



AGENDA REPORT

Meeting Date: May 6, 2014

Item Number: C-1

To: Honorable Mayor & City Council

From: Susan Healy Keene, AICP, Director of Community Development

Subject: REQUEST BY COUNCILMEMBER KRASNE TO CONSIDER COUNCIL ACTION ON THE REGIONAL PROJECT LOCATED IN CENTURY CITY AT 1950 AVENUE OF THE STARS

Attachments:

1. July 28, 2011 Comment Letter
2. April 29, 2013 Comment Letter
3. November 14, 2013 Comment Letter
4. Southwest Beverly Hills Homeowners Association Letter
5. Resolution Opposing Project

INTRODUCTION

One of the functions of the Community Development Department is to monitor development projects occurring in adjacent jurisdictions that may have the possibility of impacting Beverly Hills. As part of this work effort, staff regularly provides comments to adjacent jurisdictions regarding environmental review and the planning process, and provides the City Council with a quarterly update regarding regional projects, with the most recent quarterly update occurring on April 1, 2014.

One of the projects on the regional projects report is located in Century City at 1950 Avenue of the Stars. The subject property was previously approved for a 483-unit residential development, and the City of Los Angeles is currently processing amendments that would convert the project to a commercial development (additional project details are provided below). The City of Los Angeles Planning Commission is scheduled to hold a public hearing on May 8, 2014 to consider the requested amendments. In order to ensure that the Beverly Hills City Council has an opportunity to review the project in advance of the City of Los Angeles Planning Commission hearing, Councilmember Krasne requested that the Beverly Hills City Council conduct a special meeting to review the proposal and provide comments to the City of Los Angeles. The following information in this report outlines the proposed project in comparison to the previously entitled

project, outlines the chronology of the project, and highlights comments previously provided by the City of Beverly Hills.

PROPOSED PROJECT

The proposed Century City Center project is located at the northeast corner of Constellation Boulevard and Avenue of the Stars. Two 47-story condominium towers with a total of 483 units were approved for the site in 2006; however, the developer is proposing to revise the project to a single office tower and mobility hub/transit plaza. Details regarding the original and proposed project are as follows:

Original Project. The original project was 100% residential, and included the following components:

- 483 residential condominiums
- Two, 47-story towers and one 12-story building
- 1.3 million square feet of total floor area

Proposed Project. The proposed project is 100% commercial, and includes the following components:

- One 37-story office tower
- 1,300 square foot mobility hub
- 1,579 parking spaces
- 731,250 square feet of total floor area
- As part of the proposed project, the applicant requests the ability to apply a reduced trip generation rate to the project in order to comply with the Century City North Specific Plan regulations on trips generated in the Specific Plan Area.

Environmental Review. An Environmental Impact Report (EIR) was prepared for the Original Project, and a Subsequent Environmental Impact Report (SEIR) has been prepared to analyze the environmental impacts associated with the Proposed Project. The Final SEIR that will be considered for certification by the City of Los Angeles Planning Commission identifies the following significant and unavoidable environmental impacts that will result from the project:

- Traffic impacts at Century Park East and Santa Monica Boulevard, and Beverwil Drive and Pico Boulevard
- Traffic access impacts
- Cumulative regional impacts to air quality
- Cumulative construction noise impacts

The Final SEIR can be accessed at the following link:
<http://cityplanning.lacity.org/eir/CenturyCityCenter/FEIR/index.html>

CITY OF BEVERLY HILLS INVOLVEMENT

The City has submitted several letters regarding the project to the City of Los Angeles since 2011 (the letters are summarized below and provided as attachments). Key issues raised by the City in the letters relate to traffic analysis methodology for the project and potential significant traffic and air quality impacts to the City of Beverly Hills from the project. The City also attended a public hearing on the project on November 15, 2013. The objective of this meeting was to gather public input on the project and Final SEIR to inform the City of Los Angeles Planning Commission. As noted earlier in this report, the City of Los Angeles Planning Commission will consider taking action on the project at its May 8, 2014 meeting¹. At this time, the public hearing remains open and each speaker will be given one (1) minute to speak on the matter at the May 8th hearing. The following summarizes the actions taken by the City of Beverly Hills to date:

July 28, 2011. Upon receiving a Notice of Preparation from the City of Los Angeles, the City of Beverly Hills submitted a letter to the LA Department of City Planning (Attachment 1) in response to the Notice of Preparation for the Subsequent Environmental Impact Report that included that the following requests be addressed in the Draft Environmental Impact Report:

- Analyze the impacts of the project including a sewer area study if the project were to connect to the Beverly Hills sewer system
- Analyze project traffic impacts to 16 Beverly Hills intersections
- Analyze transportation impacts under various Century City subway stop location alternatives
- Analyze the impact of the project on five identified street segments in the City of Beverly Hills
- Study glare, shade, shadow, aesthetics, view/vista and cultural resources impacts from the project
- Study the provision of emergency services for the project
- Study construction impacts from the project
- Study the risk of geologic upset due to abandoned infrastructure and contamination from past extraction activities on the project site
- Study noise impacts from the project
- Study Affordable Housing, Workforce Housing, Jobs Housing Balance in the project
- Assess cumulative impacts of projects in the area
- Assess greenhouse gas emissions and air quality impacts during construction and operation of the project

April 29, 2013. After the Draft SEIR was released by the City of Los Angeles, the City of Beverly Hills submitted a letter to the City of Los Angeles Department of City Planning (Attachment 2) outlining concerns related to the Draft SEIR. The comments included:

- Concern over the proposed alternate trip generation factor for the project

¹ The City of Los Angeles staff report for the May 8, 2014 hearing can be accessed at the following link:
<http://cityplanning.lacity.org/staffrpt/initialrpts/CPC-2013-210.pdf>

- A request that the established trip generation factor, as set forth in the Century City North Specific Plan Area, not the proposed modified trip generation factor be used
- A request that air quality impacts be reanalyzed
- A request that revised traffic impact analysis be completed for the intersections and street segments previously identified in the City as having a potential to be impacted
- A request to recalculate the trip distribution at the Century City East/West Olympic Boulevard intersection

November 14, 2013. After the Final SEIR was released by the City of Los Angeles, the City of Beverly Hills submitted a letter to the City of Los Angeles Department of City Planning (Attachment 3) with comments on the Final SEIR for the project. Comments included:

- Concerns over improper trip distribution as it relates to Olympic Boulevard
- Concerns over significant impacts to intersections in Beverly Hills
- A request that all traffic and air quality impacts of the proposed modified project be reevaluated taking into consideration the City of Beverly Hills comments and concerns
- A request that the developer and property owner discuss appropriate and adequate mitigation measures for potential traffic and air quality impacts from the project

November 15, 2013. On November 15, 2013, City staff attended a public hearing on the project. Staff did not provide comments at the meeting, as City comments were summarized in the November 14, 2013 letter submitted to the City of Los Angeles.

