and crew were assumed to leave the site during the PM peak hour, when it is typical for cast and crew, and other performance-related trips, to stay until much later in the evenings.
- Classes at all three of the proposed classrooms were assumed to begin and dismiss at the same time, when it is likely that class schedules would be staggered.
- The trip generation estimates do not include reductions for the likely use of alternative transportation modes to and from the Annenberg Center, including staff, students, cast and crew, and performance patrons. These alternative transportation modes include:
 - Public Transit Use – Although five percent or more of the Annenberg Center’s patrons are anticipated to use this convenient service, which currently provides stops at the project site, actual utilization was considered speculative, and therefore, it was conservatively assumed that none of the Center’s patrons utilize public transit.
 - Pedestrian/Walk-in Patronage – Approximately ten percent of the total attendance at performances or workshops is expected to walk to the Center from nearby hotels, residential neighborhoods, or the commercial “Triangle” south of the site. However, since actual pedestrian activity is unknown, the traffic study assumed none.
 - Multipurpose Trips – The traffic study does not include discounts for multiple purposes trips shared between the Annenberg Center and restaurants and other retail/commercial uses within the Triangle. As much as 15 percent of the total patronage, particularly for weekend matinee and weekday evening shows, are expected to dine in the Triangle prior to attending the performance or shop/dine following the show. Such trips would not be generally considered to be new trips to

the project vicinity. Further, the earlier arrival and later departure times for the subject vehicles would generally place such trips outside the peak traffic hours. The traffic study, however, assumed that no multipurpose trip discounts were applicable.

Parking

- The parking utilization estimates identified for the Annenberg Center assume, due to the "static" nature of the activity profiles used by Fehr & Peers/Kaku Associates, that all activities planned for the site generally overlap at all times throughout the day. In essence, the parking analysis conservatively assumes that staff, teachers, students, and cast and crew who arrive at the site in the morning stay all day, with no "turn over" in spaces. (Note: this assumption was not used in the determination of the potential trip generation for the Annenberg Center, which identified both "inbound" and "outbound" traffic from the various activities at the Center on an hourly basis throughout the day.)
- Potential staffing and performance/class attendance levels for the Center were all assumed at their anticipated maximum levels at all times throughout the day, when in actuality, the estimated attendance and staffing levels anticipated at the Annenberg Center are intended only to represent the potential maximum possible attendance levels for each of the activities; it is not expected that the maximum attendance levels for all of the individual activities would occur simultaneously with each other.
- As with the reduction that would occur in potential traffic generation, the recognition of multipurpose trips would also reduce the potential parking demands for the Annenberg Center, particularly in the evenings and for weekend matinee shows, as patrons park in the Triangle to shop or dine, then walk to a performance.
- The DEIR indicates that the Annenberg Center will exceed its available on-site parking, and although it concludes that the use of off-site cast/crew parking, the addition of up to 60 on-site spaces through the use of valet services, and the development of a parking management plan will adequately mitigate any parking "deficits", it does not acknowledge that the valet and off-site parking programs are actually "operational" features of the Center and not "mitigation" measures, and therefore should be considered in the evaluation of the Center's parking impacts; identifying these operational aspects "after the fact" results in the false impression that inadequate parking is provided to meet the needs of the Annenberg Center.

City Public Parking Structure

Traffic

- While acknowledging that there are various components to the trip generation estimates for the public parking structure, the study does not include any reductions for existing parking demand in the Triangle "shifting" to the new structure; the study assumes that all

trips to/from the parking structure are generated by the existence of the new parking spaces themselves, when in actuality, many of the vehicles parking in this new facility likely will be existing vehicles in the Triangle that are unable to find convenient parking. Such trips would not be considered as "new" traffic. It is of note that the traffic study acknowledges (in the analysis of the "Three-Level Garage Project Alternative" only) that a certain percentage of the anticipated public parking activity for the proposed project is likely to be the result of existing, unsatisfied parking demands within the Triangle, and that recognition of this factor would reduce the project's potential traffic generation. However, since the actual amount of existing parking demand within the downtown Triangle was not quantified, no such reductions were applied in the analyses of the trip generation for the parking structure.

Summary

The information above provides just a brief overview of items in the traffic and parking study where the assumptions identified as the "baseline" project conditions result in a substantial overestimation of the potential trips and parking demand for both the Annenberg Center and the City's Public Parking Structure. Thus, the results and conclusions of these analyses, and therefore the project DEIR itself, identifies potential impacts that are unlikely to occur, or will occur infrequently. However, despite the "worst case" traffic and parking conditions, mitigation to reduce the potential impacts for each of these items to less than significant levels is identified, assuring that the actual operations and impacts of the proposed project, which are anticipated to be much lower than analyzed, will be fully addressed, and no latent impacts will remain.

While we want to fully identify the "worst case" nature of the traffic and parking analyses prepared for the project, we do not request that it be changed or modified. The DEIR traffic analyses examine the potential maximum (albeit, infrequent) activity levels at the site, and therefore, meet the requirements of such analyses under State law. Accordingly, as noted above, these analyses assure that all potential impacts are identified and addressed, and we concur with the traffic analyses and conclusions of the DEIR.

Please feel free to call me if you have any questions or comments.

Sincerely,



Ron Hirsch, P.E.
Principal

Planning Commission Meeting
August 7, 2008
Wallis Annenberg Center for the Performing Arts
and Public Parking Garage

ATTACHMENT B

City Council Staff Report, June 24, 2008



CITY OF BEVERLY HILLS STAFF REPORT

Meeting Date: June 24, 2008

To: Honorable Mayor & City Council

From: Jonathan Lait, AICP, City Planner
Larry Sakurai, Principal Planner

Subject: REVIEW OF THE WALLIS ANNENBERG CENTER FOR THE
PERFORMING ARTS AND THE 455 NORTH CRESCENT PUBLIC
PARKING FACILITY

Attachments: None

INTRODUCTION

On June 13, 2008, the Draft Environmental Impact Report (EIR) was released on the Wallis Annenberg Center for the Performing Arts and the 455 North Crescent Parking Facility. Central to the Annenberg Center's component of the project is the lease to rehabilitate and utilize the City's former Main Post Office. The City and the Center are operating under the terms of the current lease, which reflect the conceptual proposal of 2000. For the project to proceed as proposed, the City and the Center will need to enter into an amended lease that reflects the current project. The lease amendment will be submitted to the City Council for formal consideration after the Draft EIR public review process has been completed. Ordinarily the Planning Commission performs a development plan review of major development prior to the City Council's review. While the City's formal Development Plan Review process is not required for the City Council's consideration of the lease and the proposed parking facility, the City Council could benefit considerably from the Planning Commission's review and recommendations on the project and the EIR. A Planning Commission review process is therefore proposed and recommended by staff.

