City of Beverly Hills
Planning Division
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Planning Commission Report

Meeting Date: June 23, 2016

Subject: **9206 and 9212 Olympic Boulevard**
New Three-Story Commercial Building
Request for a Conditional Use Permit and Minor Accommodation to allow the construction of a 3-story building on the property located at 9206 and 9212 Olympic Boulevard. *(Continued from June 9, 2016 meeting)*

Project Applicant: Afshin Etebar, Etco Homes

Recommendation: That the Planning Commission:
1. Conduct a public hearing and receive testimony on the project;
2. Adopt a resolution approving the Conditional Use Permit and Minor Accommodation

REPORT SUMMARY

The proposed project involves construction of a 3-story, 22,045 square foot commercial building on the property located at 9206 and 9212 Olympic Boulevard. The property is currently occupied by a surface parking lot associated with a rental car company. The proposed project requires a Conditional Use Permit (CUP) in order to allow the building, which is located in the C-3T-2 transition zone, to exceed 1.33:1 (1.84:1 is proposed) floor area ratio[1]. The project applicant is also seeking a Minor Accommodation to allow additional openings in the perimeter wall located on the rear property line adjacent to the alley that abuts residential uses to the south. The project would contain three retail/restaurant spaces on the ground floor (plus clerestory), two stories of office space above the ground floor, and 76 parking spaces located in four subterranean levels accessed from the alley to the rear of the property.

The Planning Commission opened the Public Hearing for this project on April 28, 2016. During this meeting staff presented the staff report and the applicant team elaborated on the project. The public and the Planning Commission provided comments regarding the project and the applicant requested time to address the comments raised. The Public Hearing was continued to the June 9, 2016 Planning Commission meeting. At the June 9 meeting staff requested that the project be continued to the June 23, 2016 meeting in order to provide additional time to review and analyze the revised project. This report details changes that have been made to the project

[1] Calculated prior to the alley dedication of 2.5' to the City of Beverly Hills pursuant to the Beverly Hills Municipal Code

Attachment(s):
A. Required Findings
B. Draft Resolution
C. Shade and Shadow Study
D. Truck Specifications Sheet
E. Categorical Exemption
F. Public Comments
G. Project Plans (provided under separate cover)
H. Comparison of Previously Proposed and Currently Proposed Project

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since the April 28, 2016 meeting; outlines the findings that need to be made in order to issue the CUP and Minor Accommodation; and analyzes key project issues including the proposed use of the property in relation to the adjacent residential uses, traffic, parking, and loading. Based on analysis contained in this report, the proposed project is not expected to result in any significantly adverse impacts, and the recommendation in this report is for approval of the project.

APPLICATION INFORMATION

File Date	11/3/2014
Application Complete	4/5/2016
Subdivision Deadline	N/A
CEQA Deadline	60 days from CEQA determination
CEQA Determination	Class 32 Categorical Exemption for in-fill development projects
Permit Streamlining	Take action on project within 60 days of CEQA determination
Applicant(s)	Afshin Etebar, EHI-9222, LLC/Etco Homes
Owner(s)	EHI-9222, LLC/Etco Homes
Representative(s)	N/A
Prior Project Previews	4/15/15: Architectural Commission Preview
Prior PC Action	N/A
Prior Council Action	N/A
CC Ad-Hoc Committee	N/A
CC/PC Liaison	N/A
Other	Applicant held public meeting on project on February 23, 2015 at the Roxbury Community Center to introduce the project to the community and invite feedback.