CITY COUNCIL DIRECTION

At this time, staff seeks direction from the City Council as to whether there is interest in providing additional comments on the project or formally opposing the project. In the event that a majority of the Council is interested in formally opposing the project, the Council may adopt the attached resolution opposing the project (Attachment 5), which would be forwarded to the City of Los Angeles Planning Commission for their consideration in reviewing the project. Additionally, Council may request staff presence and comment at the May 8, 2014 public hearing.

Susan Healy Keene, AICP
Director of Community Development


Approved By

Attachment 1

Letter to the City of Los Angeles Dated
July 28, 2011



Peter J. Noonan, AICP

July 28, 2011

Erin Strelch, Environmental Analysis Section
Department of City Planning
City of Los Angeles
200 N. Spring Street, Room 750
Los Angeles, California 90012
erin.strelch@lacity.org

Send Electronically and by US Mail

RE: 1950 Avenue of the Stars (10131 Constella-
tion)
ENV 2004-6269-EIR-SUPL

Dear Ms. Strelch,

The City of Beverly Hills (the "City") received Notice of Preparation (NOP) of a Subsequent Environmental Impact Report (EIR) for the project at 1950 Avenue of the Stars (10131 Constellation ("1950 Avenue of the Stars"). Thank you for the opportunity to comment on the scope and content of the Subsequent EIR to be prepared for the aforementioned project. We have summarized our understanding of the project below:

<u>Original Approval</u>	2006
<u>Project Site</u>	5.5 Acres - Century City Planning Area (West Los Angeles Community Plan Area)
<u>Original Project</u>	
Uses	483 residential condominiums
Buildings	Two, 47-story towers and one 12-story building.
Floor Area	1.3 million square feet.

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Parking Spaces 1,208 parking spaces
Open Space 1.7 acres of openspace

Project Changes

Uses Office tower, low-rise office, ancillary retail, mobility hub
Buildings 37-story office tower
Floor Area 731,250 square feet
Mobility Hub 1,300 square feet
Parking Spaces 1,579 parking spaces (separate structure with a 2.14 landscaped roof)
Open Space 35,000 public open space (designed to accommodate a subway station)
Green Building Standard LEED – “Platinum”

We are providing the following comments for analysis in the environmental review:

- The project information included with the NOP and available at the July 13, 2011 scoping meeting summarized the project; however more detailed information is necessary to fully analyze potential environmental impacts. To fully comment on this project the City of Beverly Hills requests the following information:
 - If the project is to be connected to the Beverly Hills sewer system, please provide a complete analysis of the impacts of the project including a sewer area study and calculations using Los Angeles County, Department of Public Works standards and format. The study should include existing conditions and future wet conditions estimating increased load on existing sewer lines within the City of Beverly Hills. Depending on the adequacy of the existing lines, the applicant can expect to pay for the sewer system upgrades (if needed) due to the additional proposed sewage generated from this project.

- Traffic Analysis. The City of Beverly Hills has concerns over any additional trips that would be placed on residential streets. Please study the following Beverly Hills intersections using Beverly Hills' thresholds, not the City of Los Angeles thresholds, of significance:¹
 - Beverly Drive/Santa Monica Boulevard North
 - Beverly Drive/Santa Monica Boulevard South
 - Beverly Drive/Wilshire Boulevard
 - Beverly Drive/Beverwill Drive/Olympic Boulevard complex
 - Santa Monica Boulevard North/Merv Griffin Way
 - Santa Monica Boulevard South/Moreno Drive
 - Moreno Drive/Durant Drive
 - Moreno Drive/Alley between South Santa Monica Boulevard and Durant Drive
 - Moreno Drive/South Spalding Drive
 - Olympic Boulevard/Spalding Drive
 - Santa Monica Boulevard South/Charleville Boulevard
 - Santa Monica Boulevard North/Wilshire Boulevard
 - Santa Monica Boulevard South/Wilshire Boulevard
 - Santa Monica Boulevard South/Roxbury Drive
 - Santa Monica Boulevard South/Bedford Drive
 - Roxbury Drive/Brighton Way/Wilshire Boulevard complex
- A full analysis of transportation impacts should be studied under the various Century City subway locations (1. Santa Monica and Avenue of the Stars, 2. Santa Monica and Century Park East, 3. Constellation Blvd and Avenue of the Stars).
- Because the community has concerns about the volume of non-local traffic on its neighborhood streets, Beverly Hills expects EIRs to address how a project is anticipated to change the level of traffic on local residential streets. We ask that the following street segments be analyzed using Beverly Hills' thresholds of significance for neighborhood traffic impact:

¹ Fehr & Peers/Kaku has our current traffic thresholds. However, additional copies can be obtained from the Beverly Hills Traffic Engineering Section.

- Moreno Drive south of Durant Drive
 - Durant Drive east of Moreno Drive
 - Spalding Drive north of Olympic Boulevard
 - Robbins Drive east of Moreno Drive
 - Young Drive east of Moreno Drive
- Traffic counts used in the traffic analysis should reflect current data, and reflect the current volumes of the Santa Monica Transit Parkway, and Olympic Boulevard.
 - As there are no habitable structures on the project site today and the site has been vacant for more than two years, the use of trip credits from the former development on the project site is inappropriate. Baseline conditions need to treat this project site as vacant with no trips credited.
 - We request that parking demand be evaluated using empirical data gathered from first-hand observations of parking demand at similar buildings under similar conditions.
 - Please study deliveries to determine the adequacy of the loading facilities. The facilities will need to be able to handle both the size of the vehicles and the volume of vehicles at peak periods. Use of either Santa Monica Boulevard or Olympic Drive can result in substantial congestion.
 - Gateway Project. Please study the “Gateway” project located in the City of Beverly Hills and included in Table 2 of the proposed traffic analysis as separate projects as follows.
 - 9900 Santa Monica – Gateway (Brittan)
 - 9844 Wilshire – Gateway (Wilson)
 - 9817 Wilshire – Gateway (Mirken)
- A traffic study for the “Gateway” project has been prepared by Fehr and Peers (Chris Gray). Any additional traffic studies conducted for this project should be consistent with the Gateway project traffic study in regards to land uses, square footage and trip generation. A copy of the EIR is available on the City’s website:
http://www.beverlyhills.org/business/current_projects/projects/projects_under_review/gateway_project/default.asp
- Additional Project for the Regional Projects List. Please add 450-460 North Palm Drive, which is an entitled 38-unit condominium building to the list.
 - Glare, Shade, Shadow, Aesthetics, View/Vista and Cultural Resources. Glare and shade/shadow should be studied, along with impacts to aesthetics, view/vista, and cultural resources. Cultural

resources near the project site include the Beverly Hills High School. Effects of glare from reflected light from the project site should be evaluated for impacts to the High School buildings and play fields, the nearby residences, shopping district along South Santa Monica Boulevard, the Peninsula Hotel and entitled 9900 Wilshire Boulevard project and existing and entitled 9876 Wilshire Boulevard property. The effects of shade and shadow should also be evaluated for impacts at these locations and to uses and inhabitants at these properties.

