

ATTACHMENT H
MITIGATED NEGATIVE DECLARATION



NEGATIVE DECLARATION

Determination Number: **PL0623585**

An application has been filed with the City of Beverly Hills for approval of the following project:

Name of Project: 8767 Wilshire Boulevard Office Building

Project Address: 8767 Wilshire Boulevard

Name of Applicant: George Kobar

Project Description:

A request for approval of a Development Plan Review and a Variance application to allow construction of a 75,116 square foot, 4-story, 68-foot high commercial (office & retail) building on the north east corner of Wilshire and Robertson Boulevards at **8767 Wilshire Boulevard**. The project as proposed would provide 358 parking spaces within a four-level subterranean garage with ingress and egress from Robertson Boulevard and an egress only on Wilshire Boulevard. Loading activity would be conducted within the building, provided by three truck loading areas accessible from the Robertson Boulevard entrance and exit on to Wilshire Boulevard. The proposed variance is to allow the proposed building to exceed the 45-foot/3-story height limit. Pursuant to Beverly Hills Municipal Code 10-3-3100 and 10-3-3700, the Planning Commission, in order to make the necessary findings to approve a request, may impose such conditions as it deems appropriate to protect the public health, safety and general welfare.

Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA) and the CEQA Guidelines of the City of Beverly Hills, the Lead Agency has analyzed the project and determined that the project will not have a significant impact on the environment. Based on this finding, the Lead Agency prepared this Mitigated Negative Declaration.

A copy of the Initial Study, documenting reasons to support the finding, is attached. Mitigation measures, if any, included in the project to avoid potentially significant effects are also attached.

A period of at least 20 days from the date of publication of the notice of this **MITIGATED NEGATIVE DECLARATION** will be provided to

Negative Declaration

PL063585

July 24, 2006

enable public review of the project specifications, the Initial Study and this document prior to the final adoption of the MITIGATED NEGATIVE DECLARATION by the Lead Agency. A copy of the project application and plans is on file in the offices of Planning and Community Development, 455 North Rexford Drive, Room G-40, Beverly Hills, California 90210 310.285.1123.

Prepared: **July 24, 2006**

Adopted: *Sept. 14, 2006*



RITA NAZIRI
Senior Planner

Negative Declaration

PL063585

July 24, 2006

Mitigation Measures

The following measures are proposed to ensure that the project will not have any significant, adverse environmental impacts:

Measure III.a.1: Water or a stabilizing agent shall be applied to exposed surfaces in sufficient quantity to prevent generation of dust plumes.

Measure III.a.2: Track-out shall not extend 25 feet or more from an active operation, and track-out shall be removed at the conclusion of each workday.

Measure III.a.3: A wheel washing system shall be installed and used to remove bulk material from tires and vehicle undercarriages before vehicles exit the project site.

Measure III.a.4: All haul trucks hauling soil, sand, and other loose materials shall be covered (e.g., with tarps or other enclosures that would reduce fugitive dust emissions).

Measure III.a.5: All trucks hauling soil, sand, and loose materials shall maintain at least six inches of freeboard in accordance with California Vehicle code Section 23114.

Measure III.a.6: Traffic speeds on unpaved roads shall be limited to 15 miles per hour.

Measure III.a.7: Operations on unpaved surfaces shall be suspended when winds exceed 25 miles per hour.

Measure III.a.8: Heavy-equipment operations shall be suspended during first and second stage smog alerts.

Measure III.a.9: On-site stock piles of debris, dirt, or rusty materials shall be covered or watered at least twice per hour.

Measure XI.a/b.1: All construction equipment shall be equipped with mufflers and other suitable noise attenuation devices.

Measure XI.a/b.2: Grading and construction contractors shall use quieter equipment as opposed to

Negative Declaration

PL063585

July 24, 2006

noisier equipment (such as rubber tired equipment rather than track equipment).

Measure XI.a/b.3: Equipment staging areas shall be located on the western portion of the project site, as far as possible from 141 and 143 N. Arnaz Drive residential developments.

Measure XI.a/b.4: During construction, sound attenuation blankets with a Sound Transmission Class rating of 20 or more shall be used on the second, third, and fourth floors that face 141 and 143 N. Arnaz Drive Development. The sound attenuation blankets shall break the line of sight between the construction activities and 141 and 143 N. Arnaz Drive.

Measure XI.a/b.5: 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 at the construction site. All notices and the signs shall indicated the dates and duration of construction activities, as well as provided a telephone number where residents can in quire about the construction process and register complaints.

Measure XI.a/b.6: A "noise disturbance coordinator" shall be established. The disturbance coordinator shall be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaint (e.g. starting too early, bad muffler, etc.) and would be required to implement reasonable measures such that the complaint is resolved. All notices that are sent to residential units within 500 feet of the construction site and all signs posted at the construction site shall list the telephone number for the disturbance coordinator.

Measure VI.a.1: A right-turn lane shall be added to the westbound approach to the intersection of Wilshire Boulevard and Robertson Boulevard.

PL0623585

Environmental Checklist Form

1. Project title: 8767 Wilshire Boulevard
2. Lead agency name and address:

City of Beverly Hills
455 North Rexford Drive
Beverly Hills, California 90210
3. Contact person and phone number: Rita Naziri, 310.285.1123
4. Project location: 8767 Wilshire Boulevard
5. Project sponsor's name and address:

Kobor Family Trust, 250 N. Robertson Blvd., #421 Beverly Hills, CA 90211
6. General Plan designation: Low Density 7. Zoning: C-3 Commercial
General Commercial
8. Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)

A request for approval of a Development Plan Review and a Variance application to allow construction of a 75,116 square foot, 4-story, 68-foot high commercial (office & retail) building on the north east corner of Wilshire and Robertson Boulevards at **8767 Wilshire Boulevard**. The project as proposed would provide 358 parking spaces within a four-level subterranean garage with ingress and egress from Robertson Boulevard and an egress only on Wilshire Boulevard. Loading activity would be conducted within the building, provided by three truck loading areas accessible from the Robertson Boulevard entrance and exit on to Wilshire Boulevard. The proposed variance is to allow the proposed building to exceed the 45-foot/3-story height limit. Pursuant to Beverly Hills Municipal Code 10-3-3100 and 10-3-3700, the Planning Commission, in order to make the necessary findings to approve a request, may impose such conditions as it deems appropriate to protect the public health, safety and general welfare.

9. Surrounding land uses and setting: Briefly describe the project's surroundings:

The project site is located on the northeast corner of Wilshire Boulevard and Robertson Boulevard intersection. The L-shaped site consists of six lots. BMW

Environmental Initial Study

EVALUATION OF ENVIRONMENTAL IMPACTS (CONTINUED):

July 20, 2006

automobile dealership storage facility and a commercial building are currently occupied the site. Adjacent to the property to the north are variety of commercial developments including retail stores and offices. Across the street along Wilshire Boulevard, to the south is a three-story office/medical building. Across the street along Robertson Boulevard, to the west is a two-story commercial building. Adjacent to the property to the east is two story commercial building and two and three story multi-family residential properties facing Arnaz Drive. There is no alley separating the project site from the multi-family land uses on the eastside of the property facing Arnaz Drive.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)

None

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation / Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

Environmental Initial Study

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED (CONTINUED):

July 20, 2006

I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

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

Rita Naziri
Signature

July 20, 2006
Date

Rita Naziri
Printed Name

City of Beverly Hills
For

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

Environmental Initial Study
EVALUATION OF ENVIRONMENTAL IMPACTS (CONTINUED):
 July 20, 2006

- a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
- a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance

Issues:

	Potentially Significant	Less Than Significant with Mitigation Incorporat ed	Less Than Significant Impact	No Impact
I. <u>AESTHETICS</u> -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Initial Study
EVALUATION OF ENVIRONMENTAL IMPACTS (CONTINUED):
 July 20, 2006