PROPERTY AND NEIGHBORHOOD SETTING

Property Information

Address	9212 and 9206 Olympic Boulevard
Assessor's Parcel No.	4332001001 and 4332001002
Zoning District	C-3T-2
General Plan	Commercial
Existing Land Use(s)	Vacant – used as surface parking lot for car rental facility
Lot Dimensions & Area	120 feet by 100 feet (each lot is 50 by 120 feet)
Year Built	N/A
Historic Resource	N/A
Protected Trees/Grove	None

Adjacent Zoning and Land Uses

North (across Olympic)	C-3T-2 – Commercial (one story commercial)
East	C-3T-2 – Commercial (two story structure)
South (across 15' alley)	R-4 – Multiple Family Residential (two- and three-story multi-family buildings)
West	C-3T-2 – Commercial (one-story structure and parking lot)

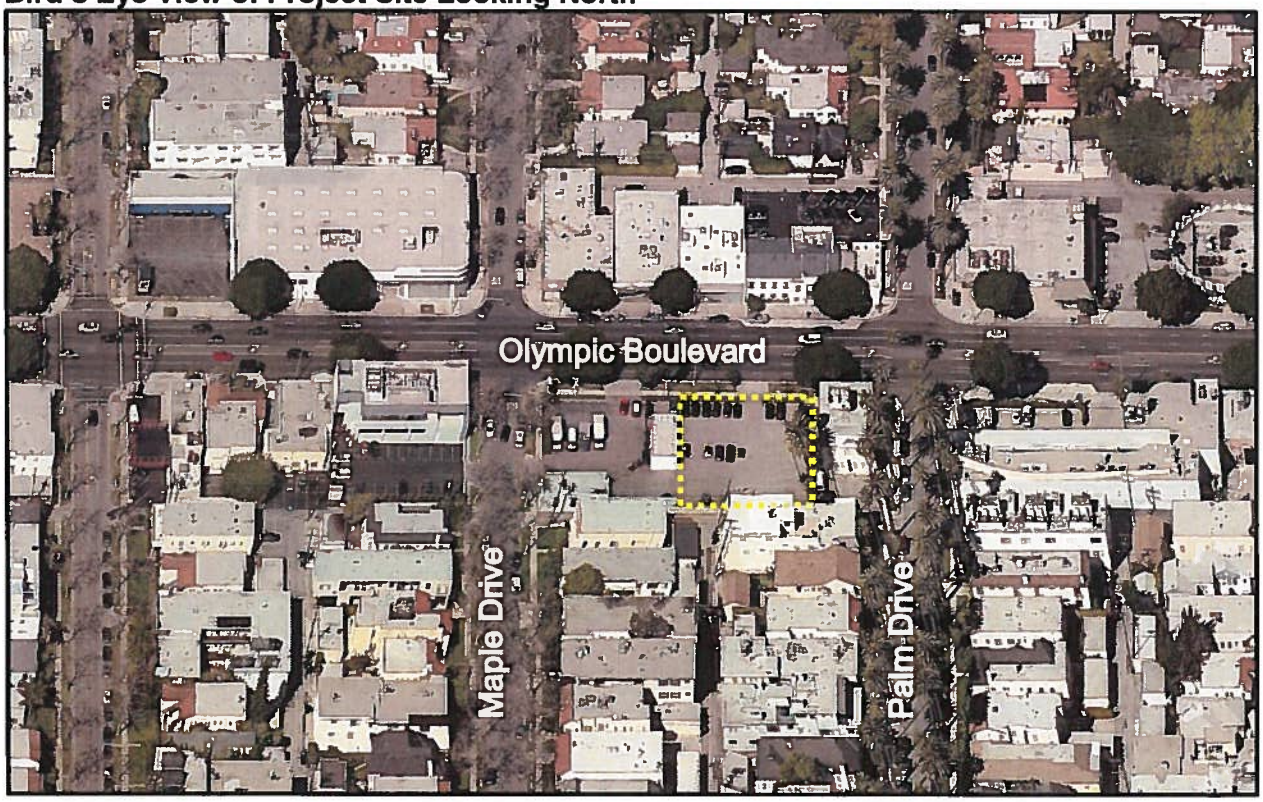
Circulation and Parking

Adjacent Street(s)	Olympic Boulevard, Palm Drive, and Maple Drive
Traffic Volume	Average Daily Trips on Olympic Boulevard: Approx. 37,950 (combined east- and westbound) Average Daily Trips on Palm Drive: Approx. 1,385 (combined north- and southbound) Average Daily Trips on Maple Drive: Approx. 1,480 (combined north- and southbound)
Adjacent Alleys	Two-way, east-west alley at rear (south) of property, 15 feet wide.
Parkways & Sidewalks	Olympic Boulevard – 15' from face of curb to property line