- Provision of Emergency Services. The project site is approximately 0.5 miles east of the City of Beverly Hills jurisdictional boundary. The City provides emergency services on an as-needed basis, when necessary, to properties outside of the City's boundaries. Due to proximity to the City's boundary, it is foreseeable that this project could require response from City emergency personnel from time to time. The City requests emergency service needs and support be evaluated for the project site, including an analysis of how that service demand would be met that includes a consideration of potential costs to the City of Beverly Hills for provision of emergency services.
- Construction Impacts. While the city recognizes any construction project is likely to generate temporary impacts associated with development, given the size, scale and scope of the proposed project in the vicinity of the Beverly Hills School District's high school and administrative offices, hotels, Roxbury Park, and established residential neighborhoods, there is a greater risk of impact and thus a greater need to protect and ensure the safety of the City's students and their families, faculty members, residents, business owners, and visitors, in and around the construction site. Examples of the type of measures that should be considered include but should not be limited to: air quality impacts in and around the school, ensuring a safe and protective pedestrian environment for children, substantial and effective construction barricades, and unimpeded access for emergency services in and around the area.
 - Temporary construction related impacts including hauling, hours/days of construction (particularly with respect to school activities), traffic/circulation, air quality, noise and vibration, parking, community safety (e.g. presence of children), hazardous materials, groundwater and storm drainage and haul routes should be studied.
- Risk of Upset. A full analysis of issues should be included in the environmental review. Given the past history of oil and gas extraction in the nearby vicinity it is probable that some amount of activity occurred at this location in the past and that there could be abandoned infrastructure and contamination related to past extraction activities that could be unearthed or destabilized during

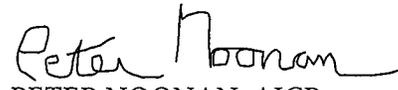
the construction of the project. A full analysis of environmental and public health hazards along with appropriate mitigation related to any historic use of the site for oil, gas, other natural resource extraction, or other contamination that could threaten the public's health should be included in the environmental review.

- **Noise.** Full analysis of noise impacts both during construction and after as a result of operation/occupation of the project should be included in the environmental review. A full analysis should consider noise impacts from the placement of HVAC and other noise generating equipment, use and capacity of on-site amenities, effects of echo in relation to outdoor activities and activity areas, including proposed finish material types and orientation of gathering places in relation to proposed building walls and existing buildings walls on adjacent properties. A full analysis should consider any potential impacts on the High School, nearby residents, hotels and other sensitive users.
- **Affordable Housing/Workforce Housing/Jobs: Housing Balance.** The current project is approved for housing; the environmental analysis must consider the loss of planned housing and the impacts in that regard. Affordable housing should be considered. Such housing would be priced within the purchasing range of local families, employees and persons in need of lower-priced housing options (such as seniors, disabled persons, and single parents). Coinciding with inclusion of housing in the project, traffic reductions in the area resulting from a mix of workforce housing should be considered in the alternatives analysis.
- **Cumulative Impacts.** A full assessment of cumulative impacts should be included in the environmental analysis.
- **Greenhouse Gas Emissions and Air Quality.** Impacts from greenhouse gas emissions and reductions in air quality should be evaluated both for the construction and operation of the project in relation to the High School, residents, hotels and other uses in the area. Analysis should include a full assessment and full mitigation of construction related air quality impacts to protect students, residents and other sensitive receptors.

Thank you for this opportunity to participate in the public scoping process. Please notify us when the draft environmental impact analysis is available for review. If you have any questions regarding the concerns we are raising, please feel free to contact me by phone at (310) 285-1127, or email pnoonan@beverlyhill.org.

Ms. Strellich, Environmental Analysis Section
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July 28, 2011
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Sincerely,


PETER NOONAN, AICP
Associate Planner

Enclosures: City of Beverly Hills Traffic Threshold of Significance, 6/16/2010
City of Beverly Hills Cumulative Projects List, Updated 11/30/2010

cc: Michael LoGrande, Director of Planning Department, City of Los Angeles
Paul Koretz, Councilmember, City of Los Angeles
Barry Brucker, Mayor of Beverly Hills
Willie Brien, Vice-Mayor of Beverly Hills
John Mirisch, Councilmember of Beverly Hills
Lili Bosse, Councilmember of Beverly Hills
Julian Gold, Councilmember of Beverly Hills
Jeff Kolin, City Manager, City of Beverly Hills
Mahdi Aluzri, AICP, Assistant City Manager, City of Beverly Hills
David Gustavson, Director of Public Works, City of Beverly Hills
Susan Healy Keene, AICP, Director of Community Development, City of Beverly Hills
Steven Zoet, Director of Community Services, City of Beverly Hills
Aaron Kunz, AICP, Deputy Director – Transportation, City of Beverly Hills
Jonathan Lait, AICP, Assistant Director – City Planner, City of Beverly Hills
Michele McGrath, Senior Planner – Long Range Planning, City of Beverly Hills

Attachment 2

Letter to the City of Los Angeles Dated
April 29, 2013



April 29, 2013

Erin Strellich
Los Angeles Department of City Planning
200 N. Spring Street, Room 750
Los Angeles, California 90012

Submitted Via Email and Letter

RE: 1950 Avenue of the Stars (Century City Center)
Draft Subsequent Environmental Impact Report
ENV 2004-6269-EIR-SUP1

Dear Ms. Strellich,

Thank you for providing the City of Beverly Hills (the "City") with the opportunity to comment on potential environmental impacts that could result from the revised, proposed Century City Center project at 1950 Avenue of the Stars (also referred to as 10131 Constellation Boulevard).

The project site is approximately 5.5 acres, and is located in the Century City North Specific Plan Area.