Issues:	Potentially Significant	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
II. <u>AGRICULTURE RESOURCES</u> -- In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an option model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
III. <u>AIR QUALITY</u> -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Initial Study
EVALUATION OF ENVIRONMENTAL IMPACTS (CONTINUED):
 July 20, 2006

Issues:	Potentially Significant	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. <u>BIOLOGICAL RESOURCES</u> -- Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
V. <u>CULTURAL RESOURCES</u> -- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues:	Potentially Significant	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VI. GEOLOGY AND SOILS -- Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

EVALUATION OF ENVIRONMENTAL IMPACTS (CONTINUED):

July 20, 2006

Issues:	Potentially Significant	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. <u>HAZARDS AND HAZARDOUS MATERIALS</u> -- Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VIII. <u>HYDROLOGY AND WATER QUALITY</u> -- Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Initial Study
EVALUATION OF ENVIRONMENTAL IMPACTS (CONTINUED):
 July 20, 2006

Issues:	Potentially Significant	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
IX. <u>LAND USE AND PLANNING</u> - Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues:	Potentially Significant	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
X. MINERAL RESOURCES -- Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XI. NOISE -- Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues:	Potentially Significant	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XII. POPULATION AND HOUSING -- Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XIII. PUBLIC SERVICES -- Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XIV. RECREATION --				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues:	Potentially Significant	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XV. TRANSPORTATION/TRAFFIC -- Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XVI. UTILITIES AND SERVICE SYSTEMS -- Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Initial Study
EVALUATION OF ENVIRONMENTAL IMPACTS (CONTINUED):
 July 20, 2006

Issues:	Potentially Significant	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
XVII. MANDATORY FINDINGS OF SIGNIFICANCE --				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION OF ENVIRONMENTAL EVALUATION:

I. AESTHETICS.

- a. **No Impact.** There are no public scenic vistas or resources of any significance within the project area that would be affected by the proposed project.
- b. **No Impact.** There are no significant scenic resources in the vicinity of the project site that would be affected by the proposed project.
- c. **Less Than Significant Impact.** The project as proposed involves the development of a large commercial building (retail spaces, general office space and 4-level subterranean parking structure) at a predominant corner of two important boulevards in the City of Beverly Hills. Due to the fact that the majority of the project site is currently undeveloped, construction of the proposed commercial building would change the visual character of the immediate area and its surrounding. The project as proposed is subject to the approval of the Planning Commission through the Development Plan Review and Variance applications. The project cannot be approved unless the Planning Commission finds that the proposed project will not adversely affect existing and anticipated development in the vicinity and will promote harmonious development of the area, among the other various Development Plan Review findings and meet the variance findings. In addition, the City's Architectural Commission also will review the project to assure that the development in the City is maintained to a high standard of visual quality.
- d. **Less Than Significant Impact.** The project would also introduce new lighting and glare into the area. Glare can result from daytime reflection of sunlight off flat building surfaces. The City discourages the use of reflective surfaces in new development, particularly when they might be oriented toward residential areas. The project is subject to community ordinances that limit the amount of spillover light relative to the ambient.

July 20, 2006

Shadows are of most concern when they are cast onto residential uses from taller structures. Shadows affect solar and light access to both interior and yard spaces. Shadows are typically cast in a westward to eastward direction as the day advances from morning to afternoon and evening. The project is adjacent to multi-family residences located to the east of the project site. The rear yards of these residences adjoin the project site. The maximum coverage at both adjacent residential lots occurs during Winter Solstice at 4:00 p.m. approximately more than 50% of the residential lots would be in shadow at these times. Shadow coverage levels are less during early hours of afternoon. During spring, summer and fall the rear yard of 141 N. Arnaz Drive will be on shadow in the afternoon hours. To reduce shadows, the proposed structure is set back from the eastern property line of the proposed project a minimum of 20 feet on upper floors. Shadow cast upon neighboring structures are considered adverse, but less than significant due to the duration and exposure of shadows to nearby buildings.

II. AGRICULTURE RESOURCES.

- a.-c. **No Impact.** The project site is located in an urbanized area and there are no significant plots of rural land in the vicinity of the project; therefore, the project is not expected to have any significant impacts to agricultural resources.

III. AIR QUALITY.

- a. **Less Than Significant With Mitigation.** The construction impacts study conducted by the applicant's traffic engineer, Raju Associates Inc., indicates that a total of 61,000 cubic yards dirt will be hauled away from the site which will take 4,066 trucks. The duration for excavation is estimated to be 112 days. The excavation process would result in a maximum of 40 loads (80 one-way trips) per day. Based on the Air Quality and Noise Impact Technical Report prepared by Terry A. Hayes Associates LLC, dated July 2006, states that the

project is generally consistent with all local and regional planning standards on which the air quality plan was based on, however in order to keep the emission below the thresholds of potential significance during construction activity and to ensure that the project does not conflict with or obstruct the implementation of the AQMP, the project will be required to comply with the following conditions of approval that no more than 80 one-way trips per day (40 arrivals, 40 departures) shall be permitted per day during construction. In conjunction with the above conditions of approval, no more than five pieces of diesel equipment such as one excavator/crane, one rubber tired loader, two tractors/loaders/backhoes/forklift and one miscellaneous piece of equipment shall be permitted to operate on the project site per day.

It was also noted that the project will be subject to the provisions of the South Coast Air Quality Management District's Rule 403 during the construction period. The following is a list of SCAQMD Rule 403 control measures to reduce construction emissions to level of insignificant. The mitigation measures shall be implemented for all areas of construction activity:

Measure III.a.1: Water or a stabilizing agent shall be applied to exposed surfaces in sufficient quantity to prevent generation of dust plumes.

Measure III.a.2: Track-out shall not extend 25 feet or more from an active operation, and track-out shall be removed at the conclusion of each workday.

Measure III.a.3: A wheel washing system shall be installed and used to remove bulk material from tires and vehicle undercarriages before vehicles exit the project site.

Measure III.a.4: All haul trucks hauling soil, sand, and other loose materials shall be covered (e.g., with tarps or other enclosures that would reduce fugitive dust emissions).

Measure III.a.5: All trucks hauling soil, sand, and loose materials shall maintain at least six inches of freeboard in accordance with California Vehicle code Section 23114.

July 20, 2006

Measure III.a.6: Traffic speeds on unpaved roads shall be limited to 15 miles per hour.

Measure III.a.7: Operations on unpaved surfaces shall be suspended when winds exceed 25 miles per hour.

Measure III.a.8: Heavy-equipment operations shall be suspended during first and second stage smog alerts.

Measure III.a.9: On-site stock piles of debris, dirt, or rusty materials shall be covered or watered at least twice per hour.

- b., **Less than significant with Mitigation.** Recent monitoring data show recurring violations of both the federal and State hourly standard for ozone and State standard for PM₁₀. First-stage smog alerts have been rare in recent years at nearby monitoring stations. While the summer ozone levels are occasionally unhealthy for all receptor populations, they are lower than inland communities. Levels of primary automobile pollutants, such as CO, have rarely exceeded their standards in recent years. In general, data shows that improvement has occurred throughout the 1990s in the western coastal portions of the Los Angeles Basin. However, desirable levels have not yet been attained for some pollutants.

As noted above, the project as proposed can potentially exceed the SCAQMD's thresholds of potential significance, with regard to construction activity; therefore, by implementing of mitigation measures noted previously, construction emissions would result in a less than significant impact. In general, air quality issues and thresholds are regional in nature (i.e. policies and thresholds are generally formulated in the context of air quality goals for the air basin as a whole), so the mitigation prevents the project from resulting in a cumulatively considerable net increase of any criteria pollutant in the South Coast Air Basin.