DISCUSSION

The Project

PERFORMING ARTS CENTER. The Wallis Annenberg Center involves three features: 1) the rehabilitation and re-use of the former Beverly Hills Post Office, 2) the development of a new 500-seat theater, and 3) development of garden spaces. The former post office would contain:

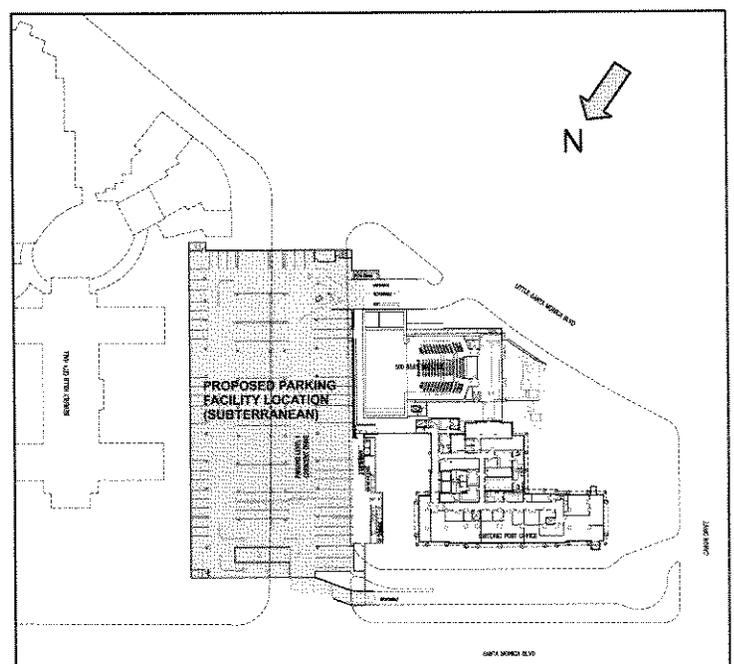
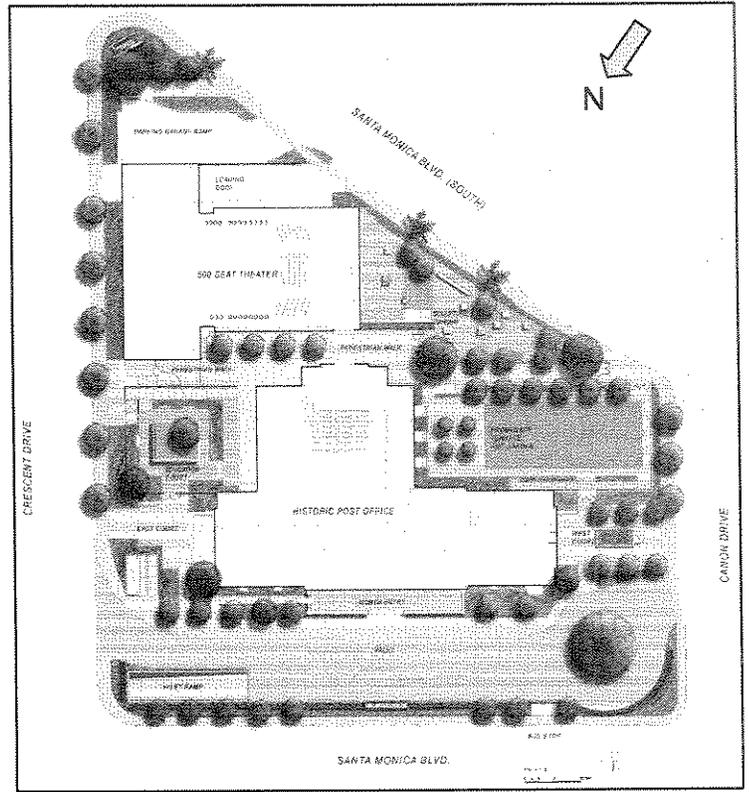
- A multi-purpose studio space that can accommodate up to 150 people;
- Classrooms for up to 60 students & staff;
- Rehabilitated lobby area;
- Donors lounge;
- Incidental food concession with outdoor seating (approximately 750 sq. ft.);
- Administrative offices and theater support facilities.

The proposed 500-seat, 28,000 square-foot theater would be developed on the southeastern portion of the post office site. It would have a height of 43'-9" (measured from the highest point of grade on the site). Garden spaces would be developed along Little Santa Monica Boulevard, Canon Drive, and Crescent Drive, as well as along the north facade.

PARKING FACILITY. The Draft EIR also addresses a two-level, 270-300 space subterranean public parking facility proposed between the former Beverly Hills Post Office and City Hall. The facility would be jointly developed by both the City and the Wallis Annenberg Center. The lease would include provisions addressing usage of the facility. A three-level option is also under consideration which could provide an additional 130± spaces.

The Lease

The Wallis Annenberg Center for the Performing Arts is currently leasing the former Main Post Office facility to do its fund raising, to develop the plans, operations, and programming for the new and rehabilitated



facilities, and to coordinate its plans with the City. The lease dates back to March 2000, before architectural drawings were prepared for the performing arts center and at an early stage in the fund-raising process for the facility. Since then the design of the Center developed and evolved into the current proposal, which raises issues that are not addressed in the existing lease. As such, the lease would need to be amended for the project to proceed.

Planning Commission Considerations

The project involves four areas of discretion:

1. The proposed parking facility as a capital improvement,
2. The operation of the proposed parking facility,
3. The aforementioned lease of the Main Post Office site, and
4. The Environmental Impact Report.

The first point above represents a major financial consideration, but the Planning Commission also has a role under State Law (as the City's Planning Agency) to make a finding as to whether the project is consistent with the General Plan. In that regard, facility's specific layout and design is less of a consideration than its function relative to the policies of the General Plan. However, it is suggested that the Planning Commission review the facility's access, circulation, and aesthetic issues in the context of the Commission's regular development plan review considerations (see inset, right).

Development Plan Review Considerations

- Will the proposed plan be consistent with the general plan and any specific plans adopted for the area?
- Will the proposed plan adversely affect existing and anticipated development in the vicinity and will it promote harmonious development of the area?
- Will the nature, configuration, location, density, height, and manner of operation of commercial development proposed by the plan significantly and adversely interfere with the use and enjoyment of residential properties in the vicinity of the subject property?
- Will the proposed plan create any

There are two options for the subterranean parking facility, one with two levels and one with three levels. If the City proceeds with the parking facility, the decision as to which option to implement depends largely on issues outside of the land use considerations of the Planning Commission. As such, the Planning Commission's recommendations will be useful to the City Council, but the consideration of options will be primarily that of the City Council.

The proposed parking facility would be operated among the other City parking facilities by the City's Transportation Department. Operation of the City parking facilities are affected by system-wide policies, and operations of individual facilities can have implications on other City facilities in close proximity to one another (e.g. those in the Business Triangle). A major share of the project's traffic is associated with the public use of the garage and its operation. In addition, usage of the proposed parking facility by the performing arts center would be a matter of negotiated agreements between the Center and the City, involving financial arrangements as well as usage governed by the lease. The Wallis Annenberg Center has the understanding that it will have access to 100 spaces in the facility at all times. It is therefore recommended that the Planning Commission's discretion be extended to the degree that it can address traffic and parking issues but not impinge upon the City's ability to operate the garage effectively or impinge upon the ability of the City to negotiate with the Center on the financing and usage of the facility.