The original proposal for this site was to construct two, 47-story residential condominium towers and a 12-story residential condominium building. 483 dwelling units were originally proposed on site, and the total project square footage was approximately 1.3 million square feet. The original project was proposed to meet the U. S. Green Building Council's highest "Leadership in Energy and Environmental Design" or "LEED" standard, which is Platinum.

Due to market conditions, as stated by the developer, the project has been revised and no residential uses are proposed in the revised project. Currently a single, 37-story office tower with 700,000 square feet of area, and one and two-story low-rise commercial buildings totaling 25,830 square feet are proposed. In addition to the buildings, a 1,300 square foot mobility hub and transit plaza coupled with 4,120 square feet of ancillary retail space and a partially subterranean parking garage with 1,579 stalls is proposed. As proposed, the site would continue to meet LEED Platinum.

We have reviewed the Draft Subsequent Environmental Impact Report (DSEIR) released on March 14, 2013 and are providing the following comments:

1. The traffic analysis for the proposed project should use the trip generation factor of 14 trips per 1,000 square feet, which has been established for Office Uses in the Century City North Specific Plan. The Century City North Specific Plan sets a cap on the maximum number of daily auto trips. This cap is referred to as the "Cumulative Automobile Trip Generation Potential" or CATGP. This trip generation rate was established when the Specific Plan was adopted in 1981 and, to our knowledge all other projects constructed in the Century City North Specific Plan Area have used the established trip generation factor when analyzing traffic impacts, except for one, which was an expansion of an existing building with unmanned space used to store phone equipment.

Potential trips have been calculated for this project in the DSEIR based on 14 trips per 1,000 square feet and this number has been estimated as 6,046.66 trips. The DSEIR further states that the project site has been allocated only 4,114.96 under the CCNSP, therefore, the proposed project is larger than planned for under the Century City North Specific Plan and should be reduced to within plan threshold.

2. The Century City North Specific Plan, Section 6, provides an alternative means of calculating trip generation factors. Using empirical data to estimate trip generation in Century City could be misleading currently, since over the last five years vacancy rates have been higher than traditionally anticipated. This being said, it is our understanding that proposing an alternative means of calculating trip generation was intended for the second phase of specific development and was for establishing a trip generation factor for uses not contemplated at the time the Specific Plan was adopted. Office Use was contemplated and a trip generation factor was established when the plan was adopted. Therefore, the established Trip Generation Factor provided in Section 2 should be used. If an alternative Trip Generation Factor is accepted for a generalized use, such as office, it would essentially represent an increase in the CATGP.
3. Once the trip counts have been re-estimated using the Trip Generation Factors in Section 2 of the Century City North Specific Plan, air quality impacts should be re-analyzed to reflect the updated trip counts.
4. As in our comment letter submitted on the prior iterations of the project, we request that the revised traffic impact analysis include the following intersections:
 - Beverly Drive/Santa Monica Boulevard North
 - Beverly Drive/Santa Monica Boulevard South
 - Beverly Drive/Wilshire Boulevard
 - Beverly Drive/Beverwil Drive/Olympic Boulevard Complex
 - Santa Monica Boulevard North/Merv Griffin Way
 - Santa Monica Boulevard South/Moreno Drive
 - Moreno Drive/Durant Drive
 - Moreno Drive/Alley Between South Santa Monica Boulevard and Durant Drive

- Moreno Drive/South Spalding Drive
- Santa Monica Boulevard South/Charleville Boulevard
- Santa Monica Boulevard North/Wilshire Boulevard
- Santa Monica Boulevard South/Wilshire Boulevard
- Santa Monica Boulevard South/Roxbury Drive
- Santa Monica Boulevard South/Bedford Drive
- Roxbury Drive/Brighton Way/Wilshire Boulevard Complex

Further we request that the following street segments be included in the revised traffic analysis:

- Moreno Drive, south of Durant Drive
- Durant Drive, east of Moreno Drive
- Spalding Drive, north of Olympic Boulevard
- Robbins Drive, east of Moreno Drive
- Young Drive, east of Moreno Drive

5. A traffic impact was identified in the DSEIR at the intersection of Beverwil Drive/Pico Boulevard; however, there were no impacts identified at intersections along West Olympic Boulevard leading up to Beverwil Drive. We assume that this is, in part, a result of the trip distribution, and specifically because fewer trips were assigned to turn left onto Olympic Boulevard from Century Park East as opposed to proceeding south through the Century Park East/Olympic Boulevard intersection. The Century Park East/Olympic Boulevard intersection southbound has a double left turn pocket and a timed left turn signal, a double straight and a double right turn. The chart below has been drawn from the DSEIR and provides the trips assumed to be turning from West Olympic Boulevard to Century Park East Boulevard and vice versa.

Trip Distribution for Century City East/West Olympic Intersection

	AM PEAK HOUR			PM PEAK HOUR		
	Right	Str.	Left	Right	Str.	Left
Existing traffic volume	101	118	81	439	711	441
Existing with modified project	101	114	72	439	754	484
Existing with modified project 2015	104	120	74	452	778	497
Existing with modified project 2021	132	133	59	453	811	545

We do not support the current trip allocation and would like the distribution at this intersection reassessed, both for AM Peak Hour, and for PM Peak Hour, on the expectation that a greater number of trips would be turning either, in the AM, north onto Century City Park East Boulevard from westbound West Olympic Boulevard,

or, in the PM, onto eastbound West Olympic Boulevard from southbound Century City Park East Boulevard.

6. Mitigation of any potential impacts identified should be included in the final report. The City is interested in reducing or eliminating any potential impacts to residents and the community and is open to working with the City of Los Angeles and the project applicant towards this end.
7. The DSEIR should not reference the Westside Subway Extension EIS/EIR, as that document has not been determined to be adequate for the purposes of the California Environmental Quality Act.

Thank you again for the opportunity to provide comments. If you have questions for the City of Beverly Hills, I can be reached at (310) 285-1127.

