

**ATTACHMENT 6**  
**ADDENDUM TO EIR**

**ADDENDUM TO ENVIRONMENTAL IMPACT REPORT  
AS CERTIFIED BY THE CITY COUNCIL OF THE CITY OF BEVERLY HILLS  
FOR THE CRESCENT PROJECT  
Prepared by the City of Beverly Hills  
in its capacity as a Lead Agency**

**SITE:** 9355 Wilshire Boulevard and 155 North Crescent Drive, Beverly Hills, CA 90210

**PROJECT TITLE:** AKA Serviced Residences

**PROJECT APPLICANT:** Metropolitan Crescent Associates, LLC

**Attachments:** A. City Council Resolution No. 02-R-11242

**PROJECT DESCRIPTION:** The Project is a proposal to make modifications to the uses permitted in an existing mixed-use building containing commercial and residential uses approved in conjunction with an Environmental Impact Report (EIR). The originally approved project consists of 88 apartment units, 39,975 square feet of commercial space, and 534 parking spaces. The building has been fully constructed and operational since 2006. The proposed modifications (the “Project”) include the following changes in permitted uses:

- **Serviced Residences.** Allow all 88 apartment units to function as serviced residences, which could be rented for any length of stay, provided the stay is not less than 7 days.
- **Restaurant Use.** Allow an approximately 2,500 square foot restaurant to be located within the portion of the project site located at the intersection of Wilshire Boulevard and North Crescent Drive. The restaurant would be primarily intended to serve AKA residents, but would also be open to the general public.

**PURPOSE:** This Addendum to the EIR is being prepared pursuant to Section 15164 of the California Environmental Quality Act (CEQA) Guidelines which allows a lead agency to prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR have occurred. Pursuant to CEQA Guidelines Section 15162, no subsequent EIR shall be prepared for the project unless, on the basis of substantial evidence in the light of the whole record, one or more of the following is determined:

- (1) Substantial changes are proposed in the project that will require major revisions of the previous EIR due to the involvement of new, significant environmental effects or a substantial increase in the severity of previously identified significant effects;

- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance identifies one or more significant effects not discussed in the previous EIR, significant effects previously examined will be substantially more severe than shown in the previous EIR, mitigation measures or alternatives previously found not to be feasible or not analyzed in the EIR would be feasible and would substantially reduce one or more significant effects but the project proponents decline to adopt of the measure or alternative.

**FINDINGS CONCERNING ENVIRONMENTAL IMPACTS OF REVISIONS TO THE PROJECT:**

1. The originally approved project consisting of the construction of a mixed-use building, and hereafter referred to as the “Original Project”, was environmentally reviewed pursuant to the provisions of the California Environmental Quality Act (Public Resources Code Sections 21000, *et seq.* (“CEQA”), and the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000, *et seq.*). The City of Beverly Hills prepared an Environmental Impact Report, (hereafter referred to as the “EIR”) and, based on the information contained in the EIR, determined that the Project would result in significant and unavoidable impacts with regard to the following:
  - Air Quality (short-term construction related impacts)

Additionally, based on the information contained in the EIR, the Project would result in significant, but mitigable impacts with regard to the following:

- Visual Quality: Aesthetics
  - Public Services
  - Traffic, Circulation and Parking
  - Noise
  - Geology
  - Hazards
2. On December 3, 2002, the City of Beverly Hills City Council certified the EIR and approved the Original Project to allow construction of the mixed-use project. In addition, the EIR identified certain mitigation measures (set forth in City Council Resolution No. 07-R-12273 and provided as Attachment A) that were necessary to mitigate potential impacts of the Original Project to less than significant levels. The

mitigation measures were adopted by the City Council and made binding on the Project. The findings of fact made in the EIR and associated mitigation measures are provided for reference as Attachment A (City Council Resolution No. 08-R-12497).

3. Thereafter, an application for the Project was submitted to the City of Beverly Hills on April 3, 2013 to allow the modifications outlined in the Project Description, above.
4. Staff analyzed the Project to determine if any new impacts, or substantial increase in the severity of previously identified impacts, would result from the proposed modifications. Pursuant to CEQA Guidelines Section 15162, neither a subsequent EIR nor supplemental EIR is required for the modifications contemplated by the Project because:

- (1) The Original Project consists of the development of 88 apartment units and 39,975 square feet of commercial uses contained within a single development. The modifications contemplated under the Project do not result in an increase to the total floor area of the Original Project, and are limited to discrete changes in allowed land uses. Additional analysis of the Project modifications and impact study areas discussed in the EIR are set forth as follows:

**Air Quality.** The significant and unavoidable air quality impact identified in the EIR was related to construction of the Original Project. Construction of the Original Project was completed in 2006, and the Project will not result in new construction beyond tenant improvements. Additionally, the changes to allowed land uses at the subject property will result in a maximum net increase of 147 average daily vehicle trips, less than a 2% increase over existing traffic on North Crescent Drive. Based on the fact that the Project will not result in substantial new construction, and will result in a nominal increase in daily vehicle trips, it can be concluded that the Project will not result in a new significant air quality impact, nor will the Project require additional or modified mitigation measures

**Visual Quality: Aesthetics.** The Original Project resulted in significant but mitigable impacts related to aesthetics, caused by the construction of new, larger structures on the subject property. The Original Project was completed in 2006, and the Project does not propose any changes to the mass or scale of the original Project. Because the Project would not alter the mass, scale, or modulation of the Original Project, it can be concluded that the Project will not result in a new significant visual quality impact, nor will the Project require additional or modified mitigation measures.