- d. **Less Than Significant.** The project is not located in the vicinity of any heavy stationary sources, nor would it introduce any new, heavy stationary air emission sources. To the extent that the basin experiences poor air quality, the project would

expose sensitive receptors to pollutants, but episodes where the one-hour and eight-hour State carbon monoxide standards are exceeded are infrequent and are not the result of the project.

- e. **Less Than Significant.** The project does not propose or facilitate uses that are significant sources of objectionable odors.

IV. BIOLOGICAL RESOURCES.

- a., **No Impact.** The project area is a fully developed urban area, where there are no sizable, subdividable tracts of land. No significant habitats or migratory wildlife corridors would be directly affected by the project, and the project does not propose any policy changes that present significant impacts to endangered, threatened, or rare species or their habitats.
- b.,
- c. **No Impact.** The project involves no development in a federally protected wetland and involves no improvements that would impair or interrupt hydrological flow into such a wetland.
- d.
- e. **No Impact.** The project will be required to comply with the City's tree preservation ordinance.
- f. **No Impact.** There are no natural habitats or natural biological communities in the vicinity of the project. As the project is not of such a scope as to have a significant, wide-ranging effect on the natural environment, it appears to be consistent with all habitat conservation plans and natural community conservation plan that may be applicable to the area.

V. CULTURAL RESOURCES.

- a., **No Impact.** Neither the project site nor any existing development on the subject site is listed in or determined to be eligible by the State Historical Resources Commission for listing in the California Register or Historical Resources. Neither the
- b.

project site nor any existing development on the site has been included in a local register of historical resources. The project site contains no known historical or archeological resource of any architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural significance.

- c. **No Impact.** The project site is located in a developed setting containing no unique geologic features or any identified paleontological resources.
- d. **No Impact.** There is no evidence of any human remains on the project site or in the vicinity of the project.

VI. GEOLOGY AND SOILS.

a. Seismic hazards.

- i. **Less Than Significant Impact.** There are no Alquist-Priolo faults in Beverly Hills. There is no substantial evidence of any earthquake fault on or close to the project site. Therefore, there does not appear to be any significant potential for surface rupture.
- ii. **Less Than Significant Impact.** Southern California is a seismically active region and prone to earthquakes, which may result in hazardous conditions to people within the region. Earthquakes and ground motion can affect a wide-spread area. Nineteen individual faults or fault zones within 50 miles of the area, including the three local faults, are capable of generating earthquakes of Richter magnitude 6.25 to 8.5 (City of Beverly Hills Industrial Area Plan Draft EIR 1990). The potential severity of ground shaking depends on many factors, including the distance from the originating fault, the earthquake magnitude and the nature of the earth materials beneath the site. The most serious impacts associated with ground shaking

would occur if the structures were not properly constructed according to seismic engineering standards. Buildings have been designed to withstand strong earthquakes. The proposed building and structures will adhere to the applicable building codes and undergo engineering checks in compliance with State and City standards. These necessary compliance strategies will reduce potentially significant impacts to less than significant levels.

- iii. **Less Than Significant Impact.** Although there is no evidence of potential seismically induced ground failure on the site, the site is located in a mapped liquefaction area (1990 Seismic Hazards Mapping Act, Chapter 7.8 Act, Chapter 7.8 of Division 2 of the California Public Resources Code). Liquefaction is a process where water-saturated loose sands lose strength due to moderate or strong seismic shaking resulting in the transformation of soil into an essentially liquid state. This could cause the bearing strength to be lost underneath structures possibly causing significant settlement and differential settlement. The potential for liquefaction is greatest where the depth to groundwater is less than 50 feet below ground surface and the underlying soils consist of saturated sandy and silty soils of low plasticity. The depth to groundwater is approximately at depths of 22 to 24 feet with historic highs of about 10 feet below ground surface at the site. Therefore, there appears to be a potential for liquefaction to occur during an earthquake. As such, the project is subject to the provisions of Chapter 6 of the California Division of Mines and Geology Special Publication No. 117 and Public Resources Code Section 2693 (C). Conformance with these provisions will mitigate potentially significant liquefaction hazards to a less than significant level, therefore, no

significant ground failure impacts are anticipated.

- iv. **No Impact.** The site is located in level terrain and is no evidence of potential landslides on the site. The site is not located in any mapped landslide area (1990 Seismic Hazards Mapping Act, Chapter 7.8 of Division 2 of the California Public Resources Code). Therefore, the project is not expected to have any potentially significant, adverse impact from landslides.
- b. **Less Than Significant Impact.** The project site is currently a vacant lot. Impacts related to soil erosion would not be anticipated since construction activities would be short-term, and soil erosion typically occurs over an extended period of time. Since the project site is primarily vacant, the loss of topsoil as a result of grading and excavation activities would not be considered substantial.
- c. **Less Than Significant Impact.** There is no evidence of unstable soil conditions at the project site. No such conditions were revealed in recent nearby development (offices on North and South Robertson Boulevard, residences on Arnaz Drive).
- d. **No Impact.** Based on the soils investigation prepared by G.E.K. Construction Inc., the on-site soil was identified as being on the low expansion range. Therefore, no impacts related to expansive soils are anticipated.
- e. **No Impact.** The community is served by a municipal waste water system and does not rely on septic tanks.

VII. HAZARDS AND HAZARDOUS MATERIALS.

- a., **No Impact.** The project neither proposes nor
- b., facilitates any activity involving significant use,
- c. transport, or disposal of hazardous substances.

- d. **Less Than Significant Impact.** Historical records indicate that project site was formerly occupied by a rental car agency. During this period two underground storage tanks (USTs) were installed and operated. The storage tanks were removed by the current owner in 2006. Based on the report provided by the applicant and confirmed by the Beverly Hills Fire Department, the soil did not contain detectable concentrations of organic lead and contained hydrocarbon concentrations that were below typical action levels.
- e., **No Impact.** The project is not located within two
- f. miles of any airport.
- g. **No Impact.** The project poses no physical or operational barriers to emergency plans.
- h. **No Impact.** There are no significant areas of flammable brush, grass, or trees in the vicinity of the project site.

VIII. HYDROLOGY AND WATER QUALITY.

- a. **Less Than significant Impact.** The project involves no significant discharges beyond wastewater associated with ordinary human occupation of the facility, and the project will comply with all discharge requirements of State and Federal agencies.
- b. **Less Than Significant Impact.** Construction of the proposed subterranean garage will extend below the ground water level and dewatering will be required. A dewatering system should be used in order to continue the construction of the project. The subterranean parking shall be designed with waterproofing and ground water collection and disposal system. To prevent the degradation of water quality, all construction would be in compliance with the State Water Resources Control Board (SWRCB) regulations, including compliance with the National Pollutant Discharge Elimination System (NPDES) and Storm Water Pollution Prevention Plan requirements. Overall, any

change in groundwater recharge rates resulting from the project appears to be insignificant.

c., **Less Than Significant Impact.** The proposed project d., would not result in changes in currents or the e. course or direction of water movements. While the project may contribute to storm drainage water flows, there are not significant permeable areas on the site and no significant changes in drainage are anticipated from the project. As such, this would not affect water movements or currents, and there would not be a significant change in volume. No direct alterations to the water courses would be implemented. Changes in drainage would not be substantial enough to significantly change siltation or increase erosion. No significant impacts are anticipated. The project is required to conform to the City's Urban Runoff Ordinance.

f,g **No Impact.** The project will not degrade water ,h, quality. The project site is not located within a i., 100-year flood plain or subject to localized j. flooding. The area was subject to occasional flooding during heavy storm precipitation but the recently completed Hollyhills Storm Drain System has since substantially reduced such incidents and additional development standards have been instituted that address storm flow along the streets. The project site also would not increase e nor create new potential for exposure to problems associated with water related hazards such as flooding, seiche, tsunami, or mudflows.

