

applicants shall notify the City of Beverly Hills of all comments received from these agencies related to the Construction Traffic Management Plan.

**T-4 Construction Coordination.** The applicant for any parcel proposing to develop pursuant to the requested General Plan Amendment and Rezone shall coordinate with any nearby development that is also proposing to begin construction or is currently undergoing construction regarding the following:

- All temporary roadway closures shall be coordinated to limit overlap of roadway closures.
- All major deliveries for the projects shall be coordinated to limit the occurrence of simultaneous deliveries. The project applicants shall ensure that deliveries of items such as concrete and other high-volume items shall not be done simultaneously.
- The applicants shall coordinate regarding the loading and unloading of delivery vehicles. Any off-site staging areas for delivery vehicles shall be consolidated and shared.
- Applicants or their representatives shall meet on a regular basis during construction to address any outstanding issues related to construction traffic, deliveries, and worker parking.
- All construction hauling and delivery shall be scheduled in coordination with adjacent major construction projects (9900, Hilton, Sun-Cal, other projects) as applicable.

b. **Facts in Support of Findings**

Similar to the original project, construction-related traffic could potentially cause significant impacts to study area intersections and proximate areas. The potentially significant traffic impacts would be from haul truck traffic, delivery and staging of material, worker traffic, and worker parking needs. Much of the haul truck traffic impacts would be associated with the removal of large volumes of soil material required for construction of below grade parking facilities. Another potential issue associated with haul truck use is the potential for these trucks to divert to other roadways in the area or informally stage equipment near the Project site. Material and equipment staging would likely occur on-site during most phases of construction; however, there may be intermittent periods when on-site staging and storage is not available.

Delivery trucks could cause temporary traffic interruptions, as they could lead to temporary lane closures when material is unloaded. Given the layout of the Project, it is possible

that lane closures would be needed, especially during delivery of construction material and equipment.

Construction worker traffic and the lack of adequate construction parking would add vehicles to the roadway infrastructure. Similar to the original project, the number of workers required for development of all three parcels under the Project would likely be less than the 400-500 peak hour trips generated during the various study traffic study periods. During the majority of any anticipated construction period, worker parking would likely be accommodated on site. However, during the excavation phase, a high number of off-site parking spaces could be required due to the additional area potentially available for development under the Project.

Mitigation measures T-4 and T-5(a) through T-5(c) would be required for future development proposed within the Commercial Planned Development Gateway Overlay Zone in order to reduce temporary construction-related traffic impacts to a less than significant level. With the implementation of these measures, impacts will be less than significant.

## **VII. Environmental Effects that Remain Significant and Unavoidable After Mitigation**

In the environmental areas of air quality, noise and transportation and circulation there are instances where environmental impacts would remain significant and unavoidable even after mitigation. The refinements to the Project detailed in Section III of this Resolution would not change the conclusion that these areas will contain impacts that would remain significant and unavoidable. These areas are discussed below.

### **A. AIR QUALITY**

#### **1. Construction Air Quality Impacts (NOx) – Project Specific and Cumulative**

Temporary air pollutant emissions generated by construction activities associated with concurrent conceptual maximum buildout of the Project would exceed South Coast Air Quality Management District's (SCAQMD) thresholds for NOx, PM10, and PM2.5. With the incorporation of mitigation, PM10 and PM 2.5 impacts would be reduced to a less than significant level. However, NOx emissions would continue to exceed the thresholds.

##### **a. Findings**

Changes or alterations have been required in, or incorporated into the Project to attempt to lessen any construction air quality impact. More specifically, mitigation is imposed to lessen the significant impact. Although the PM10 and PM 2.5 emissions will be reduced to a less than significant level, NOx emissions will continue to exceed the applicable thresholds. As such, the construction air quality impact associated with NOx from both the project, and from a cumulative perspective, will remain significant and unavoidable.

There are no feasible mitigation measures other than the mitigation articulated below that would reduce any potentially significant construction air quality impact to a less than significant level. Accordingly, specific economic, social, technological, or other considerations make infeasible other mitigation and project alternatives identified in the EIR.

**AQ-1(a) Ozone Precursor Control.** The following shall be implemented during construction to minimize emissions from construction equipment:

- Equipment engines shall be maintained in good condition and in proper tune as per manufacturer's specifications.
- Use new technologies as they become available to control ozone precursor emissions.
- Diesel oxidation catalysts and particulate filters shall be installed on all on and off road construction vehicles.

**AQ-1(b) Fugitive Dust Control.** The following shall be implemented during construction to minimize fugitive dust emissions:

- Water trucks shall be used during construction to keep all areas of vehicle movements damp enough to prevent dust from leaving the site. At a minimum, this will require three daily applications (once in morning, once at midday and once at the end of the workday). Increased watering is required whenever wind speed exceeds 15 mph. Grading shall be suspended if wind gusts exceed 25 mph.
- Soil with 5% or greater silt content that is stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting material shall be tarped from the point of origin or shall maintain at least two feet of freeboard.
- All material excavated or graded shall be treated with soil binders or shall be sufficiently watered at least twice daily with complete coverage, preferably in the late morning and after work is done for the day.
- All clearing, grading, earth moving, or excavation activities shall cease during periods of high winds (i.e., greater than 20 mph averaged over one hour) so as to prevent excessive amounts of dust.
- All material transported off-site shall be securely covered to prevent excessive amounts of dust.
- Face masks shall be used by all employees involved in grading or excavation operations during dry periods to

reduce inhalation of dust which may contain the fungus which causes San Joaquin Valley Fever.

- All residential units located within 500 feet of the construction site shall be sent a notice regarding the construction schedule of the proposed project. A sign, legible at a distance of 50 feet shall also be posted in a prominent and visible location at the construction site, and shall be maintained throughout the construction process. All notices and the signs shall indicate the dates and duration of construction activities, as well as provide a telephone number where residents can inquire about the construction process and register complaints.
- Visible dust beyond the property line emanating from the project shall be prevented to the maximum extent feasible.
- These control techniques shall be indicated in project specifications. Compliance with the measure shall be subject to periodic site inspections by the City.

b. **Facts in Support of Findings**

Temporary air pollutant emissions generated by construction activities associated with buildout of the Project would be slightly reduced compared to the estimated maximum daily construction emissions for the original project that included the development proposal for Parcel 2. Although the Project assumes the potential for demolition of all commercial retail structures located along South Santa Monica Boulevard, this does not represent a change from the existing zoning and land use designations, which already allow re-development on these properties up to 2.0 FAR. The Project buildout FAR of less than 2.0 (combination of 2.0 and 1.5) could generate a slightly larger volume of soil material during the excavation phase. However, this would be offset by a reduction in total on-site parking requirements related to the reduction in FAR, increased setbacks and landscaping, and improved access to alternative modes of transportation. Concurrent development within the Project area is assumed to last approximately 20 months.