**Public Services.** In order to mitigate potential impacts related to schools, parks, and solid waste, the Original Project was required to pay all applicable impact/use fees and comply with standards related to the disposal of solid waste generated by construction and operation of the Original Project. The Project does not result in the development of any new floor area at the subject property, and all necessary impact/use fees have been paid by the Original Project. Furthermore, the Project remains bound by mitigation measures related to the disposal of solid waste for operation of the Project. Consequently, it can be concluded that the Project will not result in a new significant public services impact, nor will the Project require additional or modified mitigation measures.

**Traffic, Circulation and Parking.** The Original Project is subject to mitigation measures related to congestion management, site access, parking, and loading. The Original Project has operated in accordance with the previously imposed mitigation measures, and the mitigation measures remain binding on the Project. In addition, the Project's trip generation has been assessed in accordance with ITE trip generation rates. The Project would result in a worst-case scenario net increase of 147 average daily vehicle trips, less than a 2% increase over existing traffic on North Crescent Drive. Because the Project results in a nominal increase in daily traffic and continues to be bound by all mitigation measures imposed on the Original Project, it can be concluded that the Project will not result in a new significant traffic, circulation and parking impact, nor will the Project require additional or modified mitigation measures.

**Noise.** Noise impacts associated with the Original Project were the result of construction activities. The Original Project has been fully constructed and operational since 2006, and the Project does not result in any new construction beyond tenant improvements. Since the Project does not result in any substantial new construction, it can be concluded that the Project will not result in a new significant noise impact, nor will the Project require additional or modified mitigation measures.

**Geology.** Geology impacts associated with the Original Project were the result of construction activities. The Original Project has been fully constructed and operational since 2006, and the Project does not result in any new construction beyond tenant improvements. Since the Project does not result in any substantial new construction, it can be concluded that the

Project will not result in a new significant geology impact, nor will the Project require additional or modified mitigation measures.

**Hazards.** Hazards impacts associated with the Original Project were the result of construction activities. The Original Project has been fully constructed and operational since 2006, and the Project does not result in any new construction beyond tenant improvements. Since the Project does not result in any substantial new construction, it can be concluded that the Project will not result in a new significant hazards impact, nor will the Project require additional or modified mitigation measures.

**Other Impact Categories.** A review of the remaining environmental categories in which the Original Project was found not to have any significant environmental impacts reveals that the modifications in use proposed by the Project would not result in any new operational impacts in those categories. Further, as noted above, construction of the building is completed, so there is no potential for construction related impacts as a result of the proposed changes in building use.

Therefore, the changes in the Project do not require major revisions to the previous EIR, and there are no new significant environmental effects or an increase in the severity of previously identified significant effects.

- (2) There are no changes with respect to the circumstances under which the project is undertaken that will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of a previously identified impact. The circumstances under which the Project would be undertaken have not changed when compared to the circumstances in place during approval of the Original Project.
- (3) Staff has identified no new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the EIR was adopted, identifying: (a) a new or substantially more severe significant effect, or (b) new or previously infeasible mitigation measures or alternatives that would substantially reduce one or more significant impacts of the project. All mitigation measures adopted in conjunction with the Original Project continue to be imposed on the Project and are provided for reference in Attachment A to this Addendum.

Therefore, pursuant to CEQA Guidelines Section 15164, the City has prepared this Addendum to the EIR, which documents changes to the Project Description that would not result in new, significant environmental effects or a substantial increase in the severity of previously identified significant effects:

**Addendum.** The project, with the proposed revisions noted herein, is within the scope of the project analyzed in the certified EIR, and no further CEQA analysis is required.

Project revisions:

- **Serviced Residences.** Allow all 88 apartment units to function as serviced residences, which could be rented for any length of stay, provided the stay is not less than 7 days.
- **Restaurant Use.** Allow an approximately 2,500 square foot restaurant to be located within the portion of the project site located at the intersection of Wilshire Boulevard and North Crescent Drive. The restaurant would be primarily intended to serve AKA residents, but would also be open to the general public.

The concurrent processing of the single-family and multi-family transient zone text amendments does not change the conclusions of this addendum, although those text amendments are separately and independently exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), 15305, and 15308.

For any questions regarding this matter, please contact Ryan Gohlich, Senior Planner in the Beverly Hills Community Development Department at 310.285.1194.

By:   
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Ryan Gohlich, Senior Planner

DATE: November 18, 2013