IX. LAND USE AND PLANNING.

- a. **No Impact.** The project is not of sufficient scale to pose a physical barrier to the community.
- b. **Less Than significant Impact.** The commercial zone along Wilshire Boulevard is designated as a low-density commercial area with a Floor Area Ratio (FAR) of 2.0 and a maximum height of 45 feet and three stories. The project as proposed would be 68 feet high and four stories. The applicant has

requested a height variance from the Zoning Code to allow the proposed building height with 2.0 FAR as permitted by Zoning Code.

- c. **NO Impact.** There are no habitat conservation plans in the area.

X. MINERAL RESOURCES.

- a., **No Impact.** No mineral resource of value to the region and the residents of the State are known to be within the project area other than petroleum, and the project proposes no policies or improvements that would have any effect on the petroleum resources located in the vicinity. The project involves no site designated for resource recovery.
- b.

XI. NOISE.

- a., **Less Than Significant Impact with Mitigation.** The proposed project is expected to increase existing noise levels due to construction and incrementally as a result of operation of the project and increases in traffic. The level and intensity of noise impacts associated with additional vehicular movement is evaluated by the Air Quality and Noise Impact Technical Report prepared by Terry Hayes and Associates LLC. Based on the report, operational noise impact would be less than significant and no mitigation measures are required. However, there could be some high levels of noise during construction, but construction noise is temporary and is restricted during the times of day when residential areas are most sensitive to noise by the City's construction noise ordinance. Standard construction mitigation would minimize the impact of construction noise on existing sensitive residential uses located in the project vicinity, and the intensity and duration of these noise impacts is limited by existing city requirements which regulate the days and hours when construction is permitted. However, mitigation to reduce construction-related noise levels is recommended given the close proximity of residential uses to the project site
- b.

including:

Measure XI.a/b.1: All construction equipment shall be equipped with mufflers and other suitable noise attenuation devices.

Measure XI.a/b.2: Grading and construction contractors shall use quieter equipment as opposed to noisier equipment (such as rubber tired equipment rather than track equipment).

Measure XI.a/b.3: Equipment staging areas shall be located on the western portion of the project site, as far as possible from 141 and 143 N. Arnaz Drive residential developments.

Measure XI.a/b.4: During construction, sound attenuation blankets with a Sound Transmission Class rating of 20 or more shall be used on the second, third, and fourth floors that face 141 and 143 N. Arnaz Drive Development. The sound attenuation blankets shall break the line of sight between the construction activities and 141 and 143 N. Arnaz Drive.

Measure XI.a/b.5: 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 at the construction site. All notices and the signs shall indicated the dates and duration of construction activities, as well as provided a telephone number where residents can in quire about the construction process and register complaints.

Measure XI.a/b.6: A "noise disturbance coordinator" shall be established. The disturbance coordinator shall be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaint (e.g. starting too early, bad muffler, etc.) and would be required to implement reasonable measures such that the complaint is resolved. All notices that are sent to residential units within 500 feet of the construction site and all signs posted at the construction site shall list the telephone number for the disturbance coordinator.

This impact is considered less than significant with these limitations and mitigations.

- c. **Less Than significant Impact.** There may be greater noise from an increased level of activity on the site, but not to a significant degree. The activity areas are entirely enclosed, and the marginal increase in noise would be associated with the traffic to and from the site; the increase being largely in recurrence and/or duration rather than in loudness.
- d., **Less Than significant Impact.** The project would tend to diminish the potential noise impacts associated with an open parking lot (current use) by providing an enclosed parking structure and screening the nearby neighborhood from noise from the thoroughfares. However, due to construction-related excavation and shoring activities which may require the use of piles, the proposed project may lead to a substantial temporary increase in ambient noise levels in the project vicinity above existing levels. By implementing mitigation measures and compliance with the City's noise ordinance, construction noise would result in a less than significant impact.
- e., **NO Impact.** There is no private airstrip within the vicinity.

XII. POPULATION AND HOUSING.

- a. **No Impact.** The project is located in a developed area and requires no significant changes to the local infrastructure to accommodate it.
- b., **No Impact.** The project site is currently a commercial zone without housing uses.

XIII. PUBLIC SERVICES.

No Impact. The project is not anticipated to have any impacts on public services not already assumed as part of the general plan and zoning for the area.

XIV. RECREATION.

No Impact. The project will not add population that will require additional recreational facilities, or result in deterioration of existing facilities. The project does not propose any new recreational facilities that would have an adverse physical effect on the environment.

XV. TRANSPORTATION/TRAFFIC.

- a. **Less Than Significant With Mitigation Incorporation.** Based on the Traffic Study prepared by Raju Associates, Inc., the proposed project is expected to have significant traffic impact during A.M. peak hours at the intersection of Robertson and Wilshire Boulevards. In order to address the impact, a mitigation measure is proposed to eliminate the impact. A right turn lane is proposed to be added to remove the impact. The applicant is proposing to reconfigure the sidewalk and street lanes. To achieve a new lane the width of the side walk would be decrease in width from 15 feet to 10 feet and the shared through/right-turn lane will be split into a through lane and a separate right-turn lane. The length of the turn lane would be 100 feet with a 60 foot taper which will be able to accommodate the right turn volumes at this location. The proposed mitigation measure would reduce the sidewalk width from 15 feet to 10 feet. Staff is proposing a condition that the building to be set back by additional five feet at Wilshire Boulevard property line to provide a 15 feet sidewalk for continuity and consistency.

Measure VI.a.1: A right-turn lane shall be added to the westbound approach to the

DISCUSSION OF ENVIRONMENTAL EVALUATION (CONTINUED):

July 20, 2006

intersection of Wilshire Boulevard and Robertson Boulevard.

It should be noted that a Supplemental Traffic analysis prepared by the applicant has evaluated five different use alternatives for the site.

The project including the proposed alternatives traffic impacts are shown as follows:

Alternative	Significant Impact	Mitigation
Project Office/Retail	Weekday morning peak hour impact on Robertson/Wilshire Boulevard	Addition of a right turn lane on Wilshire Boulevard Less than significant
Alternative 1 Office/Retail/restaurant Coffee shop	Weekday morning peak hour and Saturday midday peak hour impact on Robertson/Wilshire Boulevard	Addition of a right turn lane on Wilshire Boulevard Less than significant
Alternative 2 Office/Retail/restaurant Coffee shop/car storage	Weekday morning peak hour and Saturday midday peak hour impact on Robertson/Wilshire Boulevard	Addition of a right turn lane on Wilshire Boulevard Less than significant
Alternative 3 Office/Retail/car storage	Weekday morning peak hour and Saturday midday peak hour impact on Robertson/Wilshire Boulevard	Addition of a right turn lane on Wilshire Boulevard Less than significant
Alternative 4 Reduced Office & Retail/restaurant Coffee shop/car storage	No Intersection Impact.	No Mitigation
Alternative 5 Reduced Office/ Retail/ car storage	No Intersection Impact.	N Mitigation-

It should be noted that the measure would adequately address the proposed mix of general office and retail uses; medical office uses have not been evaluated. In addition, in evaluating restaurant and coffee shop uses trip generation trips, the supplemental traffic analysis prepared by the applicant's traffic consultant applied a 20% pass by reduction and internal

trip credit which is not allowed by the City policies. In the supplemental traffic study, the number of trips subtracted for this use is 165 per day. In order to measure the potential impacts of those alternatives that include the coffee shop, Korve Engineering, City's traffic consultant has done spot check, adding back in these 165 daily trips. Based on City's consultant analysis, it appears that at least one street segment (Clifton Way east of Robertson Boulevard), will be impacted (Alternatives 1&2). Based on the above and given the traffic-related concerns in this area of the City, it is recommended that the 20% pass-by trips be restored to the analysis in order to determine if impacts will also occur at critical intersections or on other street segments.