The use of the former Main Post Office site is governed by the terms of the lease. The site itself has no zoning designation. As with the proposed parking facility, staff recommends that the Planning Commission review the proposed performing arts center in a development plan review context. In reviewing development projects, the Planning Commission routinely considers the development's compatibility to the area (see inset, above). It should be noted, however, that the lease addresses aspects of the use of the facility that have broader issues beyond those of land use. In this regard, the project has a number of issues where there is some overlap or ambiguity in the between land use issues. City Council direction is requested on these issues.

1. The auditorium's massing is the result of various internal demands that need to be met by the building. It is textured in a manner intended to soften its massing, but its height, geometry can be stark relative to other nearby structures and would be an impediment upon certain vista from Little Santa Monica Boulevard. It is recommended that the Planning Commission provide guidance on this issue, but that it be limited to the extent that it might otherwise impinge upon the auditorium's ability to function as intended.
2. Local circulation issues and visual issues would be affected by garage access, such as the location and the number of driveways. When the parking structure is completed, Crescent Drive and the City Hall lawn (i.e. the top of the garage) does not have to be restored to their current appearance, though their context to City Hall and the former Post Office are important considerations. It is recommended that the Planning Commission address these issues in its review. However, if the City Council has certain concerns regarding driveway locations or the restoration of Crescent Drive/City Hall Lawn, staff recommends that these be forwarded on to the Planning Commission.
3. The project's most significant environmental impacts are associated with the project's construction. It is recommended that the Planning Commission address these issues.
4. The programming of the performing arts center can affect its parking demand and its traffic generation. It is recommended that the Planning Commission have the ability to exercise discretion on the programming, but only to the degree that it will not significantly impair the Center's ability to meet its obligations under the lease.

In its review of development in the City, the Planning Commission considers environmental documentation on a regular basis. It is recommended that the Planning Commission review the Environmental Impact Report and make its recommendations on certification to the City Council.

FISCAL IMPACT

None.

RECOMMENDATION

It is recommended that the Planning Commission review the Wallis Annenberg Center for the Performing Arts and the proposed parking facility at 455 North Crescent Drive per the criteria

Meeting Date: June 24, 2008
Item Number:

provided under the City's Development Plan Review standards, with limitations in areas where the City's finances, garage operations, and lease negotiations are affected. The Planning Commission's recommendations on the project and on the Environmental Impact Report would then be forwarded to the City Council.

The direction of the City Council on these discretionary issues will be provided to the Planning Commission prior to its meeting on June 26, 2008.

Jonathan Lait, AICP

Approved By

Planning Commission Meeting
August 7, 2008
Wallis Annenberg Center for the Performing Arts
and Public Parking Garage

ATTACHMENT C
Public Comment Letters

Materials submitted by Dennis Tanenbaum at June 26, 2008 Planning
Commission Meeting

**WALLIS ANNENBERG CENTER FOR THE
PERFORMING ARTS BEVERLY HILLS
DRAFT ENVIRONMENTAL IMPACT REPORT**

MITIGATION MEASURES

HISTORIC RESOURCES

HR-4 ADDITION – DISPLAY A SECTION OF THE ORIGINAL 1932 SERVICE YARD WALL USING THE ORIGINAL VENEER WITH A DISCRIPTIVE HISTORICAL PLAQUE

HR-7 MODIFICATION – REQUIRE IN IMMEDIATE EVALUATION BY A ART CONSERVATOR OF THE HISTORIC MURALS TO PREVENT ANY ADDIONAL DAMAGE TO OCCURE DURING THE TIME BEFORE ANY CONSTRUCION ACTIVITY TAKES PLACE

HR-9 NEW – PROVIDE A NEW HISTORIC DESPLAY AREA OF APPROXIMATLY 100 SQUARE FEET TO EXHIBIT HISTORIC DOCUMENTS, PHOTOGRAPHS, ARCHITECTUAL ELEMENTS, AND SIGNIFICANT OBJECTS, PROVIDE A DIGITAL PRESENTAION ON THE POST OFFICE AND THE FEDERAL ARTS PROJECT

HAZARDOUS MATERIALS

HM-1ADDITION – REQUIRE A IMMEDIATE GROUNDWATER AND SOIL ASSESSNENT TO DETERMINE ANY CONTAMINATION FROM PETROLEUM HYDROCARBONS FROM ADJOINING USES, THIS SHOULD BE PAID FOR BY THE OIL COMPANY (CONICO-PHILIPS)

BEVERLY HILLS HISTORIC POST OFFICE

HISTORIC INTEGRITY/CULTURAL RESOURCES

Provide historic display exhibit area: approximately 10Ft. x 10Ft. 100 Sq Ft.

Display: Historic Documents, Architectural Elements, and Significant objects.

Provide Digital Presentation on the Post Office and Federal Arts Project.

Mural Conservation: Provide current technical report; update 1983 U.S.P.S. "Condition and Treatment Report". Evaluate current condition concerning cleaning and protection of mural during construction.

Display reconstructed section of the original 1932 Service Ward wall. Provide Historic explanation plaque on wall to describe Fountain Area.

Provide Historic Center Line Demarcation at the new building with explanation of significance thorough Models and/or Photographs. City Council conflict, deed holdup, 3200 sq. ft. landscaped area facing City Hall.

ENVIORMENTAL /HAZARD CONDITIONS

Complete assessment of Groundwater Contamination: Provide report on below grade contaminates under Crescent Drive and building site. The Regional Water Quality Control Board is currently requiring remediation at the 76-Union gas station; this does not cover below grade construction projects.

MURAL CONSERVATION

Upon reading the 1983 "Condition and Treatment Report" of the Charles Kassler Murals, I have come to the following conclusions:

1. Due to 49 years of accumulated grime and dirt that extreme cleaning (By Preservation Standards) was necessary.
2. Blotting of poultice techniques were of little use and tended to "set" the dirt into the porous plaster.
3. It was necessary to use a wiping rotation with a damp cellulose sponge and ammonium hydroxide (Bleaching Agent) to clean the surface, followed by a repeat process with a second rinse. A light pressurized spray of water and immediate blotting followed this second rinse.
4. This process undoubtedly removes some surface pigment, also ammonium hydroxide may affect pigment by causing it to fade and/or yellow.
5. To protect these valuable Historic Murals, a Conservation Report should begin immediately, both the short term and long term of Mural protection should be addressed. Also construction protection for the Murals should be addressed.
6. Since 21 years have elapsed since the last cleaning, the Murals should be vacuumed or dusted (whichever is the most appropriate upon evaluating the situation). It has been recommended that this should be done at approximately five-year intervals.
7. The Murals should be evaluated for damage from the 1994 Northridge earthquake and the appropriate methods of plaster stabilization should be employed if required.
8. Due to the effect of dirt, moisture, and grime on these valuable Historic Murals and the number of people using the Cultural Center, it may become necessary to enclose the Murals in a protected space at some future time.