Estimated temporary construction emissions for the Project would likely exceed SCAQMD thresholds for ROG, NOx, PM<sub>10</sub> and PM<sub>2.5</sub> (assuming concurrent buildout). Therefore, impacts from construction generated emissions would be potentially significant. Mitigation Measures AQ-1(a) and AQ-1(b) would be required of the Project to reduce construction related PM<sub>10</sub> and PM<sub>2.5</sub> emissions below SCAQMD thresholds. However, temporary construction-related NOx emissions would still exceed the SCAQMD thresholds even after implementation of mitigation measures AQ-1(a) and AQ-1(b). However, the additional potential emissions would be only incrementally higher than those analyzed for the original project, which itself were based on a maximum (and therefore unlikely) scenario in which all potential development would occur at once. Thus, the increase would not be expected to be substantial.

NOx emissions associated with the hauling of excess cut material during the mass grading phase of construction would continue to exceed the SCAQMD threshold. To avoid this exceedance, the number of daily truck trips during the mass grading phase would need to be reduced. A reduction in daily truck trips would lengthen the overall construction schedule, which in turn, would prolong temporary traffic, noise and air quality impacts. For this reason, limiting daily truck trips is considered undesirable and infeasible mitigation. Therefore, in the unlikely event that the Project is developed simultaneously, temporary construction-related air quality impacts would be unavoidably significant due to the exceedance of the SCAQMD threshold for NOx emissions. The Project's contribution of NOx emissions will also be considered cumulative considerable.

## B. NOISE

### 1. Cumulative Construction Noise

Construction of the Project, along with other projects, has the potential to cause a cumulative construction noise impact. Although mitigation is imposed in an effort to reduce this impact, this impact will remain significant and unavoidable.

#### a. Findings

Changes or alterations have been required in, or incorporated into the Project to attempt to lessen any cumulative construction noise impact. More specifically, mitigation is imposed to lessen the significant impact. Nevertheless, this impact will remain significant and unavoidable even with the imposition of mitigation detailed below.

There are no feasible mitigation measures other than the mitigation articulated below that would reduce any potentially significant cumulative construction noise impact to a less than significant level. Accordingly, specific economic, social, technological, or other considerations make infeasible other mitigation and project alternatives identified in the EIR.

**T-4 Construction Coordination.** The applicant for any parcel proposing to develop pursuant to the requested General Plan Amendment and Rezone shall coordinate with any nearby development that is also proposing to begin construction or is currently undergoing construction regarding the following:

- All temporary roadway closures shall be coordinated to limit overlap of roadway closures.
- All major deliveries for the projects shall be coordinated to limit the occurrence of simultaneous deliveries. The project applicants shall ensure that deliveries of items such as concrete and other high-volume items shall not be done simultaneously.

- The applicants shall coordinate regarding the loading and unloading of delivery vehicles. Any off-site staging areas for delivery vehicles shall be consolidated and shared.
- Applicants or their representatives shall meet on a regular basis during construction to address any outstanding issues related to construction traffic, deliveries, and worker parking.
- All construction hauling and delivery shall be scheduled in coordination with adjacent major constructions projects (9900, Hilton, Sun-Cal, other projects) as applicable.

b. **Facts in Support of Findings**

Construction of the Project and related projects in the area, as identified in Table 3-1 in the EIR could contribute to a cumulative construction noise impact. Several projects are proposed or pending in the area, including The Beverly Hilton Revitalization Plan Project and the 9900 Wilshire Project. Project construction phases could overlap with the other projects in the immediate vicinity. Construction activities on these projects would generate similar noise levels as the Project. In turn, these noise levels could exceed compatibility thresholds for nearby sensitive uses. Construction noise is localized and rapidly attenuates within an urban environment. Therefore, related projects outside the immediate site vicinity are located too far from the Project site to contribute to increases in ambient noise levels associated with construction in the project area. In the event that the 9900 Wilshire and Beverly Hilton Revitalization Plan projects also undertake construction activity at the same time as the proposed Project, the cumulative construction noise impact from multiple construction sites adjacent to one another would result in a cumulatively significant impact.

Mitigation Measure T-4 would help reduce potentially significant cumulative construction noise impacts. Although implementation of Mitigation Measure T-4 would reduce potentially significant impacts during construction of the proposed Project in combination with other approved or pending projects, noise levels could still temporarily exceed compatibility thresholds, and the cumulative impact would remain potentially significant and unavoidable.

**C. TRANSPORTATION AND CIRCULATION**

1. **Project Plus Existing Traffic Impacts**

Traffic generated from maximum buildup of the Project when added to existing traffic conditions, would result in significant impacts at two of the eleven studied intersections. Although mitigation is available to reduce impacts at one of these locations, mitigation is not feasible at the other location. Therefore, project traffic impacts would remain significant and unavoidable.

a. **Findings**

Changes or alterations have been required in, or incorporated into the Project to attempt to lessen any project related traffic impacts. More specifically, mitigation is imposed to lessen the significant impact. Nevertheless, this impact will remain significant and unavoidable even with the imposition of mitigation detailed below with regard to the South Santa Monica Boulevard and Wilshire Boulevard intersection.

There are no feasible mitigation measures other than the mitigation articulated below that would reduce any project related traffic impacts to a less than significant level. Accordingly, specific economic, social, technological, or other considerations make infeasible other mitigation and project alternatives identified in the EIR.

b. **Facts in Support of Findings**

As illustrated in Table 4.8-11 in the DEIR, there are two locations where the addition of Project traffic would create significant traffic impacts, as defined by the City of Beverly Hills significance criteria. These two locations disclosed in the DEIR include

- *Spalding Drive/Olympic Boulevard*
- *South Santa Monica Boulevard/Wilshire Boulevard*

The Spalding Drive and Olympic Boulevard intersection is mitigated in the DEIR to a less than significant level with the imposition of mitigation measure T-1. This measure required the restriping of the southbound right turn lane to provide a right turn lane with a separate through/left turn lane. Since the DEIR was published, the City extended the red curb at the west side of the southbound approach to 180 feet from the intersection. As such, the southbound approach currently operates as a right turn lane with a shared through/left turn lane. With the updated lane configuration, there is no longer a significant impact at the intersection of Spalding Drive and Olympic Boulevard.

However, there is still a significant impact at South Santa Monica Boulevard/Wilshire Boulevard. As disclosed in the EIR, the addition of project traffic would cause an increase in the V/C ratio at the intersection of South Santa Monica Boulevard/Wilshire Boulevard during the AM, PM, and Midday Peak Hours. This increase in traffic exceeds the allowable threshold during the all three Peak Hours and is considered a significant impact.

The Project, as provided by the Commercial Planned Development Gateway Overlay Zone would include the aforementioned land uses, but could also include restaurant, , museum and hotel land uses which as a whole would generate fewer trips than the office and retail land uses. Since the overall development of the Project with the Overlay Zone would be less intense and the land use mix would generate (on average) fewer trips per square foot of development than the originally proposed project, the ultimate buildout of the Project is anticipated to generate fewer trips than what was identified in the original project.