Sincerely,



Peter Noonan, AICP, CEP, Senior Planner
Community Development Department

cc: Michael LoGrande, Director of Planning Department, City of Los Angeles
Paul Koretz, Councilmember, City of Los Angeles
John Mirisch, Mayor of Beverly Hills
Lili Bosse, Vice-Mayor of Beverly Hills
Willie Brien, Councilmember of Beverly Hills
Julian Gold, Councilmember of Beverly Hills
Nancy Krasne, Councilmember of Beverly Hills
Jeff Kolin, City Manager, City of Beverly Hills
Laurence Weiner, City Attorney, City of Beverly Hills
Mahdi Aluzri, AICP, Assistant City Manager & Acting Director of Public Works, City of Beverly Hills
Susan Healy Keene, AICP, Director of Community Development, City of Beverly Hills
Aaron Kunz, AICP, Deputy Director - Transportation, City of Beverly Hills
Jonathan Lait, AICP, Assistant Director - City Planner, City of Beverly Hills
Michele McGrath, Principal Planner, City of Beverly Hills
Bijan Viziri, Senior Transportation Engineer, City of Beverly Hills

Attachment 3

Letter to the City of Los Angeles Dated
November 14, 2013



November 14, 2013

Nicholas Hendricks
Department of City Planning
Major Projects Section
200 N. Spring Street, Room 750
Los Angeles, California 90012

Submitted Via Email and Letter

RE: 1950 Avenue of the Stars (Century City Center)
Draft Subsequent Environmental Impact Report
ENV 2004-6269-EIR-SUP1

Dear Mr. Hendricks,

Thank you for providing the City of Beverly Hills (the "City") with the Final Subsequent Environmental Impact Report (FSEIR) for the proposed Century City Center project at 1950 Avenue of the Stars (also referred to as Century City Center).

We have reviewed the FSEIR and have concerns regarding the methodology used in the traffic analysis of the proposed modified project and the failure of the FSEIR to disclose potentially significant impacts. The purpose of CEQA is to disclose environmental impacts of projects to inform the decision making process. Based on analysis completed by the City of Beverly Hills, it is anticipated that there could be new significant traffic and air quality impacts not disclosed in the FSEIR. These traffic and air quality impacts could affect residents in Beverly Hills as well as neighborhoods in the City of Los Angeles near the proposed project site.

The FSEIR fails to disclose all potential impacts due to reliance on improper trip distribution methodology and flawed traffic analysis of intersections in Beverly Hills. The City is requesting that the traffic and air quality impacts of the proposed project be reevaluated based on the issues outlined in this letter.

Improper Trip Distribution on Olympic Boulevard

As described in the FSEIR, the project has been modified from a two tower, 483 unit residential development, to a single tower consisting of 700,000 square feet of commercial use and no residential units. The trip distribution used in the environmental document does not accurately reflect the change from a residential to commercial project. Traffic analysis completed by the City of Beverly Hills indicates that a greater percentage of trips should be assigned to Olympic Boulevard, and a smaller percentage to Pico Boulevard, given this proposed change in use and travel patterns resulting from this use. It is anticipated that Olympic Boulevard, with its limited commercial land uses, higher Level of Service and fewer signals than Pico Boulevard, would attract more trips from the project than Pico Boulevard¹. The City requests that the trip distribution be adjusted to take into account the commercial nature of the modified proposed project, and the trips that will be taken to and from the project site on Olympic Boulevard, rather than Pico Boulevard. The City also requests that the traffic impacts for study intersections and road segments be reevaluated based on a more appropriate trip distribution pattern and the mitigation measures be adjusted accordingly.

Significant Impacts on Beverly Hills' Intersections

In a letter to the City of Los Angeles dated July 28, 2011, the City Beverly Hills requested the use of Beverly Hills intersection thresholds for the evaluation of study intersections that fall within the City of Beverly Hills. The FSEIR uses the City of Beverly Hills significant impact thresholds to assess traffic impacts on intersections in the City of Beverly Hills. The FSEIR indicates that, using these thresholds, there will be no intersections in the City of Beverly Hills that are significantly impacted by the proposed modified project after the implementation of mitigation measures. However, the FSEIR fails to include threshold analysis using the local agency's threshold of significance. Use of the Beverly Hills criteria is informative to disclose potential impacts under CEQA, but should not supplant the City of Los Angeles impact criteria threshold.

¹ A number of EIRs for commercial projects in Century City in the past have demonstrated this pattern of trip assignment

Using the City of Los Angeles significant impact threshold of 0.0100 and more for LOS levels of E and F, the following intersections within the City of Beverly Hills would be significantly impacted under at least one of the scenarios studied in the FSEIR²:

Intersection	Change of Volume/Capacity	# of scenarios with significant impact
Moreno/ S. and N. Santa Monica	0.017	1
Roxbury/N. Santa Monica	0.012	1
Bedford/N. Santa Monica	0.011-0.011	2
Beverly Dr./N. Santa Monica	0.010	1
Spalding Dr./Olympic Blvd.	0.014-0.013-0.014	3
Roxbury Dr./Olympic Blvd.	0.015-0.014-0.014	3
Camden Dr./Olympic Blvd.	0.015	1
Beverly/Beverwil/Olympic Blvd.	0.011-0.011-0.011-0.011	4
Doheny Dr./Olympic Blvd.	0.011-0.012-0.011-0.010	4

The study intersections in the City of Beverly Hills must be reevaluated using the City of Los Angeles thresholds for intersection impact analysis in order to determine if significant impacts will still exist after proposed mitigation measures. Should new impacts be found, the City requests that the Environmental Impact Report be recirculated with this updated analysis, or the project be reduced in size until there are no impacts to intersections in the City of Beverly Hills.

The City is requesting that all traffic and air quality impacts of the proposed modified project be reevaluated taking into consideration the comments provided above. The potential traffic impacts to intersections and street segments in Beverly Hills and Los Angeles neighborhoods surrounding the project need to be disclosed in the Environmental Impact Report. Further, the air quality impacts resulting from more accurate traffic analysis must also be disclosed. Appropriate mitigation measures should be devised to address impacts and the environmental document should be recirculated for review. If significant impacts are identified and cannot be mitigated, a Statement of Overriding Consideration must be prepared, as required by CEQA.

The City of Beverly Hills has been involved in the establishment of mitigation measures for past projects with potentially significant impacts in Century City. The City would like to work with the City of Los Angeles, the developer, and the property owner to discuss appropriate and adequate mitigation measures for potential traffic and air quality impacts from the proposed modified project.

² The LOS calculation method for the intersections is the ICU method. For re-study using the City of Los Angeles method of LOS calculation is optional.

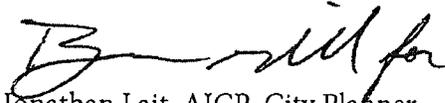
1950 Avenue of the Stars (ENV 2004-269-EIR-SUP1)

November 14, 2013

Page 4 of 4

Thank you for the opportunity to provide comments on the FSEIR. If you have questions for the City of Beverly Hills, I can be reached at (310) 285-1118.