However, the applicant has verbally noted that the applicant will not consider any food facilities within the proposed building. Therefore, a condition will be imposed to prohibit food facilities including restaurants and coffee shop in the proposed building. By adding this condition, no additional traffic impacts anticipated.

- b. **Less than Significant Impact.** Based on the Los Angeles County Congestion Management Program's (CMP) guidelines, the proposed project will add less than 50 trips to each of the CMP intersections; therefore, the project's traffic is not considered to be significant with regard to the CMP.
- c. **No Impact.** There are no air traffic patterns over the City that would be affected by the construction of a three-story building.
- d. **Less than Significant Impact.** The proposal will provide 358 parking spaces within 4-level of subterranean parking structure. The project as proposed requires 215 parking spaces. The project would have 143 additional parking spaces. Because concerns were raised regarding the design of the

parking levels and parking spaces, the applicant modified the parking layout. However, the garage will function better if additional makings and signage are installed.

- e. **No Impact.** The project as proposed would not impede emergency access or circulation of emergency vehicles.
- f. **No Impact.** The project as designed provides additional parking beyond the parking required by Code.
- g. **No Impact.** The project as designed does not affect any alternative transportation policies. It will be required to comply with the City's Congestion Management Ordinance (Title 10, Chapter 7 of the Beverly Hills Municipal Code).

XVI. UTILITIES AND SERVICE SYSTEMS.

- a., **Less Than Significant Impact.** The General Plan anticipates greater development in the project area than exists currently, and the infrastructure is generally considered to be adequate to support General Plan policies. Project-related discharges would be limited to wastewater associated with ordinary human occupation of the proposed facilities and stormwater resulting from surface water runoff at the project site. The proposed project is not anticipated to exceed the wastewater treatment requirements of the applicable Regional Water Quality Control Board (RWQCB) or to require the construction of new water or wastewater treatment or drainage facilities. The project will comply with all waste discharge requirements and water quality objectives of state and federal agencies. In addition, it is unlikely that the implementation of the proposed project would result in the need for new water supply systems or the major alteration of existing systems.

- f. **Less Than Significant Impact.** The proposed project includes commercial uses and would result in the increased generation of solid waste. Solid waste impacts for commercial uses would be less than significant. However, given limited capacities at landfills servicing the proposed project, the project site shall comply federal, state, and local requirements associated with solid waste.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE.

- a. **No Impact.** The project is located in a built-up urban environment and is not of such a scale or proximity to any natural habitat or natural or historical resources to have potentially significant impacts such resources.
- b. **No Impact.** In the context of other pending or planned development in the region, the project's effects are inconsequential relative to the overall aggregate effects of the area's development. The cumulative impact of development in the region is virtually the same with or without the project as proposed.
- c. **No Impact.** The project poses no significant hazards to humans.

SUPPORTING INFORMATION SOURCES:

Beverly Hills Municipal Code.

Beverly Hills General Plan.

Beverly Hills Official Zoning Map.

Guidelines for Implementation of the California Environmental Quality Act, prepared by the Governor's Office of Planning and Research, 1998; updated 1999-2001.

Geotechnical Report for Seismic Safety Element for the City of Beverly Hills, prepared by Woodward-Clyde Consultants, 1987.

CEQA Air Quality Handbook, prepared by the South Coast Air Quality Management District, 1993, as updated 2002.

Environmental Initial Study

SUPPORTING INFORMATION SOURCES (CONTINUED):

August 2, 2006

Hazardous Waste and Substances Sites List, prepared by the California Environmental Protection Agency Hazardous Materials Data Management Program, 1998.

The Congestion Management Plan for Los Angeles County, Prepared by the Los Angeles County Metropolitan Transportation Authority, adopted December 1995.

Endangered and Threatened Animals of California, California Department of Fish and Game, Resources Agency, October, 1996.

Endangered, Threatened and Rare Plants of California, California Department of Fish and Game, Resources Agency, January, 1996.

ATTACHMENT I
TRAFFIC AND AIR QUALITY STUDIES



MEMORANDUM

Date: November 12, 2013
To: Ryan Gohlich, City of Beverly Hills
Jonathan Lait, City of Beverly Hills
From: Sarah Brandenburg & Jill Liu

**Subject: 8767 Wilshire Boulevard
Supplemental Updated Traffic Impact Analysis**

Ref: LA13-2612

This memorandum summarizes the results of a traffic assessment conducted by Fehr & Peers for the potential changes in land use for the development at 8767 Wilshire Boulevard in the City of Beverly Hills, California. The project is on the northeast corner of Wilshire Boulevard & Robertson Boulevard. As part of this traffic assessment, Fehr & Peers has reviewed the traffic methodologies and analysis assumptions used in the previous traffic studies prepared for this site, including:

- *Traffic Study for the 8767 Wilshire Boulevard Office Building Project* (April 2006)
- *Supplemental Traffic Analysis for the 8767 Wilshire Boulevard Office Building Project* (June 2006)
- *Memorandum for 8767 Wilshire Boulevard Medical Office Project Supplemental Updated Traffic Impact Analysis* (July 2009)¹

The June 2006 supplemental traffic study was prepared and approved for an office building at this site that was entitled for 75,116 square feet of general office and retail uses. The entitled project is similar to what is identified as Alternative 2 in the supplemental study, except that the 1,000 square-foot coffee shop was not approved, and was then added to the retail instead. The 2006 entitled uses versus year 2013 potential project uses are summarized in the table below:

Entitled Project Uses from June 2006 Traffic Study	2013 Potential Project Uses Scenario 1 (Restaurant on 2nd Floor Only)	2013 Potential Project Uses Scenario 2 (Split-Level Restaurant)
Total = 75,116 SF building <ul style="list-style-type: none"> • 60,856 SF General Office • 11,260 SF Retail • 3,000 SF Quality Restaurant • BMW Storage (92 Parking Spaces) 	Total = 75,116 SF building <ul style="list-style-type: none"> • 33,802 SF Medical Office • 17,284 SF General Office • 15,520 SF Retail • 1,500 SF Pharmacy • 7,010 SF Restaurant 	Total = 75,116 SF building <ul style="list-style-type: none"> • 33,802 SF Medical Office • 20,789 SF General Office • 12,015 SF Retail • 1,500 SF Pharmacy • 7,010 SF Restaurant

¹ A supplemental traffic study was prepared in 2009 to assess the impacts of allowing medical offices at the subject site; however, medical offices were not approved and the 2009 traffic update was not adopted. Information regarding the 2009 update is provided for reference, and information in the study was utilized only in instances where it provides more current data for cumulative traffic conditions than the June 2006 supplemental traffic study.



Since the approval of the entitled project, the building has been constructed and the identified traffic mitigation measure consisting of a westbound right-turn lane at Robertson Boulevard & Wilshire Boulevard has been implemented. The current uses being considered in the building reflect a reduction in the square footage of the general office uses with an increase in the amount of medical office space in the building and an increase in restaurant square footage under two potential development scenarios. In the first scenario, the restaurant would be constructed on the second floor of the building, resulting in additional space for retail uses on the first floor of the building. In the second scenario, the restaurant would be split between the first and second floors of the building.

Fehr & Peers was asked by the City of Beverly Hills to prepare this traffic assessment to ensure the proposed modification to the project uses would not result in additional traffic impacts on the surrounding city streets. To determine the scope of analysis required to assess the traffic impacts of the potential project uses, the 2006 and 2009 studies were reviewed with respect to the building uses, resulting trip generation and project impacts. The highest trip generation resulted from the land uses proposed under the July 2009 traffic study that dedicated the majority of building space to medical office uses (approximately 55 KSF of medical office compared to 75 KSF of total building space). The 2009 study identified impacts at the intersection of Wilshire Boulevard & Robertson Boulevard. Since the project uses currently being considered would generally generate fewer vehicle trips than those proposed in 2009 (with the exception of Scenario 1, which generates 4 more PM peak hour trips than the 2009 uses), a focused traffic study analyzing only nearby locations was conducted.