Nevertheless, development of all three parcels would result in potentially significant impacts to traffic levels of service for the Existing Plus Project Parcels 1, 2, and 3 conditions. No feasible mitigation is available to mitigate the impacts at the intersection of South Santa

Monica Boulevard/Wilshire Boulevard. Therefore, this impact would remain significant and unavoidable.

## 2. Project Plus Cumulative Traffic Impacts

Development of the Project in combination with cumulative traffic growth, would result in significant impacts at three of the eleven study area intersections. Mitigation is available to reduce impacts at two of these intersections. However, mitigation is not feasible at the third location. Therefore, project traffic impacts would remain significant and unavoidable.

### a. Findings

Changes or alterations have been required in, or incorporated into the Project to attempt to lessen any Project plus cumulative traffic impacts. More specifically, mitigation is imposed to lessen the significant impact. Nevertheless, this impact will remain significant and unavoidable even with the imposition of mitigation detailed below with regard to the South Santa Monica Boulevard and Wilshire Boulevard intersection.

There are no feasible mitigation measures other than the mitigation articulated below that would reduce any project related traffic impacts to a less than significant level. Accordingly, specific economic, social, technological, or other considerations make infeasible other mitigation and project alternatives identified in the EIR.

**T-2 South Moreno Drive/South Santa Monica Boulevard.** The driveway that would serve Parcel 1 shall be reconfigured by converting the existing inbound lane to an outbound lane in order to provide two outbound lanes. This would be within the existing right-of-way and is within the jurisdiction of the City of Beverly Hills. The project will be responsible for this improvement. This measure applies to buildout of all three subject parcels (“combined project”).

### b. Facts in Support of Findings

As indicated in Table 4.8-15 in the DEIR, full buildout of the Project plus cumulative traffic conditions would cause significant impacts at three intersections:

- *Spalding Drive/Olympic Boulevard*
- *South Moreno Drive/South Santa Monica Boulevard*
- *South Santa Monica Boulevard/Wilshire Boulevard*

The Spalding Drive and Olympic Boulevard intersection is mitigated in the DEIR to a less than significant level with the imposition of mitigation measure T-1. This measure required the restriping of the southbound right turn lane to provide a right turn lane with a separate through/left turn lane. Since the DEIR was published, the City extended the red curb at the west side of the southbound approach to 180 feet from the intersection. As such, the southbound

approach currently operates as a right turn lane with a shared through/left turn lane. With the updated lane configuration, there is no longer a significant impact at the intersection of Spalding Drive and Olympic Boulevard.

However, the other two intersections still constitute significant impacts of the Project. Specifically, the addition of Project traffic along with cumulative traffic growth causes an increase in the V/C ratio at the intersection of South Moreno Drive and South Santa Monica Boulevard during the AM, PM and Midday Peak hours. This increase exceeds the allowable thresholds during the PM peak hours. During the remaining peak hours, no significant impacts occur.

Additionally, the addition of Project traffic along with cumulative traffic growth causes an increase in the V/C ratio at the intersection of South Santa Monica and Wilshire Boulevard during the AM, PM and Midday Peak hours. This increase exceeds the allowable thresholds during the AM, PM and Midday Peak hours.

Mitigation Measure T-2 would reduce any Project plus cumulative impact for the South Moreno Drive and South Santa Monica Boulevard intersection. However, with the Project, the reconfiguration of the southbound approach at South Santa Monica and Moreno Drive turns out to be a Project driveway for Parcel 1. This impact and subsequent mitigation would therefore be dependent on how the access point for Parcel 1 is developed as part of the Project. For example, providing two outbound lanes at the Project driveway on Parcel 1 is expected to eliminate the significant impact at this intersection.

The EIR also identified that the impact at South Santa Monica Boulevard & Wilshire Boulevard would be significant and unavoidable as roadway improvements connected to other development projects would yield a buildout intersection with no additional right-of-way for further improvements. While less intense development would occur with the refinements to the Project that could potentially reduce the impact, it would likely still be significant and unavoidable.

## **VIII. Project Alternatives**

The City of Beverly Hills considered a range of reasonable alternatives for the proposed Project including, Alternative 1 – No Project Alternative, Alternative 2 – Reduced Project Alternative, Alternative 3 – Mixed-Use Alternative, Alternative 4 – General Plan/Zoning Consistent Alternative.

Alternatives 1, 2, 3, and 4 that were analyzed in the EIR are discussed below and the basis for rejecting each of these alternatives as infeasible is analyzed.

### **A. ALTERNATIVE 1 – NO PROJECT ALTERNATIVE**

#### **1. Summary of Alternative**

The No Project Alternative would maintain the Project site in its current condition. No buildout would occur under the proposed Commercial Planned Development Gateway Overlay Zone. All existing structures on the Project site would remain.

## **2. Reasons for Rejecting Alternative: Infeasibility**

The No Project alternative would avoid the proposed Project's significant impacts relating to air quality, noise and traffic and less than significant impacts in all other issue areas studied in the EIR.

However, the No Project Alternative would not improve the site from a land use or aesthetic perspective, and would not meet any of the objectives for the proposed Project. As the Project objectives would not be met with Alternative 1, the City Council finds this as a basis for rejecting this Alternative as socially infeasible.

The City Council hereby finds that each of the reasons set forth above would be an independent ground for rejecting Alternative 1 as infeasible, and by itself, independent of any other reason, would justify rejection of Alternative 1 as infeasible.

## **B. ALTERNATIVE 2 – REDUCED PROJECT ALTERNATIVE**

### **1. Summary of Alternative**

The Reduced Project Alternative involves the same land uses as the proposed Project, but with an approximately 40 percent reduction of proposed commercial space. This would reduce the office space to roughly 99,000 square feet and retail space to roughly 15,300 square feet. This alternative was designed to meet most of the objectives of the proposed Project while reducing the size of the Project enough to avoid the significant and unmitigable traffic impact associated with the proposed Project.

As fewer parking spaces would be required in order to meet code, up to one fewer levels of underground parking would be required for each parcel. In terms of massing, the overall massing would be similar to the proposed Project, although reduced to reflect the reduced overall square footage of uses; the reduction would allow for more flexibility in building design within and a somewhat smaller overall massing profile. Adjacent properties along Little Santa Monica Boulevard would need to be incorporated into development similar to the proposed Project. All other proposed improvements would be similar to those of the proposed Project, including demolition of existing structures.

This alternative would meet most of the objectives for rezoning and developing the site.

### **2. Reasons for Rejecting Alternative: Infeasibility**

The Reduced Project Alternative would generally have lesser impacts than compared to the proposed Project. However, the cumulative construction noise impact would remain significant even with this reduced alternative. Further, it is unclear whether all objectives of the Project would be met. For example, with a reduced project alternative, it is likely that the Project objective to create viable, useful and revenue-generating development on largely vacant land or underutilized properties would be met, but to a greatly lesser extent than the proposed Project. As this Project objective would not be met to the degree it would with the proposed Project, the City Council finds this as a basis for rejecting this Alternative as socially and economically infeasible.