The City of Beverly Hills should undertake the cleaning and repair of the Historic Murals as this condition already exists and the City owns the building. The Cultural Center should under take the Conservation Report for all future conditions and maintenance requirements.

PETE MEGALISTI
CREW CHIEF

APRIL 1983
FAITH & SON PAINTING
JOHNS-YARBROUGH ARCHITECTS
FIELD REAL ESTATE & BUILDING OFFICE

CONDITION AND TREATMENT REPORT
Charles Kassler Murals
Main Post Office, Beverly Hills, California

Owner: United States Postal Service

Location: Main Lobby, Beverly Hills Main Post Office
469 North Crescent Drive, Beverly Hills, CA

Artist: Charles Kassler. Murals signed and dated.

Dated: 1936

Type of Paintings: buon fresco

Support: lime plaster

Paint Film: colors ground in water, no medium detected

Size: 2 paintings: 7 feet x 14 feet (approx.) lunettes
6 paintings: 9 feet x 22 feet (approx.) lunettes
paintings are approximately 22 feet above ground level

Subjects: 6 panels - men at work during the period of the PWA
1 panel - Pony Express Rider
1 panel - Air Mail

CONDITION AND TREATMENT:

Please refer to the condition of the murals as outlined in the Field Report (job description for bidders) on file in the Los Angeles Field Office, in addition to the following information.

SUPPORT:

The lime plaster support of the paintings is approximately 1/8 inch in thickness. The plaster was applied with rough troweling, and there are undulations in the surfaces of the paintings. The substrate is unknown, however it is light in color, smooth and hard, quite unlike a traditional granular lime plaster "arriccio". An architect with the firm of the original architects of the building (Flewelling and Moody) speculated that the substrate is

RECOMMENDED CONTINUED MAINTENANCE:

The most serious disfigurement of the paintings was the result of airborne dirt accumulating on the surface of the paintings. Due to the porous nature of the support, this kind of dirt is most undesirable due to the difficulty in removing it, as well as the possible caustic reaction of the lime plaster with acidic components which may be found in smog-like soot. Some of this accumulation is due to particulate matter swept into the lobby by circulating air currents coming in through doorways, yet there appears to be a great contribution from air vents found at the centers of the paintings on the south walls. The filtration systems of these forced air vents should be inspected and cleaned, or replaced, at least annually to prevent particulate matter from being blown onto the surfaces of the paintings.

Additionally, the paintings should be inspected by a conservator and vacuumed or dusted (whichever is most appropriate upon evaluating the situation) at approximately five year intervals. At that time, the security of the plaster should be reexamined, as well as inpainting, and any adjustments made as needed. The conservation care of the paintings implies a commitment to on-going care, and the restorative treatment recently completed should be considered a long overdue remedial effort compensating for 49 years of past neglect. Future conservation will require periodic inspection and possible small local treatment, however this continued maintenance should preclude the necessity for large scale restorative treatment for a period of many years.

The paintings should also be considered integral with the building, and are subject to mechanical injury through the action

PETE MEGALISTI
CREW CHIEF

APRIL 1983
FAITH & SON PAINTING
JOHNS-YARBROUGH ARCHITECTS
FIELD REAL ESTATE & BUILDING OFFI.

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Letter submitted by Vicky Mense, X'ian Restaurant at Planning
Commission meeting, June 26, 2008

6/26/2008

Dear Chairman Furie, Vice-Chair Reims and fellow Planning Commissioners;

I am a longtime business owner on Canon Drive and have been active in the Beverly Hills community in both Rotary and the Chamber of Commerce. I think this is a terrific city and believe in its future. I also believe that the Wallis Annenberg Center for the Performing Arts will play an important role in keeping our city vital and alive.

This project will bring benefits in several different ways. First, it will lead the way to creating a nightlife. People going to the Annenberg will be spending more time in the city before and after performances. It is also a very good reason to build new parking. It is clear that the city needs more daytime parking. This new parking will relieve the congestion created by people driving around, looking for a space. It will encourage people to come into town during the day to shop and eat.

I am joining my voice tonight along with all the other merchants and businesses on Canon Drive who have signed a petition supporting the Annenberg Center. This includes restaurants such as Lucky Fish, Caffe Roma, Il Pastaio, Il Tremezzino, Porta Via, Coupa Café, Mulberry Street Pizza, and Enoteca Drago as well as retail establishments such as Brooks Shoes, Aida Thibiant, Edelweiss, Fleurtee, Smith & Hawkin. The list goes on and on. We want to see the performing arts center go forward and we want to see the city build a new parking garage adjacent to it.

We understand the value and prestige the Wallis Annenberg Center for the Performing Arts will bring to our city. This is a unique situation. This project is being brought to you by citizens with the goal of benefiting both residents and businesses.

I ask you tonight to consider and recommend the Annenberg Center.

Sincerely,



Vicky Mense

X'ian Restaurant

I have to leave, please read this for me

EIR Comment Letter dated June 26, 2008, submitted by Native
American Heritage Commission

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
 SACRAMENTO, CA 95814
 (916) 653-6251
 Fax (916) 657-5390
 Web Site www.nahc.ca.gov
 e-mail: ds_nahc@pacbell.net



RECEIVED
 CITY OF BEVERLY HILLS

JUL 01 2008

PLANNING & COMMUNITY
 DEVELOPMENT DEPARTMENT

June 26, 2008

Ms. Michelle McGrath

CITY OF BEVERLY HILL COMMUNITY DEVELOPMENT DEPARTMENT

455 North Rexford Drive
 Beverly Hills, CA 90210

Re: SCH#2007011008; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the Walter Annenberg Center for the Performing Arts; City of Beverly Hills; Los Angeles County, California

Dear Ms. McGrath:

The Native American Heritage Commission is the state agency designated to protect California's Native American Cultural Resources. The California Environmental Quality Act (CEQA) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the California Code of Regulations §15064.5(b)(c) (CEQA guidelines). Section 15382 of the 2007 CEQA Guidelines defines a significant impact on the environment as "a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following action:

√ Contact the appropriate California Historic Resources Information Center (CHRIS) for possible 'recorded sites' in locations where the development will or might occur.. Contact information for the Information Center nearest you is available from the State Office of Historic Preservation (916/653-7278)/ <http://www.ohp.parks.ca.gov>. The record search will determine:

- If a part or the entire APE has been previously surveyed for cultural resources.
- If any known cultural resources have already been recorded in or adjacent to the APE.
- If the probability is low, moderate, or high that cultural resources are located in the APE.
- If a survey is required to determine whether previously unrecorded cultural resources are present.
- √ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measurers should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
 - The Native American Heritage Commission (NAHC) has conducted a Sacred Lands File (SLF) search of the project area and identified no Native American cultural resources in the APE. Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5 (f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
 - A culturally-affiliated Native American tribe may be the only source of information about a Sacred Site/Native American cultural resource.
 - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
- √ Lead agencies should include provisions for discovery of Native American human remains or unmarked cemeteries in their mitigation plans.
 - The NAHC also advises the use of Native American Monitors, when profession archaeologists or the equivalent are employed by project proponents, in order to ensure proper identification and care given cultural resources that may be discovered. The NAHC recommends that contact be made with Native American Contacts on the attached list to get their input on potential project impact (APE). In some cases, the existence of a Native American cultural resources may be known only to a local tribe(s).
- √ Lack of surface evidence of archeological resources does not preclude their subsurface existence.

* CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave liens.

√ Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the California Code of Regulations (CEQA Guidelines) mandate procedures to be followed, including that construction or excavation be stopped in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery until the county coroner or medical examiner can determine whether the remains are those of a Native American. .

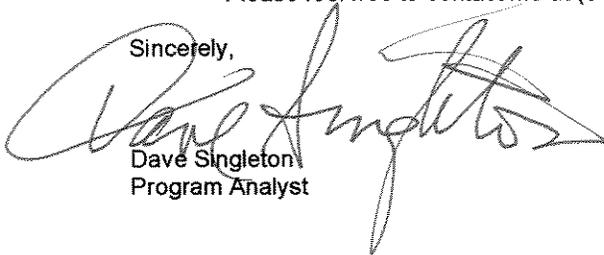
Note that §7052 of the Health & Safety Code states that disturbance of Native American cemeteries is a felony.

√ Lead agencies should consider avoidance, as defined in §15370 of the California Code of Regulations (CEQA Guidelines), when significant cultural resources are discovered during the course of project planning and implementation

^

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Dave Singleton", written over a printed name and title.

Dave Singleton
Program Analyst

Attachment: List of Native American Contacts

Cc: State Clearinghouse

Native American Contacts
Los Angeles County
June 26, 2008

Beverly Salazar Folkes
1931 Shadybrook Drive
Thousand Oaks , CA 91362
805 492-7255
(805) 558-1154 - cell

Chumash
Tataviam
Fernandeño

Gabrielino/Tongva Council / Gabrielino Tongva Nation
Sam Dunlap, Tribal Secretary
761 Terminal Street; Bldg 1, 2nd floor Gabrielino Tongva
Los Angeles , CA 90021
office @tongvatribes.net
(213) 489-5001 - Office
(909) 262-9351 - cell
(213) 489-5002 Fax

Ti'At Society
Cindi Alvitre
6515 E. Seaside Walk, #C
Long Beach , CA 90803
calvitre@yahoo.com
(714) 504-2468 Cell

Gabrielino

Gabrielino Tongva Indians of California Tribal Council
Robert Dorame, Tribal Chair/Cultural Resources
5450 Slauson, Ave, Suite 151 PMB Gabrielino Tongva
Culver City , CA 90230
gtongva@verizon.net
562-761-6417 - voice
562-925-7989 - fax

Tongva Ancestral Territorial Tribal Nation
John Tommy Rosas, Tribal Admin.
Gabrielino Tongva
tattnlaw@gmail.com
310-570-6567

Gabrielino/Tongva San Gabriel Band of Mission
Anthony Morales, Chairperson
PO Box 693 Gabrielino Tongva
San Gabriel , CA 91778
ChiefRBwife@aol.com
(626) 286-1632
(626) 286-1758 - Home
(626) 286-1262 Fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2007011008; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the Walter Annenberg Center for the Performing Arts; City of Beverly Hills; Los Angeles County, California.

Letter dated July 14, 2008, from Ali V. Kasikci, Managing Director of the
Montage Hotel

Montage

Beverly Hills

ALI V. KASIKCI
Managing Director

July 14, 2008

Dear Chairman Furie, Vice-Chair Reims and fellow Planning Commissioners;

I would like to thank the Planning Commission for the opportunity to speak on behalf of the Wallis Annenberg Center for the Performing Arts.

Beverly Hills has always been a very attractive destination. It represents aspiration. People aspire to visit here, shop here, eat here and perhaps one day live here. It makes perfect sense for the City to offer people the chance to be entertained here too.

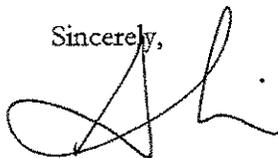
As a hotelier in this magnificent city for sixteen years, I have watched with pride as Beverly Hills has broadened its horizons. The Wallis Annenberg Center for the Performing Arts is a logical extension of our own aspiration to be something more. It only makes sense for a city of quality, a city that embraces family and education, to have a performing arts center that will offer the finest in theater, music and dance. It is the right choice for our city to offer students the opportunity to work with professionals, and be exposed to the arts in a unique environment.

As a businessman in Beverly Hills, I know how important it is to capture our customers and keep them here. The Annenberg Center will give residents and visitors the best reason to stay in town: quality live theater. The Annenberg will become the basis of a nightlife that is appropriate for this wonderful city. In addition, it is the right reason and place to build much needed public parking to help our merchants.

By locating this center at the historic Post Office property, the Annenberg will be creating a vibrant front door to Beverly Hills, announcing our intention to aspire to offer more than just a material experience. We will be building a cornerstone for our future.

Thank you.

Sincerely,



225 NORTH CANON DRIVE, BEVERLY HILLS, CALIFORNIA 90210
DIRECT (310) 860-7802 FAX (310) 860-7803
MONTAGEBEVERLYHILLS.COM

Letter dated July 25, 2008, from Susan Floyd

7/25/08

Dear Planning Commissioners;

Thank you for opportunity to write to you about the Wallis Annenberg Center for the Performing Arts. I am an actress who recently moved to Beverly Hills from New York and I was thrilled to hear that a performing arts theater was being planned for our city. Beverly Hills is sophisticated and stimulating and it is a city made for people who love to walk. The added bonus for me is the possibility of the Annenberg Center conveniently located in our community.

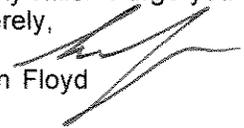
Creating a world-class performing arts center in Beverly Hills would be a tremendous asset to this City. Live theater is a communal experience that brings people together to share ideas and emotions. It speaks to the best of our values and ideals. The idea of being able walk to the theater, see a performance and dine at one of our wonderful restaurants is an experience I'm very excited about.

The educational component of the center is another reason to recommend this wonderful project. Children's involvement in the arts at an early age is intellectually stimulating and shapes character. It challenges the culture of video games and instant messages that prevail today.

As a performer myself, I can attest to the magic of live performance for an audience and I have seen how it brings people together. For all these reasons, The Annenberg Center is a perfect fit for Beverly Hills. I urge you to approve this remarkable project.

Sincerely,

Susan Floyd



EIR Comment Letter dated July 29, 2008, from the City of Los Angeles
Department of Transportation.