Neighborhood Character

The project site is located along Olympic Boulevard. The neighborhood surrounding the project site consists of a mix of low rise commercial buildings, surface parking lots, and multiple family residential buildings. The project site consists of two existing lots (that will be tied by covenant) located on the south side of the middle of the block along Olympic Boulevard between Palm Drive and Maple Drive. To the north, west and east of the project site, there are other commercially zoned properties including various low-rise commercial uses. Immediately to the south of the project site across a 15' alley are primarily two- story multi-family buildings.

Bird's Eye View of Project Site Looking North



Existing Project Site – View of project site from Northern side of Olympic

View of alley to the rear of project site looking west (project site is to the right)

View of alley to the rear of project site looking east (project site is to the left)

PROJECT DESCRIPTION
The proposed project consists of the demolition of an existing surface parking lot and the construction of a three-story, 35' tall commercial building and associated site improvements. The project is located on a lot that measures 12,000 square feet. The total floor area of the building would be 22,045 square feet. As part of the project, the property owner will dedicate 2.5' of property to the City as an alley dedication, increasing the 15' alley width to 17.5' adjacent to the property. The proposed project would be built to the property line on Olympic Boulevard, and would have a minimum building setback of 29' from the alley facing the south side of the building. A majority of the third floor is set back 43' from the alley. At the rear of the proposed project would be a loading zone, driveway to access the subterranean parking, outdoor patio on the ground level, located behind the loading zone, and outdoor patio located on the third floor of the building. The project also includes a zoning code compliant 9' clerestory feature located on top of the building's 35' tall roof.

Summary of changes from originally submitted project
The project being considered by the Planning Commission has been modified from the project that was presented to the Commission on April 28, 2016. The most significant changes include:

- Decrease in height of building from 45' to 35'
- Decrease in height of the clerestory from 11'6" to 9'
- Increase in number of parking spaces from 58 spaces to 76 spaces. The additional spaces are provided in a fourth level of underground parking.
- Decrease in rear setback. The originally proposed project had a 37'6" building setback as well as an additional 3rd floor step back on the alley facing south side of the building. The currently proposed project would have a minimum 29' building setback from the alley.
- Addition of modulation on front façade on the third floor of the building.
- Increase in total square footage of building from 20,292 square feet to 22,045 square feet.

The following table summarizes the project characteristics and provides a comparison between the existing and previously proposed project.

Development Standard	Required/ Allowed	Existing	Proposed	Previously Proposed
Site Area	N/A	12,000 SF	11,750 SF	No change from previously proposed project. Difference from existing attributed to alley dedication
Floor Area ***Ground Level*** ***Second Level***	24,000 SF Maximum @ a 2.0:1 FAR	0 SF *0 SF* *0 SF*	22,045 SF *6,917 SF* *8,121 SF*	20,292 SF *7,044 SF* *7,516 SF*

Third Level		*0 SF*	*7,007 SF*	*5,732 SF*
Floor Area Ratio	1.33:1 max, 2.00:1 with CUP	0	1:84:1	1.69:1
Height	35' max, 45' with CUP	0'	35'	45'
Stories	2 stories max, 3 stories with CUP	0	3 story Clerestory not considered 'story' per BHMC.	3 story Clerestory not considered 'story' per BHMC.
Parking	63 standard spaces (1 per 350)	N/A	76 standard spaces; 3 ADA spaces total 73 spaces	55 standard spaces; 3 ADA Accessible spaces; *58 total spaces*

Rendering of the Olympic Boulevard elevation of the currently proposed project

Rendering of the Olympic Boulevard elevation of the originally proposed design

Additional comparison renderings of the previously reviewed and currently proposed projects are provided in Attachment H.