The City Council hereby finds that each of the reasons set forth above would be an independent ground for rejecting Alternative 2 as infeasible, and by itself, independent of any other reason, would justify rejection of Alternative 2 as infeasible.

## C. ALTERNATIVE 3 - MIXED USE PROJECT ALTERNATIVE

### 1. Summary of Alternative

This alternative contemplates a mixed-use project with retail space on the ground floor and residential units on the upper floors. For ease of comparison, the number of units and amount of retail space was calculated using an FAR of 2.0. This alternative would house 170 residential units on the upper floors of the three combined projects and approximately 70,400 square feet of combined retail space on their ground floors. As fewer parking spaces would be required in order to meet code, up to one fewer level of underground parking would be required for each parcel. In terms of massing, the overall massing would be similar to the proposed Project. Adjacent properties along Little Santa Monica Boulevard would need to be incorporated into development, similar to the proposed Project. All other proposed improvements would be similar to those of the proposed Project, including demolition of existing structures.

This alternative was chosen to allow the City's decision makers to compare the impacts of the proposed Project with those of a mixed-use project. This alternative would meet most of the objectives for rezoning and developing the site. Finally, this alternative is similar to the Project as refined to include the Commercial Planned Development Gateway Overlay Zone in that the allowed uses are similar.

### 2. Reasons for Rejecting Alternative: Infeasibility

The Mixed Use Project Alternative would generally have equal impacts as compared to the proposed Project. However, the cumulative construction noise impact would remain significant even with this mixed-use alternative. In general, the Mixed Use Project Alternative is similar to the Project as refined to include the Commercial Planned Development Gateway Overlay Zone in that it allows a similar mix of uses as that allowed under the Project. Nevertheless, the Project as refined with the Commercial Planned Development Gateway Overlay Zone generally provides greater flexibility of uses and greater control over those uses based on the detailed objectives contained within the Commercial Planned Development Gateway Overlay Zone that impose certain requirements on development in the Overlay Zone. As such, the City Council finds this to be a basis for rejecting this Alternative as socially infeasible and the Project is preferred over this Alternative.

The City Council hereby finds that each of the reasons set forth above would be an independent ground for rejecting Alternative 3 as infeasible, and by itself, independent of any other reason, would justify rejection of Alternative 3 as infeasible.

## D. ALTERNATIVE 4 - GENERAL PLAN AND ZONING ORDINANCE CONSISTENT ALTERNATIVE

### 1. Summary of Alternative

This alternative involves development of the site in accordance with the T-1 Zone District, which is the current zoning for the three project site properties. Pursuant to Section 10-3-2355 of the Municipal Code, allowed uses in the T-1 District consist of “[s]urface parking...may also include...a building, or portion of a building, with a gross area of two hundred seventy five (275) square feet, provided such building is used primarily to support the surface parking use.” Approval of a landscape plan by the Architectural Commission is also required. Therefore this alternative consists of a surface parking lot with associated landscaping and a 275 square foot kiosk. Access would be taken from Little Santa Monica Boulevard. Although portions of adjacent properties along Little Santa Monica Boulevard may need to be used to provide for access for Parcel 1, somewhat similar to the proposed Project, no structures would be demolished, and it is assumed that the existing site uses would remain. Therefore, this alternative would primarily involve changes to Parcel 1 and the western portion of Parcel 2. This alternative was chosen to reflect the uses allowed under the current General Plan and Zoning designation, and to allow a comparison between the impacts of the proposed Project and the impacts of the type of development envisioned in the current General Plan and Zoning Ordinance. This alternative was also chosen because it would reduce several of the impacts identified for the proposed project. It would not meet most of the objectives for rezoning and developing the sites.

## **2. Reasons for Rejecting Alternative: Infeasibility**

The General Plan and Zoning Ordinance Alternative would generally have less impacts as compared to the proposed Project. Additionally, even the cumulative construction noise impact would be reduced with this alternative. However, it does not appear that any of the Project objectives would be met with this alternative. As the project objectives would not be met to the degree it would with the proposed Project, the City Council finds this as a basis for rejecting this Alternative as socially and economically infeasible.

The City Council hereby finds that each of the reasons set forth above would be an independent ground for rejecting Alternative 4 as infeasible, and by itself, independent of any other reason, would justify rejection of Alternative 4 as infeasible.

## **E. ENVIRONMENTALLY SUPERIOR ALTERNATIVE**

Alternative 1 the No Project Alternative would be the environmentally superior alternative as impacts would be less than significant. CEQA Guidelines 15126.6(e)(2) requires that where the No Project Alternative is the environmentally superior alternative, another alternative be identified that is environmentally superior. For this reason, in this case Alternative 2 – the Reduced Project Alternative would be the environmentally superior alternative. However, this alternative would fail to fully meet the project objective to create viable, useful and revenue-generating development on largely vacant land or underutilized properties as a smaller reduced project would be developed thereby limiting the potential for viable, useful and revenue generating development.

As the environmentally superior alternative fails to meet this project objective, it is rejected by the City Council in favor of the Project as refined.

**EXHIBIT B**  
**STATEMENT OF OVERRIDING CONSIDERATIONS**

The following Statement of Overriding Considerations is made in connection with the proposed approval of the Beverly Hills Gateway Project as refined to include the Commercial Planned Development Gateway Overlay Zone (the “Project”).

CEQA requires the decision-making agency to balance the economic, legal, social, technological or other benefits of a project against its unavoidable environmental risks when determining whether to approve a project. If the benefits of the project outweigh the unavoidable adverse effects, those effects may be considered acceptable. CEQA requires the agency to provide written findings supporting the specific reasons for considering a project acceptable when significant impacts are unavoidable. Such reasons must be based on substantial evidence in the EIR or elsewhere in the administrative record. The reasons for proceeding with this Project despite the adverse environmental impacts that may result are provided in this Statement of Overriding Considerations.

The City Council finds that the economic, social and other benefits of the Project outweigh the significant and unavoidable effects identified in the Final EIR and the record of proceedings. In making this finding, the City Council has balanced the benefits of the Project against its unavoidable impacts and has indicated its willingness to accept those adverse impacts. The City Council finds that each one of the following benefits of the Project, independent of the other benefits, would warrant approval of the Project notwithstanding the unavoidable environmental impacts of the Project as identified in the Final EIR.