CITY OF LOS ANGELES

CALIFORNIA

RITA ROBINSON
GENERAL MANAGER



Antonio R. Villaraigosa
MAYOR

DEPARTMENT OF
TRANSPORTATION
100 S. MAIN ST., 10TH FLOOR
LOS ANGELES, CA 90012
(213) 972-8470

470 N Canon Dr & 455 N Crescent Dr
DOT Case No. OUT 08-001

July 29, 2008

Larry Sakurai, Principal Planner
City of Beverly Hills
Community Development Department, Planning Division
455 North Rexford Drive
Beverly Hills, CA 90210-4817

COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED WALLIS ANNENBERG CENTER FOR THE PERFORMING ARTS AND PARKING STRUCTURE PROJECT AT 470 NORTH CANON DRIVE AND 455 NORTH CRESCENT DRIVE, RESPECTIVELY

The Los Angeles Department of Transportation (LADOT) has completed its review of the Transportation, Traffic, and Parking Section, including the Appendix H Traffic Study, of the Draft Environmental Impact Report (DEIR) for the proposed Wallis Annenberg Center for the Performing Arts and Parking Structure project ("Project") to be located at 470 North Canon Drive (former Main Post Office) and 455 North Crescent Drive, respectively, in the City of Beverly Hills, County of Los Angeles.

After reviewing the traffic data provided, it is LADOT's opinion that the project traffic study should be expanded to include an assessment of the following City of Los Angeles and City of Los Angeles-adjacent intersections that are located near the Project site and that have a high potential to be adversely impacted by the Project during operation and potentially during construction as well:

1. Beverly Glen Boulevard / Wilshire Boulevard
2. Moreno Drive / Santa Monica Boulevard
3. Century Park East / Santa Monica Boulevard
4. Avenue of the Stars / Santa Monica Boulevard
5. Beverly Glen Boulevard / Santa Monica Boulevard

Larry Sakurai

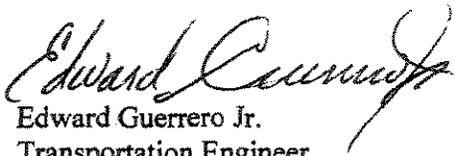
-2-

July 29, 2008

The traffic impact analysis of the above specified locations should be conducted in conformance with the LADOT's Traffic Study Policies and Procedures, Revised March 2002.

Should you have any further questions, please feel free to contact me at (213) 485-1062.

Sincerely,



Edward Guerrero Jr.
Transportation Engineer
West L.A. / Coastal Development Review
7166 West Manchester Avenue
Los Angeles, CA 90045
(213) 485-1062
(213) 485-1285 FAX

EGJr.:hnh

cc: Michele McGrath, Senior Planner, City of Beverly Hills
Lisa Trifiletti, City of Los Angeles Council District 5
Jay Kim, Sean Haeri, LADOT

EIR Comment Letter dated July 30, 2008, from the State Department of
Toxic Substances Control



Linda S. Adams
Secretary for
Environmental Protection



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CITY OF BEVERLY HILLS

JUL 31 2008

Department of Toxic Substances Control

PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT



Maureen F. Gorsen, Director
9211 Oakdale Avenue
Chatsworth, California 91311

Arnold Schwarzenegger
Governor

July 30, 2008

Ms. Michelle McGarth (MMcgarth@beverlyhills.org)
Community Development Department
City of Beverly Hills
455 North Rexford Drive
Beverly Hills, CA 90210

DRAFT ENVIRONMENTAL IMPACT REPORT FOR WALLIS ANNENBERG CENTER
FOR THE PERFORMING ARTS BEVERLY HILLS, LOS ANGELES COUNTY,
BEVERLY HILLS, CALIFORNIA (SCH 2008062039)

Dear Ms. McGarth:

The Department of Toxic Substances Control (DTSC) has reviewed the Draft Environmental Impact Report (DEIR), dated June 17, 2008, for the subject project. The due date to submit comments is July 31, 2008. Based on a review of the DEIR, DTSC would like to provide the following comments:

1. The project includes the rehabilitation and reuse of the City's former main post office and additional construction for the Wallis Annenberg Center for the Performing Arts.
2. If demolition of an old structure will occur, lead based paint and organochlorine pesticides from termiticide applications may be potential environmental concerns at the site. DTSC recommends that these environmental concerns be investigated and possibly mitigated, in accordance with DTSC's *"Interim Guidance, Evaluation of School Sites with Potential Soil Contamination as a Result of Lead From Lead-Based Paint, Organochlorine Pesticides from Termiticides, and Polychlorinated Biphenyls from Electrical Transformers, dated June 9, 2006."*
3. The site is located within 0.5 miles of multiple leaking underground storage tanks (USTs) including the Unocal station located immediately south of the site. Contaminants associated with these UST locations may have the potential to migrate to the site via groundwater and/or soil gas pathways. DTSC recommends that these environmental concerns be investigated using DTSC's *"Advisory – Active Soil Gas Investigations, dated January 2003"* and DTSC's *"Vapor Intrusion Guidance Document – Final Interim, dated December 15, 2004."*

Ms. Michelle McGarth
July 30, 2008
Page 2

4. If The Annenberg Foundation elects to proceed to conduct a Preliminary Endangerment Assessment (PEA) at the site, it should enter into a Voluntary Cleanup Agreement (VCA) with DTSC to oversee the preparation of the PEA. For additional information on the VCA Program, please visit DTSC's web site at www.dtsc.ca.gov.

If you would like to discuss this matter further, please contact me at (818) 717-6617.

Sincerely,



Ken Chiang
Senior Hazardous Substances Scientist
Brownfields and Environmental Restoration Program

cc: State Clearinghouse (State.clearinghouse@opr.ca.gov)
Office of Planning and Research

Mr. Guenther W. Moskat (Gmoskat@dtsc.ca.gov)
CEQA Tracking Center – Sacramento HQ