The scope of work for this effort was developed in conjunction with the City of Beverly Hills staff. The traffic impact assessment for year 2013 project scenario was performed using the current City of Beverly Hills Traffic Thresholds of Significance (September 2010).

TRAFFIC ASSESSMENT

Proposed Project Trip Generation

The number of trips generated by the proposed 2013 project uses was estimated with the application of trip generation rates from *Trip Generation, 7th Edition* (Institute of Transportation Engineers [ITE], 2003). As shown in Tables 1A and 1B, the potential year 2013 project uses would generate approximately 106 trips in the AM peak hour, 210 trips in the PM peak hour and 329 trips in the midday peak hour under Scenario 1 with the restaurant on the second floor, and 109 trips in the AM peak hour, 202 trips in the PM peak hour and 323 trips in the midday peak hour under Scenario 2 with the split-level restaurant.

Based on discussions with city staff, high-end/luxury car sales may occur in the retail space allocated under Scenario 1 or 2. Since general retail uses would generate more daily and peak hour trips than luxury car sales, a conservative (worst-case) trip generation estimate was used for the purposes of this analysis.

The trip generation for the previously entitled project was obtained from June 2006 study. The entitled project is what is identified as Alternative 2 in the supplemental study, except that the 1,000 square-foot coffee shop was not approved, and was then added to the retail instead. As shown in Table 1B, the



previously entitled project would generate approximately 89 trips in the AM peak hour, 107 trips in the PM peak hour and 197 trips in the midday peak hour on a typical weekday.

The incremental differences in total trip generation between the entitled project uses, the 2009 analyzed uses, and the potential 2013 project uses are as follows:

Entitled Project Uses from June 2006 Traffic Study	2009 Analyzed Uses	2013 Potential Project Uses Scenario 1 (Restaurant on 2nd Floor Only)	2013 Potential Project Uses Scenario 2 (Split-Level Restaurant)
Project Trip Generation: Daily = 1,664 AM = 89 Midday = 197 PM = 107	Compared to 2006 LU: Daily = +1,353 AM = +30 Midday = +136 PM = +61	Compared to 2006 LU: Daily = +1,280 AM = +17 Midday = +132 PM = +103 Compared to 2009 LU: Daily = -73 AM = -13 Midday = -13 PM = +4	Compared to 2006 LU: Daily = +1,183 AM = +20 Midday = +126 PM = +95 Compared to 2009 LU: Daily = -170 AM = -10 Midday = -19 PM = -4

Proposed Project Trip Assignment

The proposed project provides a two-way driveway on Robertson Boulevard just north of Wilshire Boulevard and a one-way exit-only driveway on Wilshire Boulevard just east of Robertson Boulevard. Both driveways can be accessed from all parking floors. In the June 2006 study, the project driveway on Robertson Boulevard was limited to right turns in and right turns out only. Therefore, in the traffic analysis for the entitled project, project inbound trips originating on Robertson Boulevard north of Clifton Way were not allowed to make a southbound left turn on Robertson Boulevard to enter the project site. Instead, these project trips were assigned to travel around the block to use Clifton Way, Arnaz Drive, and Wilshire Boulevard to Robertson Boulevard to enter the project site.

With the proposed 2013 project access, the project trips would be allowed to make a southbound left turn from Robertson Boulevard directly into the project site, which eliminates the circuitous travel of project trips on surrounding city streets and minimizes the number of vehicles traveling through the adjacent neighborhood.

With the exception of the changes to project access described above, the same distribution of project trips was applied to the proposed uses as the previous traffic studies, as follows:

- 25% to/from the west
- 20% to/from the east
- 20% to/from the north
- 35% to/from the south



Level of Service Methodology

Level of service (LOS) is a qualitative measure used to describe the condition of traffic flow, ranging from excellent conditions at LOS A to overloaded conditions at LOS F. LOS D is typically recognized as the minimum acceptable LOS in urban areas. The level of service definitions for signalized intersections is provided in Attachment A.

Based on conversations with city staff and the changes being proposed to the project land uses, an intersection LOS analysis was conducted for the two signalized intersections that provide direct access to the project site:

1. Clifton Way & Robertson Boulevard
2. Wilshire Boulevard & Robertson Boulevard

The Intersection Capacity Utilization (ICU) method of intersection analysis was used to determine the intersection volume-to-capacity (V/C) ratio and corresponding level of service at each study intersection under both potential land use scenarios.

Significance Impact Criteria

The traffic assessment was performed using the current City of Beverly Hills Traffic Thresholds of Significance. The City of Beverly Hills guidelines have established threshold criteria to determine if a project has a significant traffic impact at a specific signalized intersection. According to the criteria, a project impact is considered significant if the following conditions are met:

Intersection Conditions With Project Traffic Final LOS	Project-Related Increase in V/C Ratio
LOS D or better	0.03 or more
LOS E	0.02 or more
LOS F	0.02 or more

In addition, the City of Beverly Hills has established specific threshold criteria for project impacts to any street segment. These thresholds are described below:

Average Daily Traffic (ADT) With Project Traffic	Project-Related Increase in ADT
ADT less than 2,000 volume per day (vpd)	Project increase ADT by 16%, or increases peak hour by 16% or both
ADT greater than 2,001 but less than 4,000 vpd	Project increase ADT by 12%, or increases peak hour by 12% or both
ADT greater than 4,001 but less than 6,750 vpd	Project increase ADT by 8%, or increases peak hour by 8% or both
ADT greater than 6,750 vpd	Project increase ADT by 6.25%, or increases peak hour by 6.25% or both



Year 2013 Cumulative Base (No Project) Traffic Conditions

The cumulative base year 2011 traffic volumes from the most current 2009 traffic data were adjusted first by adding an annual growth rate of 1% per year to account for the ambient growth in the study area between year 2011 and year 2013. Next, the trip generation of the latest cumulative list of development projects was reviewed to determine changes in traffic volumes in the study area resulting from planned projects in the City. The Cumulative Base peak hour traffic volumes were analyzed to determine the V/C ratio and LOS at each of the two analyzed intersections. The results of this analysis are summarized in Table 2.

As shown in Table 2, the intersection of Clifton Way & Robertson Boulevard would continue operating at LOS D or better in all three analyzed peak hour under 2013 No Project conditions. The intersection of Wilshire Boulevard & Robertson Boulevard would remain at LOS F during both AM and PM peak hours with higher V/C ratios compared to the June 2006 study due to the additional cumulative project traffic. Detailed capacity calculation worksheets are included in Attachment B of this document. The list of cumulative projects is included in Attachment C.

Year 2013 Cumulative plus Project Traffic Conditions

These updated project-only trips under Scenarios 1 and 2 were assigned to the street system and added to the Cumulative Base peak traffic volumes to obtain Cumulative plus Project traffic volumes. The Cumulative plus Project peak hour traffic volumes were analyzed to determine the V/C ratio and LOS at the two analyzed intersections under both potential development scenarios. The results of this analysis are summarized in Table 2.

Wilshire Boulevard & Robertson Boulevard was analyzed with and without the recently implemented mitigation measure that consisted of installing a westbound right-turn lane on Wilshire Boulevard. The analysis was conducted with and without the right-turn lane so that the LOS results could be compared to the results reported in the previously conducted traffic impact studies, and to ensure that the mitigation measure would be sufficient to accommodate the increases in traffic volumes resulting from the proposed project uses.