- A. The development of the Beverly Hills Gateway Project EIR and Commercial Planned Development Gateway Overlay Zone will provide a guide to future development in the Gateway area of the City and allow for the development of a variety of land uses for the benefit of the City and its residents.
- B. The development of the Project will allow for the revitalization of Little Santa Monica and potentially bring in more tax generating uses providing a source of revenue to the City.
- C. The Project and the Commercial Planned Development Gateway Overlay Zone would ensure that the Gateway area of the City is developed uniformly and compatible with surrounding uses.
- D.
  - Development within the Commercial Planned Development Gateway Overlay Zone will result in additional public parking to offset parking deficiencies in the neighborhood.
- E.
  - Development would result in a substantial open space and greenspace that would complement the greenbelt along Santa Monica Boulevard and planned open space on Wilshire Boulevard north of the project site.
- F.
  - Projects developed within the Commercial Planned Development Gateway Overlay Zone must include iconic architecture and would, therefore, improve the

quality of the built environment and respect other iconic architecture built or planned in the area.

The City Council finds that the foregoing benefits outweigh the identified significant adverse environmental impacts. The City Council further finds that each of the individual Project benefits discussed above outweighs the unavoidable adverse environmental effects identified in the Final EIR and therefore finds those impacts to be acceptable. The City Council further finds that each of the benefits listed above, standing alone, is sufficient justification for the City Council to override these unavoidable environmental impacts.

**EXHIBIT C**  
**MITIGATION MONITORING AND REPORTING PROGRAM**

<b>Mitigation Measure/Condition of Approval</b>	<b>Action Required</b>	<b>When Monitoring to Occur</b>	<b>Monitoring Frequency</b>	<b>Responsible Agency or Party</b>	<b>Compliance Verification</b>	
					<b>Initial</b>	<b>Date</b>
<b>AIR QUALITY</b>						
<b>AQ-1(a) Ozone Precursor Control.</b> The following shall be implemented during construction to minimize emissions from construction equipment:	<ul style="list-style-type: none"> <li>Equipment engines shall be maintained in good condition and in proper tune as per manufacturer's specifications.</li> <li>Use new technologies as they become available to control ozone precursor emissions.</li> <li>Diesel oxidation catalysts and particulate filters shall be installed on all on and off road construction vehicles.</li> </ul>	Verify implementation of the listed actions during grading and construction.	During grading and construction.	Periodically during grading and construction.	Community Development Department/ Building & Safety Division	
<b>AQ-1(b) Fugitive Dust Control.</b> The following shall be implemented during construction to minimize fugitive dust emissions:	<ul style="list-style-type: none"> <li>Water trucks shall be used during construction to keep all areas of vehicle movements damp enough to prevent dust from leaving the site. At a minimum, this will require three daily applications (once in morning, once at midday and once at the end of the workday). Increased watering is required whenever wind speed exceeds 15 mph. Grading shall be suspended if wind gusts exceed 25 mph.</li> <li>Soil with 5% or greater silt content that is stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting material shall be tarped from the point of origin or shall maintain at least two feet of freeboard.</li> <li>All material excavated or graded shall be treated with soil binders or shall be sufficiently watered at least twice daily with complete coverage, preferably in the late morning and after work is done for the day.</li> </ul>	Verify implementation of the listed actions during grading.	During grading and construction.	Periodically during grading and construction.	Community Development Department/ Building & Safety Division	

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification	
					Initial	Date
<ul style="list-style-type: none"> <li>All clearing, grading, earth moving, or excavation activities shall cease during periods of high winds (i.e., greater than 20 mph averaged over one hour) so as to prevent excessive amounts of dust.</li> <li>All material transported off-site shall be securely covered to prevent excessive amounts of dust.</li> <li>Face masks shall be used by all employees involved in grading or excavation operations during dry periods to reduce inhalation of dust which may contain the fungus which causes San Joaquin Valley Fever.</li> <li>All residential units located within 500 feet of the construction site shall be sent a notice regarding the construction schedule of the proposed project. A sign, legible at a distance of 50 feet shall also be posted in a prominent and visible location at the construction site, and shall be maintained throughout the construction process. All notices and the signs shall indicate the dates and duration of construction activities, as well as provide a telephone number where residents can inquire about the construction process and register complaints.</li> <li>Visible dust beyond the property line emanating from the project shall be prevented to the maximum extent feasible.</li> <li>These control techniques shall be indicated in project specifications. Compliance with the measure shall be subject to periodic site inspections by the City.</li> </ul>						
<b>AESTHETICS</b>				Prior to the issuance of any building permits for parcels 1 and 2, the Architectural Commission shall review and confirm that the pedestrian facilities, including but not limited to public sidewalks, crosswalk landings, building entry courts and plazas, are substantially consistent with such facilities as they exist along nearby commercial corridors.	Once	Community Development Department

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
<b>AES-3 Building Material Specifications.</b> Prior to the issuance of any building permits, the applicant shall submit plans and specifications for all building materials to the Planning Division for review and approval by the Architectural Commission. All structures facing any public street or neighboring property shall use minimally reflective glass and all other materials used on the exterior of buildings and structures shall be selected with attention to minimizing reflective glare. The use of glass with over 25% reflectivity, as determined by the Division of Building & Safety, shall be prohibited in the exterior of all buildings on the project site.	Receive and review building materials plans for the stated specifications, and bring before the Architectural Commission for review and approval	Prior to the issuance of any building permits	Once	Community Development Department			
<b>CULTURAL RESOURCES</b>				Community Development Department			
<b>CR-1(a)</b> The property located at 9949 Santa Monica Boulevard shall be photographed by a qualified archival photographer according to accepted archival methods, and a written historic report prepared by a qualified historic preservation professional. This documentation shall be donated to a suitable repository, such as the City of Beverly Hills Public Library, prior to issuance of a demolition permit for the structure.	Receive and review documentation, and ensure donation to appropriate repository	Prior to issuance of demolition permits	Once	Community Development Department			
<b>CR-1(b)</b> The remaining properties within the potential multiple-resource (noncontiguous) CRHR-eligible Art Deco/Moderne historic district shall be fully documented and recorded on DPR 523 forms by a qualified historic preservation professional. These forms shall include historical and architectural context supporting the eligibility of the district and property-specific research on the contributing properties. This documentation shall be submitted to the California Office of Historic Preservation as a nomination to the CRHR prior to issuance of a demolition permit for the structure.	Receive and review documentation, and ensure transmittal to SHPO per the measure	Prior to issuance of demolition permits	Once	Community Development Department			
<b>CR-3 (a) Archeological Monitoring.</b> In the event a previously unknown artifact or fossil is uncovered during project construction, all work shall cease until a certified archaeologist and/or paleontologist can investigate the finds and make appropriate recommendations. Any artifacts uncovered shall be recorded and removed for	Verify implementation of the listed actions during grading.	During grading.	Periodically during grading and construction.	Community Development Department/Building & Safety Division			