Ms. Lou Moore (Lou@BHCulturalcenter.com)
The Annenberg Foundation

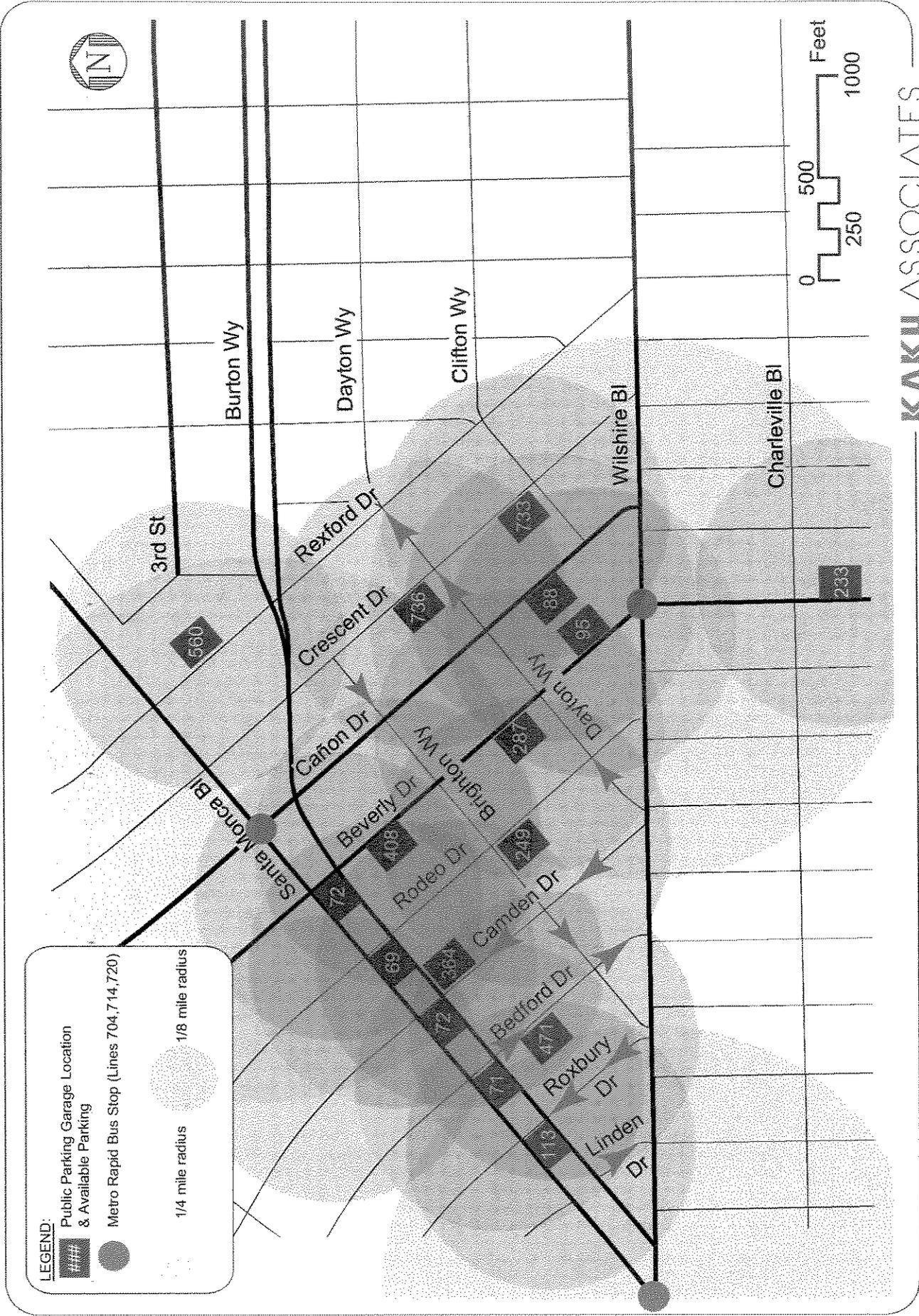
School Reading File – Chatsworth (cwherry@dtsc.ca.gov)

CEQA Reading File – Chatsworth

Planning Commission Meeting
August 7, 2008
Wallis Annenberg Center for the Performing Arts
and Public Parking Garage

ATTACHMENT D

Public Parking and Regional Transit Map



KAKU ASSOCIATES

FIGURE 1
GOLDEN TRIANGLE AND VICINITY PEDESTRIAN
ACCESS FROM PUBLIC PARKING & REGIONAL TRANSIT

Planning Commission Meeting
August 7, 2008
Wallis Annenberg Center for the Performing Arts
and Public Parking Garage

ATTACHMENT E

City Parking Facility Information Sheet



CITY OF BEVERLY HILLS PARKING FACILITY INFORMATION SHEET

Effective: 06/01/08

FACILITY LOCATION	PARKING HOURS*	HGT CLEARANCE	PARKING RATES
BEVERLY NORTH 345 N. Beverly Drive (Self-Park Structure)	Mon. - Sat. 8 a.m. - 12 a.m. Sun. 8:30 a.m. - 10 p.m.	Entrance and Handicap area 8'2" Other areas in the facility 7'0"	Two Hours Free Thereafter \$2.00 Per ½ Hour \$3.00 Flat Rate Vehicles Entering After 6 p.m. Daily Maximum - \$16.00 Monthly Rate - None
BEVERLY SOUTH 216 S. Beverly Drive (Self Park Structure)	Daily 6 a.m. - 12 a.m.	7'2"	Two Hours Free Thereafter \$2.00 Per ½ Hour \$3.00 Flat Rate Vehicles Entering After 6 p.m. Overnight Parking-\$3.00 Vehicles Entering After 6 p.m. and Exiting Before 9 a.m. w/Overnight Permit Daily Maximum - \$16.00 Monthly Rate - \$185.00
BEVERLY - CANON 439 N. Beverly Drive 438 N Canon Drive (Self-Parking Structure / Limited Valet Service)	Mon. - Fri. 6 a.m. - 12 a.m. Sat. - Sun. 8 a.m. - 12 a.m.	Entrance and Handicap area 8'2" Other areas in the facility 7'0"	Two Hours Free Thereafter \$2.00 Per ½ Hour \$3.00 Flat Rate Vehicles Entering After 6 p.m. Daily Maximum - \$16.00 Monthly Rate - None
BRIGHTON 9510 Brighton Way (Self Park Structure)	Mon. - Sat. 8 a.m. - 9 p.m. Sun. 12 Noon - 8 p.m.	6'6"	Two Hours Free Thereafter \$2.00 Per ½ Hour \$3.00 Flat Rate Vehicles Entering After 6 p.m. Daily Maximum - \$16.00 Monthly Rate - \$135.00
CAMDEN 440 N. Camden Drive (Self Park Structure)	Mon. - Sat. 7 a.m. - 11 p.m.	6'9"	One Hour Free Second Hour \$1.00 Per ½ Hour Thereafter \$2.00 Per ½ Hour \$3.00 Flat Rate Vehicles Entering After 6 p.m. Daily Maximum - \$16.00 Monthly Rate - \$135.00
BEDFORD 461 N. Bedford Drive (Self Park Structure)	Mon. - Wed. 6 a.m. - 10 p.m. Thurs. - Sat. 6 a.m. - 12 a.m.	6'5"	One Hour Free Then \$2.00 Per 1/2 Hour \$3.00 Flat Rate Vehicles Entering After 6 p.m. Daily Maximum - \$16.00 Monthly Rate - \$145.00
REXFORD 450 N. Rexford Drive (Self Park Structure)	Open 24 Hours	6'10"	First 2 Hours Free Then \$0.75 Per 1/2 Hour No Charge Vehicles Entering After 5 p.m. and Exiting Before 6 a.m. Daily Maximum - \$9.00 Monthly Rate - None
T EAST 241 N. Canon Drive (Attended Lot) T WEST 240 N. Beverly Drive (Attended Lot)	Mon. - Sat. 7:30 a.m. - 11 p.m. Sun. 10 a.m. - 7 p.m. Mon. - Sat. 7:30 a.m. - Midnight Sun. 8 a.m. - 10 p.m.	Surface Lot On-Street Valet Operations During Construction	First 2 Hours \$2.00 Thereafter \$2.00 Per ½ Hour Daily Maximum - \$16.00 Monthly Rate - None