REQUESTED ENTITLEMENTS

Conditional Use Permit – Pursuant to BHMC § 10-3-1632, a Conditional Use Permit is required for a building in the C-3T-2 zone to exceed two stories, 35' in height and a 1.33:1 floor area ratio (FAR). An applicant may request up to three stories, 45' in height and a 2.00:1 FAR. The Planning Commission is the reviewing authority for projects requesting CUPs. The applicant is requesting three stories, 35' in height and 1.84:1 FAR.

BHMC § 10-3-2741 allows the reviewing authority (in this case, the Planning Commission) to establish loading space requirements for the project as a condition of project approval, because the applicant is applying for a CUP. The applicant is requesting a loading zone that is 60' in length, 12' in width and is accessed via two entrances that are 15' wide. The loading space has not changed from the version of the project considered on April 28, 2016.

Minor Accommodation – Pursuant to BHMC § 10-3-1953, a Minor Accommodation may be requested to allow a deviation from the requirement that commercial buildings have a maximum 25' opening in the perimeter wall separating a commercial property from an alley that abuts a residential property. An applicant may request up to 30' of opening per site. The applicant is requesting a total of 52' of opening in the rear wall (spread across two existing sites). This request has not changed from the request made for the project considered on April 28, 2016.

ENVIRONMENTAL ASSESSMENT

The subject project has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines[2], and the environmental regulations of the City. Projects characterized as in-fill development that meet certain criteria are categorically exempt from CEQA pursuant to Section 15332 of the State CEQA Guidelines. The project meets all five of the following criteria set forth in Section 15332 of the State CEQA Guidelines for in-fill development projects:

a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
c) The project site has no value as habitat for endangered, rare, or threatened species.
d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
e) The site can be adequately served by all required utilities and public services.

Therefore, this project has been determined to be exempt from further environmental review under CEQA. The Class 32 Categorical Exemption report is included as Attachment E for reference.

PUBLIC OUTREACH AND NOTIFICATION

Type of Notice	Required Period	Required Notice Date	Actual Notice Date	Actual Period
Newspaper Notice	10 Days	April 18, 2016	April 15, 2016	13 Days
Mailed Notice	10 Days	April 18, 2016	April 15, 2016	13 Days
Property Posting	10 Days	April 18, 2016	April 18, 2016	10 Days
Posted Notice	7 Days	April 21, 2016	April 21, 2016	7 Days
Website	7 Days	April 21, 2016	April 21, 2016	7 Days

The public hearing has been continued to a date certain from the April 28, 2016 meeting to the June 9, 2016 meeting to the June 23, 2016 meeting. Per the public noticing requirements, the project was initially noticed pursuant to the City and State requirements. Staff has contacted individuals that have expressed interest in the project to inform them of the project continuances. It should also be noted that the project applicants conducted public outreach separate from the outreach that is conducted by staff. This included an introductory public meeting held at the Roxbury Community Center on February 23, 2015 at which time the project applicant team presented the project to the public and answered questions. The applicant team also mailed a letter prior to the public hearing notice for the April 28, 2016 meeting informing the public that the project was being processed by the Planning Division and would be heard before

[2] The CEQA Guidelines and Statute are available online at http://ceres.ca.gov/ceqa/guidelines

the Planning Commission at an upcoming meeting.

PUBLIC COMMENT
In addition to the required newspaper and mailed notice, prior to the April 28, 2016 meeting a courtesy email was sent to the Southeast Task Force as well as other residents who have identified an interest in development proposals in the southeast portion of the city. Prior to the meeting, staff received several email responses regarding the project and those responses are included in Attachment F.