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification	
					Initial	Date
storage at a location to be determined by the monitor.						
<b>CR-3 (b) Coroner Notification.</b> If human remains are unearthed, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC will then identify the person(s) thought to be the Most Likely Descendent (MLD) of the deceased Native American, who will then help determine what course of action should be taken in dealing with the remains.	Verify implementation of the listed actions during grading.	During grading.	Periodically during grading and construction.	Community Development Department/ Building & Safety Division		
<b>CRS-1</b> Prior to the application of the overlay zone to individual parcels within the revised project area, or to buildings defined in the Historic Resources Report Addendum as Previously Found to be Eligible, Potentially Eligible, or Appears to be Eligible, the City of Beverly Hills shall require the preparation of a Historic Resources Report for the affected property by a qualified historian or architectural historian. This report shall determine if the property is eligible for listing or designation in the NRHP, CRHR or as a City of Beverly Hills Landmark. For properties that are found to be eligible the findings of the Historic Resources Report shall be included in the project specific environmental document prepared for the development project.	Verify preparation of historic resources report for specific additional overlay-eligible properties, and that the report and recommendations are incorporated into CEQA review for application of overlay.	Prior to the application of the overlay zone to individual parcels	Once for preparation of report, once to ensure CEQA review including report	Community Development Department		
<b>HAZARDS AND HAZARDOUS MATERIALS</b>						
<b>HAZ-1 Asbestos.</b> Prior to issuance of a demolition permit for any structure, an asbestos survey shall be performed by a qualified and appropriately licensed professional. All testing procedures shall follow recognized local standards as well as established California and Federal assessment protocols and SCAQMD Rule 1403. The asbestos survey report shall quantify the areas of asbestos containing materials.	Receive and review asbestos results; ensure recommendations are implemented during demolition.	Prior to issuance of demolition permits.	Once prior to demolition, once during demolition.	Community Development Department/ Building & Safety Division		

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
Prior to any demolition or renovation, onsite structures that contain asbestos must have the asbestos containing material removed according to proper abatement procedures recommended by the SCAQMD. All abatement activities shall be in compliance with California and Federal OSHA, and with the SCAQMD requirements including SCAQMD Rule 1403. Following completion of the asbestos abatement, the asbestos consultant shall provide a report to the Community Development Department documenting the abatement procedures used, the volume of asbestos-containing materials removed, where the material was moved to, and include transportation and disposal manifests or dump tickets.							
<b>HAZ-2 Lead Based Paint.</b> Prior to the issuance of a permit for the renovation or demolition of any structure on any of the site parcels, the developer shall contract with a licensed lead-based paint consultant to evaluate the structure for lead-based paint. If lead-based paint is discovered, it shall be removed according to proper abatement procedures recommended by the consultant. All abatement activities shall be in compliance with California and Federal OSHA requirements. Only lead-based paint trained and certified abatement personnel shall be allowed to perform abatement activities. All lead-based paint removed from these structures shall be hauled and disposed of by a transportation company licensed to transport this type of material. In addition, the material shall be taken to a landfill or receiving facility licensed to accept the waste. Following completion of the lead based paint abatement, the lead based paint consultant shall provide a report to the Community Development Department documenting the abatement procedures used, the volume of lead based paint materials removed, where the material was moved to, and include transportation and disposal manifests or dump tickets.	Receive and review lead paint results; ensure recommendations are implemented during demolition.	Prior to issuance of demolition permits.	Once prior to demolition, once during demolition.	Community Development Department/ Building & Safety Division			

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification	
					Initial	Date
<b>HAZ-3(a) Excavation and Demolition Contingency Plans.</b> The developer shall prepare a contingency plan for all excavation and demolition projects conducted within the combined project area to be implemented in the event that contaminants or structural features not previously known of are suspected or discovered. The contingency plan shall identify appropriate measures to be followed if contaminants are found or suspected. The appropriate measures shall identify personnel to be notified, emergency contacts, and a sampling protocol. The excavation and demolition contractors shall be made aware of the possibility of encountering unknown hazardous materials, and shall be provided with appropriate contact and notification information. The contingency plan shall include a provision stating at what point it is safe to continue with the excavation or demolition, and identify the person authorized to make that determination.	Receive and review contingency plan; ensure implementation during grading.	Prior to issuance of a grading permit.	Once prior to issuance of a grading permit; periodically during grading.	Community Development Department/ Building & Safety Division		
<b>HAZ-3(b) Soil Sampling and Remediation for above grade Construction.</b> If grading or construction above grade is proposed on any of the three project parcels, or the soil is otherwise to be disturbed, the elevated arsenic and lead concentrations shall be further evaluated through additional soil sampling and analysis. Elevated arsenic concentrations are known to be present in each parcel, while lead was detected in parcels 1 and 3. The developer shall forward results of the soil sampling to the local regulatory agency (County of Los Angeles Fire Department CUPA, Los Angeles Regional Water Quality Control Board, or the State of California Environmental Protection Agency Department of Toxic Substances Control). The agency will review the data and either sign off on the property or determine if any additional investigation or remedial activities are deemed necessary. The developer shall submit all correspondence to the Community Development Department prior to issuance of grading or building permits. Any remediation activities recommended by either agency shall be implemented in full.	Verify transmittal of testing results to identified agencies and implementation of any required remediation.	Prior to and during grading.	Once prior to grading, periodically during grading and construction.	Community Development Department/ Building & Safety Division		

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
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<b>HAZ-3(c) Soil Sampling and Remediation for Subterranean Construction.</b> Soil materials on all three subject parcels shall be evaluated, profiled and remediated either prior to construction of structures or concurrent with excavation. The contaminated materials shall be profiled for disposal and remedial excavation shall proceed under the supervision of an environmental consultant licensed to oversee such remediation. The remediation program shall also be approved by a regulatory oversight agency, such as the (County of Los Angeles Fire Department CUPA), Los Angeles Regional Water Quality Control Board, or the State of California Environmental Protection Agency Department of Toxic Substances Control). The developer shall submit all correspondence to the Beverly Hills Department of Community Development prior to issuance of grading or building permits. All proper waste handling and disposal procedures shall be followed. Upon completion of the remediation, a qualified environmental consultant shall prepare a report summarizing the project, the remediation approach implemented, and the analytical results after completion of the remediation, including all waste disposal or treatment manifests.	Verify transmittal of testing results to identified agencies and implementation of any required remediation.	Prior to and during grading.	Once prior to grading, periodically during grading and construction.	Community Development Department/ Building & Safety Division			
<b>HAZ-3(d) Groundwater Sampling and Remediation.</b> If, during the soil sampling on any of the three subject parcels, groundwater contamination is suspected, or if soil contamination is detected at depths at or greater than 30 feet below grade, then the developer shall perform a groundwater sampling assessment. If contaminants are detected in groundwater at levels that exceed maximum contaminant levels for those constituents in drinking water, then the results of the groundwater sampling shall be forwarded to the appropriate regulatory agency (County of Los Angeles Fire Department CUPA), Los Angeles Regional Water Quality Control Board, or the State of California Environmental Protection Agency Department of Toxic Substances Control). The agency shall review the data and sign off on the property or determine if any additional investigation or remedial activities are deemed necessary. The developer shall	Verify transmittal of testing results to identified agencies and implementation of any required remediation.	Prior to and during grading.	Once prior to grading, periodically during grading and construction.	Community Development Department/ Building & Safety Division			