As shown in Table 2, the increase in traffic resulting from the addition of the modified project traffic does not change the LOS at the two study intersections compared to Cumulative Base conditions during the weekday peak hours. Using the City's significant impact criteria, Wilshire Boulevard & Robertson Boulevard would be significantly impacted by the potential land uses under both Scenarios 1 and 2 during weekday morning peak hour without the installation of the right-turn pocket. This is the same impact that occurred under the original project description. With the mitigation measure implemented at this location, the addition of project traffic would not result in a significant impact under either development scenarios. The addition of the westbound right-turn lane would continue to fully mitigate the project-related impacts at this intersection. Detailed capacity calculation worksheets are included in Attachment B of this document.



Street Segment Analysis

Per the City's request, the potential impacts of the project traffic on the nearest adjacent neighborhood residential streets of Clifton Way between Robertson Boulevard and Arnaz Drive and Arnaz Drive between Clifton Way and Wilshire Boulevard was analyzed using the City's criteria. Due to the southbound left-turn movement at the Robertson Boulevard driveway that would now be permitted for project access, the potential project land uses would generate fewer vehicle trips through the adjacent neighborhood under both Scenarios 1 and 2.

The results of the weekday analysis, which are summarized in Table 3, indicate that the modified project will not have a significant impact on the two analyzed residential street segments under Scenario 1 or 2. For Scenarios 1 and 2, the increase in traffic on Clifton Way due to the project would be approximately 5% on a daily basis and between 3% and 6% during the peak hours, compared to the significance threshold of 8%. Traffic increase on Arnaz Drive would be approximately 6% on a daily basis and between 4% and 8% during the peak hours under both Scenarios 1 and 2 compared to the significance threshold of 12%.

Implications of City's New Significance Impact Criteria

We revisited the June 2006 study against the City's current significance criteria adopted in 2010. The purpose of this review was to determine if application of the City's current criteria could change the impact conclusions in the June 2006 report.

If the City's current impact criteria were applied to the June 2006 study, the approved project uses would not have resulted in any new intersection impacts.

If the City's new significance criteria were applied to the street segment analysis, the approved project uses would have resulted in two new street segment impacts 1) on Clifton Way east of Robertson Boulevard on a daily basis and during the AM and PM peak hours, and 2) on Arnaz Drive north of Wilshire Boulevard in the AM peak hour. With the estimated project average daily traffic (ADT) of 6,170 vehicles per day, the project-related percent volumes on Clifton Way were estimated to increase by 12% on a daily basis, 11.5% in the AM peak hour and 10.9% in the PM peak hour, exceeding the new City threshold of 8%. For the residential roadway segment of Arnaz Drive north of Wilshire Boulevard, the project-related percent volumes were estimated to increase by 10% on a daily basis, 16.9% in the AM peak hour and 8.3% in the PM peak hour. With an ADT of 2,375, the estimated AM peak hour volume increase on Arnaz Drive would have exceeded the new City threshold of 12%.

The currently proposed 2013 project uses would not result in an intersection impact at the Robertson Boulevard & Clifton Way nor on the residential street segment of Clifton Way. This is due to changes to project site access (i.e., allowing left turns into the Robertson Boulevard driveway) that eliminate the need for vehicles to travel through the adjacent neighborhood to enter the project site.

SUMMARY AND CONCLUSIONS

This memorandum presents the results of a traffic assessment conducted by Fehr & Peers for the potential land use changes under two development scenarios for the building located at 8767 Wilshire Boulevard in the City of Beverly Hills. Since the approval of the entitled project, the building has been constructed and the identified traffic mitigation measure consisting of a westbound right-turn lane at



Robertson Boulevard & Wilshire Boulevard has been implemented. The current uses being considered in the building reflect a reduction in the square footage of the general office uses with an increase in the amount of medical office space in the building and an increase in restaurant square footage under two potential development scenarios. In the first scenario, the restaurant would be constructed on the second floor of the building, resulting in additional space for retail uses on the first floor of the building. In the second scenario, the restaurant would be split between the first and second floors. The key findings are summarized below:

- The trip generation for the previously entitled project was obtained from the June 2006 study. The entitled project is what is identified as Alternative 2 in the supplemental study, except that the 1,000 square foot coffee shop was not approved, and was then added to the retail instead. As shown in Table 1, without the coffee shop, the previously entitled project would generate approximately 89 trips in the AM peak hour, 107 trips in the PM peak hour and 197 trips in the midday peak hour on a typical weekday.
- The Robertson Boulevard driveway will now allow the southbound left-turning movement; therefore, project trips that were assigned to travel around the block on Clifton Way, Arnaz Drive, and Wilshire Boulevard to enter the project site can now access the site directly from Robertson Boulevard.
- The most current cumulative base year 2011 traffic data from the 2009 traffic study were adjusted by adding ambient growth and project trips from the updated Cumulative Project list provided by the City to reflect Year 2013 conditions.
- Wilshire Boulevard & Robertson Boulevard was analyzed with and without the recently implemented mitigation measure that consisted of installing a westbound right-turn lane on Wilshire Boulevard. Without the right-turn lane, the potential project uses would result in a peak hour traffic impact under both scenarios. The addition of the westbound right-turn lane would continue to fully mitigate the project-related impacts at this intersection.
- The potential project uses would not have a significant impact on the residential street segment of Clifton Way east of Robertson Boulevard under both scenarios.
- The changes to the proposed project land uses would not result in any new intersection or roadway segment impact based on the City's current traffic impact thresholds.

TABLE 1A
TRIP GENERATION RATES
Using ITE Trip Generation 7th Edition

Use	Unit	Daily	Weekday AM Peak Hour			Weekday PM Peak Hour			Weekday Midday Peak Hour		
			% In	% Out	Total	% In	% Out	Total	% In	% Out	Total
Medical Dental Office (720)	per 1,000 sf	[b]	79%	21%	2.48	27%	73%	[b]	40%	60%	4.45
General Office (710)	per 1,000 sf	[c]	88%	12%	[c]	17%	83%	1.49	88%	12%	[c]
Retail (820)	per 1,000 sf	42.94	61%	39%	1.03	48%	52%	3.75	48%	52%	3.75
Quality Restaurant (931)	per 1,000 sf	89.95	50%	50%	0.81	67%	33%	7.49	62%	38%	9.02
Pharmacy/Drugstore w/ Drive-Through (880)	per 1,000 sf	90.05	59%	41%	3.20	50%	50%	8.42	50%	50%	11.07

[a] ITE Trip Generation Manual, 7th Edition, 2003

[b] Trip Generation for medical office was calculated using the following formulas:

$$\text{Weekday Daily: } T=40.89(X)^{-214.97}$$

$$\text{Weekday PM Peak Hour: } \ln(T)=0.93 \ln(X)+1.47$$

[c] Trip Generation for general office was calculated using the following formulas:

$$\text{Daily: } \ln(T)=0.77 \ln(X)+3.65$$

$$\text{Weekday AM and midday Peak Hour: } \ln(T)=0.80 \ln(X)+1.55$$

TABLE 1B
TRIP GENERATION ESTIMATES
Using ITE Trip Generation 7th Edition

Size	Size	Unit	Daily	Weekday AM Peak Hour			Weekday PM Peak Hour			Weekday Midday Peak Hour		
				In	Out	Total	In	Out	Total	In	Out	Total
Impact Analysis for the Previously Entitled Project (For Information Only) [a]												
General Office	60,856	sf	910	111	15	126	15	76	91	111	15	126
Retail	11,260	sf	484	7	5	12	20	22	42	20	22	42
Quality Restaurant	3,000	sf	270	1	1	2	15	7	22	17	10	27
BMW Storage	92	spaces	n/a	-	-	-	3	4	7	3	4	7
subtotal	75,208	sf	1,664	119	21	140	53	109	162	151	51	202
Existing Uses*												
BMW Storage Facility (to be relocated)			n/a	25	20	45	23	26	49	3	2	5
Commercial Building (to be removed)			n/a	6	-	6	2	4	6	-	-	-
Net Total			1,664	88	1	89	28	79	107	148	49	197
Year 2013 Analysis: Scenario 1 (Restaurant on Second Floor Only)												
Medical Office	33,802	sf	1,167	66	18	84	31	84	115	60	90	150
General Office	17,284	sf	345	40	6	46	4	22	26	40	6	46
Pharmacy	1,500	sf	135	3	2	5	7	6	13	9	8	17
Retail	15,520	sf	666	10	6	16	28	30	58	28	30	58
Restaurant	7,010	sf	631	3	3	6	36	17	53	39	24	63
subtotal	75,116	sf	2,944	122	35	157	106	159	265	176	158	334
Existing Uses*												
BMW Storage Facility (to be relocated)			n/a	25	20	45	23	26	49	3	2	5
Commercial Building (to be removed)			n/a	6	-	6	2	4	6	-	-	-
Net Total			2,944	91	15	106	81	129	210	173	156	329
Change in Project Trip Generation from Previously Approved Uses to Proposed New Uses			1,280	3	14	17	53	50	103	25	107	132
Year 2013 Analysis: Scenario 2 (Split-Level Restaurant)												
Medical Office	33,802	sf	1,167	66	18	84	31	84	115	60	90	150
General Office	20,789	sf	398	47	6	53	5	26	31	47	6	53
Pharmacy	1,500	sf	135	3	2	5	7	6	13	9	8	17
Retail	12,015	sf	516	7	5	12	22	23	45	22	23	45
Restaurant	7,010	sf	631	3	3	6	36	17	53	39	24	63
subtotal	75,116	sf	2,847	126	34	160	101	156	257	177	151	328
Existing Uses*												
BMW Storage Facility (to be relocated)			n/a	25	20	45	23	26	49	3	2	5
Commercial Building (to be removed)			n/a	6	-	6	2	4	6	-	-	-
Net Total			2,847	95	14	109	76	126	202	174	149	323
Change in Project Trip Generation from Previously Approved Uses to Proposed New Uses			1,183	7	13	20	48	47	95	26	100	126

[a] The trip generation for the previously entitled project was obtained from the Supplemental Traffic Analysis for the 8767 Wilshire Boulevard Office Building Project (June 2006, Raju Associates, Inc.). The entitled project is what's identified as Alternative 2 in the supplemental study, except that the 1,000 square feet coffee shop was not approved, and was added to the retail instead.

**TABLE 2
INTERSECTION LEVEL OF SERVICE AND IMPACT ANALYSIS**

Impact Analysis for the Previously Entitled Project (For Information Only) [a]												
NO.	INTERSECTION	PEAK HOUR	Year 2008 Cumulative Base		Year 2008 Cumulative Plus Project		Project Increase in V/C	Significant Project Impact?[b]	Year 2011 Cumulative Plus Project with Mitigation		Residual Increase in V/C	Significant Project Impact?[b]
			V/C	LOS	V/C	LOS			V/C	LOS		
1	Clifton Way & Robertson Boulevard	AM	0.602	B	0.627	B	0.025	NO				
		PM	0.800	C	0.811	D	0.011	NO				
		Midday	0.458	A	0.479	A	0.021	NO				
2	Wilshire Boulevard & Robertson Boulevard	AM	1.157	F	1.192	F	0.035	YES	1.160	F	0.003	NO
		PM	1.230	F	1.234	F	0.004	NO	1.234	F	0.004	NO
		Midday	1.021	F	1.048	F	0.027	YES	1.019	F	-0.002	NO
Year 2013 Analysis: Scenario 1 (Restaurant on Second Floor Only)												
NO.	INTERSECTION	PEAK HOUR	Year 2013 Cumulative Base		Year 2013 Cumulative Plus Project		Project Increase in V/C	Significant Project Impact?[b]	Year 2013 Cumulative Plus Project with Mitigation		Residual Increase in V/C	Significant Project Impact?[b]
			V/C	LOS	V/C	LOS			V/C	LOS		
1	Clifton Way & Robertson Boulevard	AM	0.626	B	0.629	B	0.003	NO				
		PM	0.847	D	0.857	D	0.010	NO				
		Midday	0.609	B	0.622	B	0.013	NO				
2	Wilshire Boulevard & Robertson Boulevard	AM	1.208	F	1.234	F	0.026	YES	1.207	F	-0.001	NO
		PM	1.315	F	1.332	F	0.017	NO	1.332	F	0.017	NO
		Midday	0.927	E	0.942	E	0.015	NO	0.942	E	0.015	NO
Year 2013 Analysis: Scenario 2 (Split-Level Restaurant)												
NO.	INTERSECTION	PEAK HOUR	Year 2013 Cumulative Base		Year 2013 Cumulative Plus Project		Project Increase in V/C	Significant Project Impact?[b]	Year 2013 Cumulative Plus Project with Mitigation		Residual Increase in V/C	Significant Project Impact?[b]
			V/C	LOS	V/C	LOS			V/C	LOS		
1	Clifton Way & Robertson Boulevard	AM	0.626	B	0.629	B	0.003	NO				
		PM	0.847	D	0.857	D	0.010	NO				
		Midday	0.609	B	0.622	B	0.013	NO				
2	Wilshire Boulevard & Robertson Boulevard	AM	1.208	F	1.233	F	0.025	YES	1.207	F	-0.001	NO
		PM	1.315	F	1.332	F	0.017	NO	1.332	F	0.017	NO
		Midday	0.927	E	0.941	E	0.014	NO	0.941	E	0.014	NO

Notes:

[a] The intersection V/C and LOS data was obtained from the Supplemental Traffic Analysis for the 8767 Wilshire Boulevard Office Building Project (June 2006, Raju Associates, Inc.). The entitled project is what's identified as Alternative 2 in the supplemental study, except that the 1,000 square feet coffee shop was not approved, and was added to the retail instead.

[b] Significance criteria was applied based on the City's "Resolution No. 1586, A Resolution of the Planning Commission of the City of Beverly Hills Adopting Thresholds of Significance for Traffic Impacts" (September 2010), as described below:

- 0.020 or more on V/C at the final LOS "F"
- 0.020 or more on V/C at the final LOS "E"
- 0.030 or more on V/C at the final LOS "D" or better

**TABLE 3
STREET SEGMENT ANALYSIS**

Roadway Segment	Weekday Analysis Period	Year 2013 Base Conditions	Year 2013 Analysis Scenario 1 (Restaurant on Second Floor Only)					Year 2013 Analysis Scenario 2 (Split-Level Restaurant)				
			New Project Trips	Year 2013 Plus Project Conditions	Project % of Trips	Impact Criteria	Significant Impact?	New Project Trips	Year 2013 Plus Project Conditions	Project % of Trips	Impact Criteria	Significant Impact?
Clifton Way east of Robertson Boulevard (between Robertson Bl and Arnaz Dr)	Daily	5,620	294	5,914	5.0%	8.0%	No	285	5,905	4.8%	8.0%	No
	AM Peak Hour	356	11	367	3.0%	8.0%	No	11	367	3.0%	8.0%	No
	PM Peak Hour	543	21	564	3.7%	8.0%	No	20	563	3.6%	8.0%	No
	Midday Peak Hour	495	33	528	6.3%	8.0%	No	32	527	6.1%	8.0%	No
Arnaz Drive north of Wilshire Boulevard (between Clifton Way and Wilshire Bl)	Daily	2,203.20	147	2,350	6.3%	12.0%	No	142	2,345	6.1%	12.0%	No
	AM Peak Hour	120	5	125	4.0%	12.0%	No	5	125	4.0%	12.0%	No
	PM Peak Hour	210	11	221	5.0%	12.0%	No	10	220	4.5%	12.0%	No
	Midday Peak Hour	185	16	201	8.0%	12.0%	No	16	201	8.0%	12.0%	No

Attachments