ANALYSIS[3]
Project approval, conditional approval or denial is based upon specific findings for each discretionary application requested by the applicant. The findings that must be made in order to approve the project are provided in Attachment A, and draft findings are included in the draft Planning Commission Resolution (Attachment B), which may be used to guide the Planning Commission's deliberation of the subject project. The analysis considered by staff in drafting the findings is set forth as follows:

Compliance with Zoning Code.
The proposed project would comply with current code. The existing building is located in the C-3T-2 zone and includes the following:

Height and density:
The project is 35' in height. This has been reduced from the previously proposed 45' in height. The clerestory height has been reduced from 11'3" to 9'. The clerestory complies with the requirements that it occupies no more than 33% of the roof area, and is located so that it does not intersect a 45 degree plane from the edge of the roof of the structure; therefore it does not count toward the maximum height of the building.

BHMC § 10-3-1632 limits buildings in the C-3T-2 zone to two stories or 35', whichever is less and 1.33:1 floor area ratio; however, through a conditional use permit the Planning Commission may approve a building that is three stories or 45' and up to 2.00:1 floor area ratio, provided that it complies with several conditions. These conditions and a description of how the project complies with the conditions are included in the following table:

An additional setback from the rear property line provided the setback does not exceed thirty-three percent (33%) of the lot depth for any portion of the structure below two stories and does not exceed fifty percent (50%) for	The proposed project would have a first and second floor rear setback of 29' from the new property line, which is 25% of the depth of the site. The majority of the third story of the project has a setback of 43', which is 37% of

[3] The information provided in this section is based on analysis prepared by the report author prior to the public hearing. The Planning Commission in its review of the administrative record and based on public testimony may reach a different conclusion from that presented in this report and may choose to make alternate findings. A change to the findings may result in a final action that is different from the staff recommended action in this report.

the third story.	the depth of the site. These setbacks comply with the Beverly Hills Municipal Code, and serve to push the building further from the alley that separates the project site from multifamily properties to the south.
The design of the façade and structure facing residential uses shall be harmonious with the adjacent residential character.	The proposed project includes a façade composed primarily of brick that is accented with metal and concrete. The façade facing residential uses is harmonious with the adjacent residential character. Brick walls separate the loading area and outdoor patio area from the alley that separates the project site from the residential uses.
Landscaping or other parklike amenities shall be required within the rear setback in conjunction with the design for loading, parking, trash removal, and access to and from the site.	Landscaping has been integrated into the rear setback of the project in order to provide a buffer between the project and the residential uses.
Appropriate restrictions shall be imposed on the structure, including hours of operation, additional parking, and parking restrictions in order to ensure adequate parking on-site and limit types of uses that would create noise, odor, or glare.	Staff is proposing a number of restrictions on the project in order to ensure that the project does not impact the adjacent residential uses. These restrictions are included as conditions in the draft resolution attached this this report.
The intensity of use shall not exceed either sixteen (16) vehicle trips per hour, or two hundred (200) vehicle trips per day for each one thousand (1,000) gross square feet of floor area.	Because the project would have a floor area of 22,045 square feet the project would be allowed a maximum of about 4,409 vehicle trips per day. The traffic study indicates the project would add approximately 698 average trips per day, which is well below the threshold.

A shade and shadow study for the proposed project is provided as Attachment C. The study provides shade and shadow modeling for the summer solstice and winter solstice at one hour intervals between 9:00 a.m. to 5:00 p.m. The study indicates that during summer solstice the project will cast a shadow on the neighboring commercial property to the west in the morning hours and to the east in the afternoon hours. During the winter solstice the proposed project would cast shadows across Olympic Boulevard and, during the afternoon hours, would cast a shadow on the neighboring commercial property to the east of the project site. The shade and shadow analysis indicates that the project will not cast shadows on the adjacent multi-family properties on the summer or winter solstice.