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
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<b>NOISE</b>							
N-1(a) <b>Heavy Truck Restrictions.</b> Contractor shall prohibit off-site heavy truck activities in local residential areas.	Verify implementation of the truck circulation restrictions during grading and construction.	During grading and construction.	Periodically during grading and construction.	Community Development Department/ Building & Safety Division			
N-1(b) <b>Staging Area.</b> Contractor shall provide staging areas on site to minimize off-site transportation of heavy construction equipment. These areas shall be located to maximize the distance between activity and sensitive receptors. This would reduce noise levels associated with most types of idling construction equipment.	Verify adherence to this measure during grading and construction.	During grading and construction.	Periodically during grading and construction.	Community Development Department/ Building & Safety Division			
N 1(c) <b>Diesel Equipment Mufflers.</b> All diesel equipment shall be operated with closed engine doors and shall be equipped with factory recommended mufflers.	Verify adherence to this measure during grading and construction.	During grading and construction.	Periodically during grading and construction.	Community Development Department/ Building & Safety Division			
N 1(d) <b>Electrically-Powered Tools and Facilities.</b> Electrical power shall be used to run air compressors and similar power tools and to power any temporary structures, such as construction trailers or caretaker facilities.	Verify adherence to this measure during grading and construction.	During grading and construction.	Periodically during grading and construction.	Community Development Department/ Building & Safety Division			
N 1(e) <b>Additional Noise Attenuation Techniques.</b> For all noise generating construction activity on the project site, additional noise attenuation techniques shall be employed to reduce noise levels. Such techniques shall include, but are not limited to, the use of sound blankets on noise generating equipment and the construction of temporary sound barriers between construction sites and nearby sensitive receptors in order to ensure noise levels at nearby hotels do not exceed 65 dBA to the maximum extent feasible. The contractor shall perform at least one noise measurement at each of the nearest sensitive uses. The	Verify that field test is performed per the measure, and that additional noise measures are implemented if needed.	Prior to approval of building plans and during grading and construction, if required.	Once prior to approval of building plans and during grading and construction, if required.	Community Development Department/ Building & Safety Division/ City Engineer			

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
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Peninsula Hotel and the Beverly Hilton Hotel, during excavation and foundation/conditioning work to confirm that the noise attenuation techniques are reducing the noise levels sufficiently. If sufficient attenuation is not being achieved, the contractor shall cease work and consult the City on additional noise attenuation techniques such as reducing the number of machines operating at one time, larger temporary barriers, or thicker sound blankets.							
<b>N-1(f) Alternative Pile Types.</b> If pile driving activities are required for construction, alternative pile types that are quieter to install, such as pin piles/micro piles/mini piles, Tubex Grout Injection Piles, or GeoJet foundation units, shall be utilized where feasible in place of traditional driven piles to reduce noise and vibration generation. The City of Beverly Hills Deputy City Engineer and City Building Official shall determine the feasibility of these alternatives pile types for the required applications.	Verify that construction plans include appropriate alternative (quieter) pile types per the measure if pile driving is required, and that such alternative pile types are used.	Prior to issuance of a grading permit and during pile driving, if required.	Once prior to issuance of a grading permit and once during pile driving, if required.	Community Development Department/ Building & Safety Division/ City Engineer			
<b>N-1(g) Additional Pile Driving Measures.</b> If pile driving activities are required for construction, a field test program shall be conducted on the site prior to approval of building plans. The test shall include driving piles at several locations on the project site in the general locations where piles would be required for project construction. The test shall also include testing of various noise control measures including, but not limited to, sound blanket enclosures around pile hammers. Quantitative noise and vibration measurements, together with a subjective assessment of the resulting conditions, shall be recorded. The results of the test program shall be presented to the City of Beverly Hills Community Development Director. Based on the results of the tests, the Director shall have the right to require additional noise control measures at the site during pile driving, such as temporary sound berms and dampening enclosures.	Verify that field test is performed per the measure, and that additional noise/vibration measures are implemented if needed.	Prior to approval of building plans and during grading and construction, if required.	Once prior to approval of building plans and periodically during pile driving, if required.	Community Development Department/ Building & Safety Division/ City Engineer			
<b>N-3(a) Rooftop Ventilation.</b> Parapets shall be installed around all rooftop ventilation systems.	Verify adherence to this measure on building	Prior to and during	Once prior to, and	Community Development			

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification	
					Initial	Date
	plans and during construction.	construction.	periodically during construction.	Department/Building & Safety Division		
N-3(b) <b>Truck Deliveries and Trash PickUp.</b> All commercial truck deliveries and trash pickups shall be restricted to daytime operating hours (7:00AM to 10:00 PM Monday through Friday, and 8:00 AM to 10:00 PM on weekends).	Verify adherence to this measure during project operation.	After occupancy.	Periodically after occupancy.	Community Development Department/Building & Safety Division		
<b>PUBLIC SERVICES AND UTILITIES</b>						
<b>PSU-1 Fire Flow Upgrade.</b> If the City Engineer determines that upgrades to the existing fire flow infrastructure are required to serve the proposed project(s), the applicant shall pay its "fair share" for the cost of the upgrade as determined by the City. Payment for this upgrade shall be made prior to the issuance of a building permit.	Determine whether updates are required, and verify collection of "fair share" payment	Prior to the issuance of a building permit.	Once prior to the issuance of a building permit, once to verify payment.	Department of Public Works/Civil Engineering Division and Community Development Department		
<b>PSU-4</b> The project developers shall provide a fair-share contribution of funds, proportional to each project's contribution of wastewater to the affected infrastructure elements, towards necessary upgrades to sewer conveyance infrastructure to the satisfaction of the City Engineer. Funds shall be paid prior to issuance of building permits for each parcel.	Verify collection of payment.	Prior to the issuance of a building permit for each parcel.	Once prior to the issuance of a building permit.	Department of Public Works/Civil Engineering Division and Community Development Department		
<b>PSU-5</b> The project developers for parcels 1 and 2 shall provide a fair-share contribution of funds, proportional to each project's contribution of increased stormwater runoff to the affected infrastructure elements, towards necessary upgrades to stormwater infrastructure to the satisfaction of the City Engineer. Funds shall be paid prior to issuance of building permits for each parcel.	Verify collection of payment.	Prior to the issuance of a building permit for each parcel.	Once prior to the issuance of a building permit.	Department of Public Works/Civil Engineering Division and Community Development Department		
<b>PSU-6(a)</b> Construction Recycling. Demolition and/or excess construction materials shall be separated onsite	Verify recycling provisions on grading	Prior to the issuance of a	Once prior to the issuance	Community Development		