Sincerely,



Jonathan Lait, AICP, City Planner
Community Development Department

cc: Michael LoGrande, Director of Planning Department, City of Los Angeles

Paul Koretz, Councilmember, City of Los Angeles

John Mirisch, Mayor of Beverly Hills

Lili Bosse, Vice-Mayor of Beverly Hills

Willie Brien, Councilmember of Beverly Hills

Julian Gold, Councilmember of Beverly Hills

Nancy Krasne, Councilmember of Beverly Hills

Jeff Kolin, City Manager, City of Beverly Hills

Laurence Weiner, City Attorney, City of Beverly Hills

Mahdi Aluzri, AICP, Assistant City Manager, City of Beverly Hills

Susan Healy Keene, AICP, Director of Community Development, City of Beverly Hills

George Chavez, Director of Public Works Services, City of Beverly Hills

Aaron Kunz, AICP, Deputy Director - Transportation, City of Beverly Hills

Michele McGrath, Principal Planner, City of Beverly Hills

Bijan Viziri, Senior Transportation Engineer, City of Beverly Hills

Attachment 4

Southwest Beverly Hills Homeowners
Association Letter

SOUTHWEST BEVERLY HILLS HOMEOWNERS ASSOCIATION

208 McCarty Drive
Beverly Hills, CA 90212

May 5, 2014

City of Los Angeles, City Planning Commission
Attention: James K. Williams, Commission Executive Assistant
200 N. Spring Street
City Hall, Room 272
Los Angeles, CA 90012

Via email: Planning@lacity.org

Re: 1950 Avenue of the Stars/10131 Constellation Ave.
Env.-2004-6269 EIR-SUP 1
CPC-2013-210-SPP-SPR-MS-C, CPC-2009-817-DA-M1

CPC Hearing Date: May 8, 2014 8:30 a.m.

Dear President Wilson and Honorable Members of the City Planning Commission:

The Southwest Beverly Hills Homeowners Association borders Century City on our west side. Olympic Boulevard and Wilshire/Santa Monica Boulevards are immediately to our south and north. We—like so many residential neighborhoods surrounding Century City—face everyday traffic issues with cars going to and from the office buildings, hotel, condominiums and retail areas of Century City.

The entire area has relied on the decades of implementation of the Century City Specific Plan and its development entitlements tied to traffic. JMB's proposal would gut that Plan and would result in traffic overwhelming residential streets in Beverlywood, Cheviot Hills, Palms, southern Westwood, the Comstock area-- and our area in Beverly Hills. And there is no justification whatsoever for burdening all these surrounding homes with traffic created by JMB's proposal of "bending the rules" to accommodate more and more and more development.

We support transparency in government, faith in an open process, reliance on decisions; and trust that the system will be fair.....i.e., that the rules won't be changed after the fact for the benefit of one and to the detriment of many.

1. **Gutting 30 Years of Sensible Growth**

We are more than concerned about this developer's attempt to change the rules that, up to now, everyone else has played by and which has produced a balance between Century City commercial interests and the surrounding residents' quality of life. This new traffic formula proposed by the developer would skew that 30-year balance radically.

You only have to look at Santa Monica Blvd., Olympic, Overland, Motor and Pico. For example, traffic is always backed up eastbound on Santa Monica from the Wilshire/Santa Monica intersection all the way back to Avenue of the Stars as cars leave Century City homebound. And there are many other examples: Traffic on Overland at the peak p.m. is backed up from the freeway entrance 4 blocks to Pico and blocking Pico. And exactly the same thing occurs on Motor at rush hours.

It is irrefutable: Three times the commercial square footage will produce three times the traffic.

So what's the effect? Cut-through traffic heads off into the adjacent residential areas—Beverlywood, Cheviot, Rancho Park, southwest Beverly Hills and other surrounding residential areas with thousands of homes and residents. So not only will Century City be gridlocked with 500,000 excess commercial square feet and the traffic it will generate, the residential quality of life we all have fought so hard for—and for which every elected official has promised to protect—is degraded if this developer is awarded its additional density.

2. **Alquist-Priolo/Lack of Seismic Study**

And how could anyone contemplate a 37-story building in an area in which there are studied indications that there may be serious seismic issues? And yet no thorough or up-to-date seismic study has been conducted.

Section 4.1.3 Geology and Soils of the EIS deals addresses concerns with seismic safety:

“The Approved Project's Initial Study concluded that the potential for fault rupture on the Project site is very low because the Project site is not located in an Alquist-Priolo Fault Study Zone, and no active or inactive faults cross the Project site.” (EIS page 4.13-3)

“No active faults are known to transect or project onto the Project site, and no indications of faulting or surface cracking were identified with the investigation. Based upon the available geologic data, potentially active faults with a potential for surface rupture are not known to be present at the Project site. Accordingly, the potential for surface rupture at the site is considered to be low.” (EIS page 4.13-13)

Those statements are flat out wrong.

The report filed with the California Geological Survey by Kenney GeoScience dated May 2013 includes a map that shows at least 3 potentially active faults that intersect this property.

That map is attached. There is another report prepared by MTA that includes seismograph lines that clearly show faults under Avenue of the Stars. There is ample evidence that there are faults on this site.

The EIS is based on a Geotechnical Site Investigation Report prepared by Geokinetics and dated December 6, 2011. That report is not a seismic fault investigation. There has been a lot of seismic investigation in Century City since that report was prepared. It is now seriously out of date and wrong.

The State Alquist-Priolo Act prohibits development over faults unless they are shown to be inactive. The developer has not even looked at these faults. The City cannot allow the project to proceed until a seismic fault investigation is completed.

3. The Fiction of “Less Traffic”

JMB and its consultants would actually have us believe that *traffic per square foot of commercial development has reduced by 75% over the last 30 years!* In fact, as we know, office space has become more crowded with workers as “open areas” and “cubicles” replace private offices.

“The survey is also available on the Wall Street Journal’s MarketWatch site at <http://www.marketwatch.com/story/office-space-per-worker-will-drop-to-100-square-feet-or-below-for-many-companies-within-five-years-according-to-new-research-from-corenet-global-2012-02-28>

It describes shrinking office space allocation in North America, following a European trend. It projects space requirements five years into the future, to 2017. For 40% of companies, the average allocation will fall below 100 square feet per worker. The survey includes the statement that: The average for all companies for square feet per worker in 2017 will be 151 square feet, compared to 176 square feet today [2012], and 225 square feet in 2010. (“Wilshire/Montana Neighborhood Coalition”)

4. JMB’s Shell Game

In a nutshell: JMB previously transferred development rights on this site to the Sun American Tower and MGM Tower, so that each of those could build way more than they were entitled. Now—as if that never happened—JMB wants to change all the rules in the middle of the game and triple its entitled density. How could you possibly allow that—with all the significant adverse effects on every nearby resident—based on a strained reading of some obscure section that no one has used for 30 years.