FACILITY LOCATION	PARKING HOURS*	HGT CLEARANCE	PARKING RATES
LA CIENEGA 321 S. La Cienega Blvd. (Self Park Structure)	Mon. - Fri. 6 a.m. - 11 p.m. Sat. - Sun. 6 a.m. - 11 p.m. (No Parking Attendant on Duty)	Entrance and Handicap area 8'2" Other areas in the facility 6'10"	First 2 Hours Free Then \$1.00 Per 1/2 Hour No Charge Vehicles Entering After 4 p.m. to Closing or All Day Sat. & Sun. Daily Maximum - \$9.00 Monthly Rate - \$85.00
CRESCENT NORTH 333 N. Crescent Drive (Self Park Structure)	Mon. - Fri. 7:30 a.m.- 10 p.m. Sat. 7:30 a.m.- 8 p.m.	6'10"	One Hour Free Second Hour \$1.00 Per 1/2 Hour Thereafter \$2.00 Per 1/2 Hour \$3.00 Flat Rate Vehicles Entering After 6 p.m. Daily Maximum - \$9.00 Early Bird - \$5.00 All Day -Vehicles entering before 10 a.m. Monthly Rate - \$95.00
CRESCENT SOUTH 221 N. Crescent Drive (Self Park Structure)	Daily 6 a.m. - 12 a.m.	6'10"	One Hour Free Second Hour \$1.00 Per 1/2 Hour Thereafter \$2.00 Per 1/2 Hour \$3.00 Flat Rate Vehicles Entering After 6 p.m. Daily Maximum - \$9.00 Early Bird-\$5.00 All Day-Vehicles entering before 10 a.m. Monthly Rate - \$90.00
DAYTON 9361 Dayton Way (Self Park Structure)	Mon. - Fri. 6 a.m. - 10 p.m. Sat. 6 a.m. - 8 p.m. Sun 8 a.m. - 3 p.m.	6'10"	One Hour Free Second Hour \$1.00 Per 1/2 Hour Thereafter \$2.00 Per 1/2 Hour \$3.00 Flat Rate Vehicles Entering After 6 p.m. Daily Maximum - \$12.00 Monthly Rate - \$95.00
SM-1 485 N. Beverly Drive Beverly-Rodeo Drive (Metered Structure)	Mon. - Sat. 8 a.m. - 6 p.m.	U 8'2" L 6'6"	3 Hour Parking Meters \$1 Per Hour (Quarters Only) Daily Maximum - None Monthly Rate - None
SM-2 485 N. Rodeo Drive Rodeo-Camden Drive (Metered Structure)	Mon. - Sat. 8 a.m. - 6 p.m.	U 8'2" L 6'6"	3 Hour Parking Meters \$1 Per Hour (Quarters Only) Daily Maximum - None Monthly Rate - None
SM-3 485 N. Camden Drive Camden-Bedford Drive (Metered Structure)	Mon. - Sat. 8 a.m. - 6 p.m.	U 8'2" L 6'6"	3 Hour Parking Meters \$1 Per Hour (Quarters Only) Daily Maximum - None Monthly Rate - \$125.00
SM-4 485 N. Bedford Drive Bedford-Roxbury Drive (Metered Structure)	Mon. - Sat. 8 a.m. - 6 p.m.	U 8'2" L 6'6"	3 Hour Parking Meters \$1 Per Hour (Quarters Only) Daily Maximum - None Monthly Rate - \$125.00
SM-5 485 N. Roxbury Drive Roxbury-Linden Drive (Metered Structure)	Mon. - Sat. 8 a.m. - 6 p.m.	U 8'2" L 6'6"	3 Hour Parking Meters \$1 Per Hour (Quarters Only) Daily Maximum - None Monthly Rate - \$125.00

* Note: Hours of Operation may be subject to change.

Legend: **UR** - Upper regular **LR** - Lower regular
R - Regular **H** - Handicapped parking

FOR FURTHER INFORMATION CONCERNING THE CITY OF BEVERLY HILLS PARKING FACILITIES, PLEASE CONTACT THE CITY OF BEVERLY HILLS DEPARTMENT OF PUBLIC WORKS AT 310.285.2552. AFTER NORMAL WORKING HOURS, OR IN CASE OF AN EMERGENCY, CALL 310.281.2798.

Planning Commission Meeting
August 7, 2008
Wallis Annenberg Center for the Performing Arts
and Public Parking Garage

ATTACHMENT F

Beverly Hills General Plan Land Use Plan (Transmittal 12)

LAND USE PLAN

LEGEND

	MAXIMUM DENSITY (DWARFACRE)	MAXIMUM HEIGHT (FEET)
SINGLE FAMILY RESIDENTIAL		
LOW DENSITY	1	
MEDIUM DENSITY	4	
HIGH DENSITY	6	
MULTI-FAMILY RESIDENTIAL *		
VERY LOW DENSITY	22	32-45
LOW DENSITY	45	30
LOW MEDIUM DENSITY	40	40
MEDIUM DENSITY	45	50
HIGH DENSITY	50	50
COMMERCIAL		
LOW DENSITY GENERAL	2.0 (FAR)	45
LOW DENSITY GENERAL OR MEDIUM DENSITY RETAIL	1.0 (FAR)	55
LOW DENSITY GENERAL OR MEDIUM DENSITY RETAIL	5.0 (FAR)	100
MEDIUM DENSITY COMMERCIAL	3.6 (FAR)	92
SP SPECIFIC PLAN HOTEL USE		SPECIFIC PLAN MIXED-USE
SP SPECIFIC PLAN 3000 WILDFIRE		
LOW DENSITY GENERAL AND MUNICIPAL	1.5 - 2.0 (FAR)	45
MIXED USE	4.0 (FAR)	65
MIXED USE R2	2.0 (FAR)	51
TRANSITIONAL USE *		
MULTI-FAMILY RESIDENTIAL-COMMERCIAL PARKING	50	45
PUBLIC AND QUAS-PUBLIC USES *		
PARK *		PUBLIC SCHOOLS *
PUBLIC BUILDINGS *		SCENIC HIGHWAY *
RAILROAD		RESERVOIRS *



* EXCEPT FOR STANDARDS FOR HOUSING FOR ELDERLY/HANDICAPPED IN WHICH THE MAXIMUM DENSITY IS 100 DWELLING UNITS PER ACRE AND THE MAXIMUM HEIGHT IS 50 FEET.
* GENERALIZED LOCATION

Planning Commission Meeting
August 7, 2008
Wallis Annenberg Center for the Performing Arts
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ATTACHMENT G

Draft EIR (provided previously; additional copies are available)