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification	
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for reuse/recycling or proper disposal. During grading and construction, separate bins for recycling of construction materials and brush shall be provided onsite. This requirement shall be printed on the grading and construction plan. The applicant shall provide the Department of Community Development with receipts for recycled materials.	and building plans, and during construction.	grading or building permit and during construction.	of a grading or building permit and periodically during construction.	Department/ Building & Safety Division		
<b>PSU-6(b)</b> Recycling Collection. The proposed project shall include equal recycling collection space in comparison to rubbish collection facilities. The recycling bins shall be clearly marked with a description of what types of materials can be recycled. The applicant shall establish recycling service with the City's waste hauler. Documentation of service shall be submitted to the Department of Community Development.	Verify recycling provisions on building plans, and during operation.	Prior to the issuance of a building permit and during operation.	Once prior to the issuance of a grading or building permit and periodically during operation.	Community Development Department/ Building & Safety Division		
<b>TRANSPORTATION AND CIRCULATION</b>						
<i>[This measure has been completed]</i>						
<b>T-2 South Moreno Drive/South Santa Monica Boulevard.</b> The driveway that would serve Parcel 1 shall be reconfigured by converting the existing inbound lane to an outbound lane in order to provide two outbound lanes. This would be within the existing right-of-way and is within the jurisdiction of the City of Beverly Hills. The project will be responsible for this improvement. This measure applies to buildup of all three subject parcels ("combined project").	Verify implementation of measure prior to occupancy.	Prior to occupancy.	Once prior to occupancy.	Department of Public Works/Civil Engineering and Community Development Department		
<b>T-4 Construction Coordination.</b> The applicant for any parcel proposing to develop pursuant to the requested General Plan Amendment and Rezone shall coordinate with any nearby development that is also proposing to begin construction or is currently undergoing construction regarding the following:	Verify coordination, as identified in the measure.	Prior to commencement of grading or construction.	Once prior to commencement of grading or construction.	Community Development Department		
<ul style="list-style-type: none"> <li>• All temporary roadway closures shall be coordinated to limit overlap of roadway closures.</li> <li>• All major deliveries for the projects shall be coordinated to limit the occurrence of simultaneous deliveries. The project applicants shall ensure that deliveries of items such as concrete and other high-</li> </ul>						

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<ul style="list-style-type: none"> <li>volume items shall not be done simultaneously.</li> <li>The applicants shall coordinate regarding the loading and unloading of delivery vehicles. Any off-site staging areas for delivery vehicles shall be consolidated and shared.</li> <li>Applicants or their representatives shall meet on a regular basis during construction to address any outstanding issues related to construction traffic, deliveries, and worker parking.</li> <li>All construction hauling and delivery shall be scheduled in coordination with adjacent major constructions projects (9900, Hilton, Sun-Cal, other projects) as applicable.</li> </ul>				Community Development Department		
<p><b>T-5(a) Construction Traffic Management Plan.</b> A Construction Traffic Management Plan shall be submitted to the City for review and approval by all applicants proposing development pursuant to the requested General Plan Amendment and Rezone prior to issuance of demolition, grading or building permits. Each plan shall address the following items at a minimum:</p> <ul style="list-style-type: none"> <li>Maintain existing access for land uses in proximity to the project site during project construction.</li> <li>Schedule deliveries and pick-ups of construction materials to non-peak travel periods, to the maximum extent feasible.</li> <li>Coordinate deliveries and pick-ups to reduce the potential of trucks waiting to load or unload for protracted periods of time.</li> <li>Minimize obstruction of through-traffic lanes on Santa Monica Boulevard.</li> <li>Construction equipment traffic from the contractors shall be controlled by flagman and traffic control devices.</li> <li>Identify designated transport routes for heavy trucks (in addition to haul trucks) to be used over the duration of the proposed project.</li> <li>Schedule vehicle movements to ensure that there are no vehicles waiting off-site and impeding public traffic flow on the surrounding streets.</li> </ul>	Review and approve plan, and verify implementation.	Prior to issuance of demolition, grading or building permits.	Once prior to issuance of demolition, grading or building permits, and periodically during grading and construction.			

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<ul style="list-style-type: none"> <li>Establish requirements for loading/unloading and storage of materials on the project site, where parking spaces would be encumbered, length of time traffic travel lanes can be encumbered, sidewalk closings or pedestrian diversions to ensure the safety of the pedestrian and access to local businesses.</li> <li>Coordinate with adjacent businesses and emergency service providers to ensure adequate access exists to the project site and neighboring businesses.</li> </ul>							
<b>T-5(b) Worker Parking Management Plan.</b>	A Worker Parking Management Plan shall be submitted to the City for review and approval by all applicants proposing development pursuant to the requested General Plan Amendment and Rezone prior to the issuance of demolition, grading or building permits. To the maximum extent feasible, all working parking shall be accommodated on the project site. During any demolition and construction activities when construction worker parking cannot be accommodated on the project site, the Plan shall identify alternate parking locations for construction workers and method of transportation to and from the project site for approval by the City 30 days prior to commencement of construction. The Construction Workers Parking Plan must include appropriate measures to ensure that the parking location requirements for construction workers will be strictly enforced. These include but are not limited to the following measures:	Review and approve plan, and verify implementation.	Prior to issuance of demolition, grading or building permits.	Community Development Department	Once prior to issuance of demolition, grading or building permits, and periodically during grading and construction.		

- Provide all construction contractors with written information on where their workers and their subcontractors are permitted to park and provide clear consequences to violators for failure to follow these regulations. This information will clearly state that no parking is permitted on any residential street or in public parking structures.
- Prohibit construction worker parking within 500 feet of the nearest point of the project site except within designated areas. The contractor shall be

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Initial	Date	Comments	Compliance Verification
<p>responsible for informing subcontractors and construction workers of this requirement, and if necessary, for hiring a security guard to enforce these parking provisions. Contractor shall be responsible for all costs associated with enforcement of this mitigation measure.</p> <ul style="list-style-type: none"> <li>• Identify sites where construction workers could park off-site, if necessary.</li> </ul> <p>In lieu of the above, the project developer/construction contractor has the option of phasing demolition and construction activities such that all construction worker parking can be accommodated on the project site throughout the entire duration of demolition and construction activities.</p>								
<b>T-5(c) Construction Management Coordination.</b>	Prior to submittal to the City of Beverly Hills, the applicants shall provide their Construction Traffic Management Plan and Construction Working Parking Management Plan to the Beverly Hills Unified School District and the Los Angeles County Metropolitan Transportation Authority for their review and comment. The applicants shall notify the City of Beverly Hills of all comments received from these agencies related to the Construction Traffic Management Plan.	Verification that identified plans have been provided to the listed agencies and review of comments provided.	Prior to issuance of demolition, grading or building permits.	Community Development Department	Once prior to issuance of demolition, grading or building permits.			

**Attachment B**

**Planning Commission resolution**

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**Draft Ordinance**