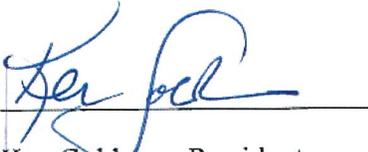
5. **The Residents Rely on You**

We hear time after time—and we see poll after poll—that citizens have lost faith in their government because of special interests. And how do you think that plays when even our local government refuses to listen to its own residents and caters to those special interests.

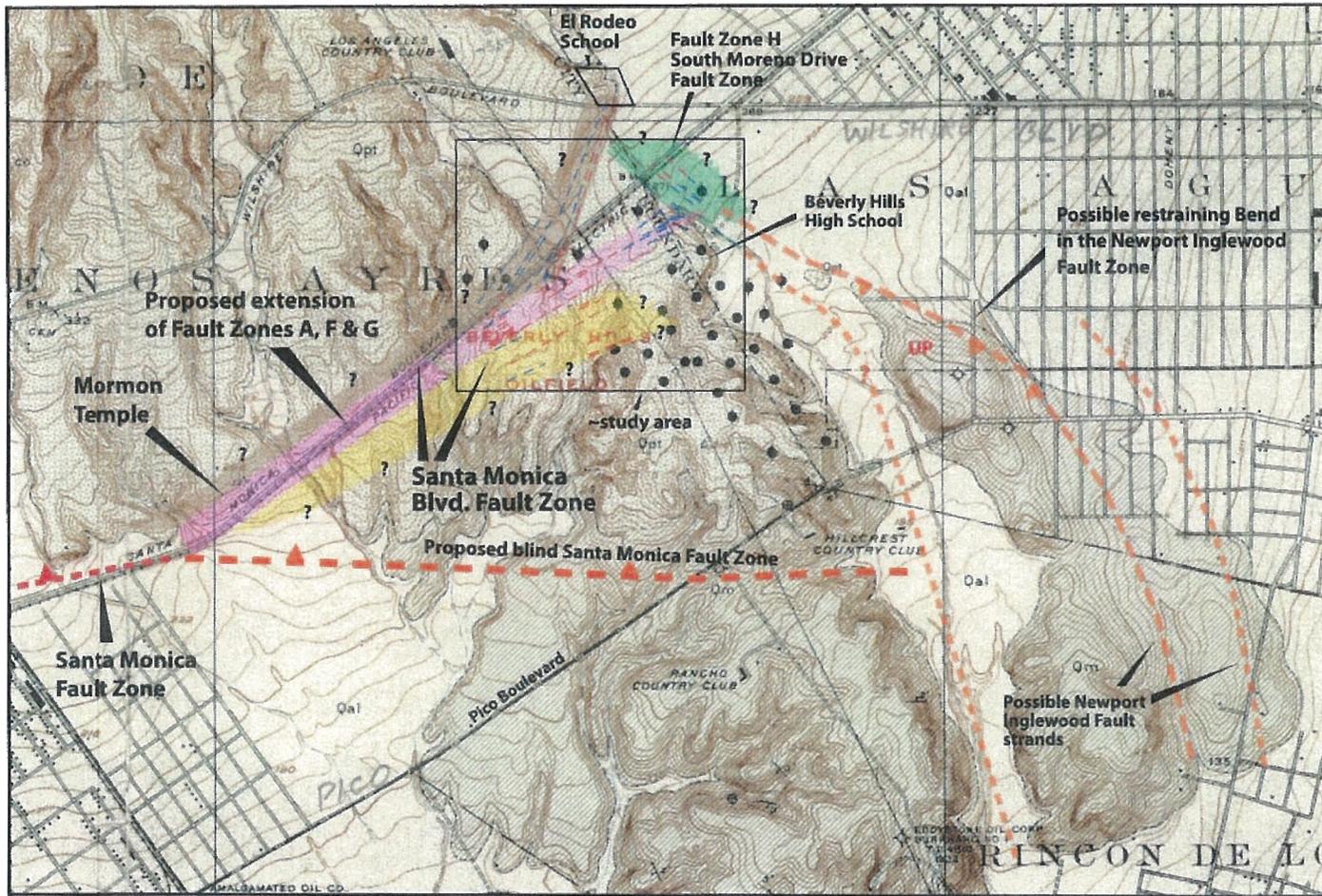
Please don't change the rules. Please help us protect our homes and our families. Don't risk residential quality of life and the value of thousands upon thousands of homes just because JMB wants its profit from 500,000 more square feet.

Please. Just say no.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ken Goldman", is written over a horizontal line.

Ken Goldman, President
Southwest Beverly Hills Homeowners Association



DESIGNATED FAULT ZONES

Fault Zones A, F, G and H: The limits of these designated fault zones are not to be considered fault setbacks in any way and are intended to generalize the location where similar styles of faulting occur and/or discrete/independent fault zones may occur

- Fault Zone A - includes fault strands A, B, C, D and E and is considered part of the Santa Monica Boulevard Fault Zone
- Fault Zone F - includes various fault strands and is considered part of the Santa Monica Boulevard Fault Zone.
- Fault Zone G - includes various fault strands and is considered part of the Santa Monica Boulevard Fault Zone.
- Fault Zone H - includes numerous fault strands and is referred to herein as the South Moreno Drive Fault Zone.

FAULT LOCATIONS IN STUDY AREA

- Approximate location of fault that is possibly inactive based on evaluation of subsurface data in the study area (see Figure 1).
- Approximate location of fault in which activity is unknown based on evaluation of subsurface data in the study area (see Figure 1).

Possible location of faults not yet positively identified. Activity unknown.

Base Map from Hoots, 1931.

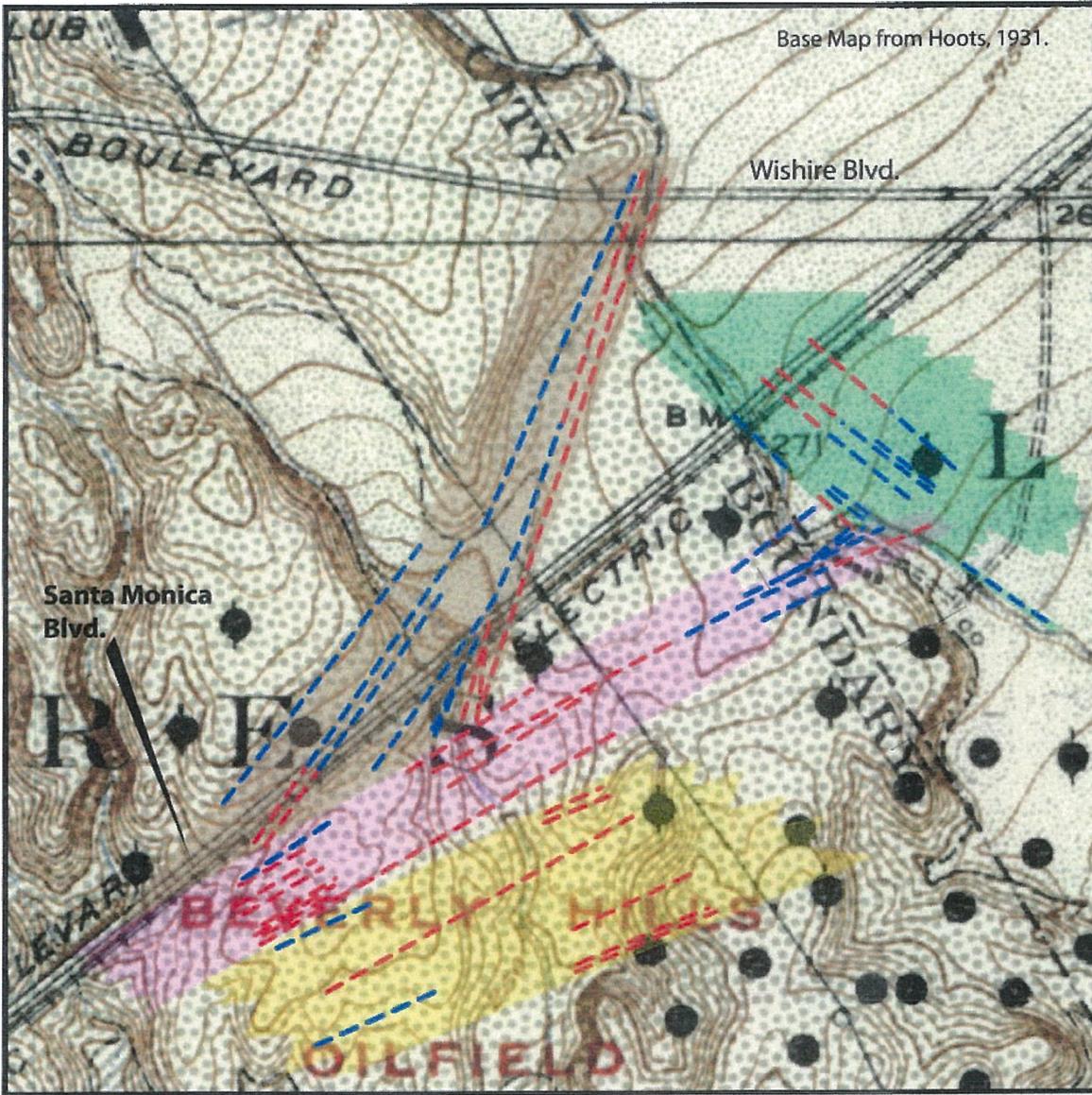


CLIENT: HILL, FARRER & BURRILL LLP
 PROJECT: GEOLOGIC EVALUATION OF THE SANTA MONICA FAULT ZONE IN THE CENTURY CITY AREA

PRELIMINARY REGIONAL FAULT EVALUATION MAP
 Century City Area, City of Los Angeles

Job No. 723-11
 Date: MAY 2013
 Drafted by: MK
FIGURE 2





Base Map from Hoots, 1931.

Wishire Blvd.

Santa Monica Blvd.

B M 271

ELECTRIC

BEVERLY HILLS

OILFIELD

FAULT LOCATIONS

- - - - - Approximate location of fault that is possibly inactive based on evaluation of subsurface data
- - - - - Approximate location of fault in which activity is unknown based on evaluation of subsurface data

2000 feet

DESIGNATED FAULT ZONES

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CLIENT:
HILL, FARRER & BURRILL LLP

PROJECT:
GEOLOGIC EVALUATION OF THE
SANTA MONICA FAULT ZONE IN THE
CENTURY CITY AREA

**PRELIMINARY FAULT MAP
WITH NATURAL TOPOGRAPHY**
Century City Area,
City of Los Angeles

Job No. 723-11
Date: MAY 2013
Drafted by: DV & MK

FIGURE 1

Attachment 5

Resolution Opposing Project

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS
DECLARING ITS OPPOSITION TO THE PROPOSED CENTURY CITY
CENTER PROJECT LOCATED AT THE NORTHEAST CORNER OF
CONSTELLATION BOULEVARD AND AVENUE OF THE STARS

The City Council of the City of Beverly Hills hereby resolves as follows:

WHEREAS, the City of Los Angeles Planning Commission will be considering on May 8, 2014 approval of the proposed Century City Center Project; and

WHEREAS, the proposed Century City Center Project will replace a proposed residential development with a commercial development that will include a 37 story office tower with approximately 731,250 square feet of floor area; and

WHEREAS; the Project would not conform to the Century City North Specific Plan, which was designed to limit density and traffic in Century City; and

WHEREAS, approval of the Project would change the rules that have limited development in Century City for more than thirty years; and

WHEREAS, the Project requests three times the density permitted for commercial development under the Century City North Specific Plan and would establish a precedent that could have significant impacts on the City of Beverly Hills; and

WHEREAS, the Final Subsequent Environmental Impact Report for the Project underreports traffic impacts to the City of Beverly Hills by applying to Beverly Hills intersections different thresholds of significance than were used to evaluate impacts on

intersections in Los Angeles and assigning an unreasonable amount to traffic from the Project to Pico Boulevard rather than Olympic Boulevard;

NOW THEREFORE,

Section 1. The City Council of the City of Beverly Hills declares its opposition to the proposed density of the revised Century City Center Project and requests that the City of Los Angeles Planning Commission apply a trip generation rate for commercial development of fourteen trips per one thousand square feet of commercial development in order to determine the permitted density of the commercial project under the Century City North Specific Plan.

Section 2. The City Clerk shall certify to the adoption of this resolution and shall cause this resolution and his certification to be entered in the Book of Resolutions of the Council of this City.

Adopted:

LILI BOSSE
Mayor of the City of Beverly Hills, California

ATTEST:

(SEAL)
BYRON POPE
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

LAURENCE S. WIENER
City Attorney

JEFFREY C. KOLIN
City Manager