Parking:
BHMC § 10-3-2730 requires the provision of one parking space for every 350 square feet of floor area. The proposed building is required to include 63 parking spaces. The

four levels of underground parking provide 76 parking spaces; therefore, the building complies with the zoning code and provides additional parking if needed. The original traffic and parking study prepared by the applicant notes that mixed-use development can have lower parking needs due to "shared parking" capability, where different land uses, such as retail, restaurant, and office, can share the same parking stall, at different times of the day. In addition, the project may improve the street parking situation on Olympic Boulevard by removing existing curb cuts, allowing for the possibility of an additional on street public parking space directly in front of the project site.

Loading:
The loading area for the building is located along the alley to the south of the project. The loading zone is 60' in length and is situated parallel to the alley with two 15' openings in the required masonry wall that runs along the rear property line. As noted earlier in the report, the applicant is requesting a Minor Accommodation to allow additional openings in the wall at the rear of the property to accommodate the loading entrance and exit. The additional openings in the wall will provide for a loading zone that allows trucks to safely maneuver into the loading area from the adjacent alley without backing up. Because of the size of the alley, a parallel loading area accessed with two openings rather than a perpendicular loading area with one opening, into which a truck would be required to back-in, is preferable. Additional openings in the rear wall will also allow for the separation of the driveway that serves as the entrance and exit for the underground parking and the loading area, reducing the potential for conflicts between vehicles in the loading zone and vehicles entering and exiting the parking garage.

Because the applicant is requesting a CUP, the Planning Commission has the ability to condition the project with a loading area that the Commission finds is appropriate. The traffic and loading study completed by the applicant indicates that the loading zone provided would be adequate for the proposed project. The City Traffic Engineer peer reviewed the traffic and loading study and concurs with the adequacy of the loading facility. The applicant team has prepared a specification sheet of various types of trucks that would be accommodated in the loading zone provided (Appendix D). The information provided by the applicant indicates that a truck up to 24' in length could access the loading zone. In order to ensure that the loading zone operates in the most efficient manner, and that the loading activities do not negatively impact the neighborhood, staff has included several loading related conditions in the resolution.

Uses and Compatibility of Uses
The C-3T-2 zone is intended for commercial uses. The proposed project includes development of additional commercial office uses, as well as retail and restaurant uses. As proposed, the project is consistent with the goals of the C-3T-2 zone. Further, the building is replacing a surface parking lot used for a rental car company, and therefore will provide more neighborhood serving uses.

The proposed project is located in a commercial zone that is adjacent to residential uses. The nearest multi-family property is located approximately 46'6" away from the proposed building. The project design includes two outdoor patio areas that face the multi-family buildings to the

south. The outdoor patio area located on the ground floor is located 35'6" from the nearest multi-family property. The applicant has indicated that this patio could be used by patrons of a restaurant if a restaurant is established as a use on the ground floor. This patio area is located behind the loading area, and is separated from the loading area by a 6' tall brick wall. The outdoor patio area located on the third floor of the proposed project is located 46'6" from the nearest multi-family property. The third floor patio will be used by employees of the third floor tenant space. This patio area is shielded from the multi-family properties by a 40" tall barrier and planted vegetation.

As noted above, the proposed project is located in a transition zone, where commercial uses are located adjacent to residential uses. In order to alleviate some of the inherent issues that may arise from these adjacent uses the BHMC includes certain operational and development standards for commercial uses near residential uses. These include increased setbacks, required perimeter walls and planting in the rear of the project site, and general operational standards that regulate such activities as loading, hours of operation, and noise. While the project complies with these standards, and includes design elements to minimize impact on the adjacent residential uses, staff recommends additional conditions to further alleviate potential issues that may arise.

In order to address issues that may arise from the use of the two patio areas proposed as part of the project, the draft resolution includes conditions that limit the use of the patios. The conditions prohibit the use of the third floor patio outside the hours of 7:00 a.m. to 7:00 p.m., prohibit amplified music on the third floor patio, require landscaped screening to shield the patio from the residential uses, and limit the use of this patio to employees of the third floor tenant space. Recommended conditions for the ground floor patio include prohibiting the use of the ground floor patio outside the hours of 9:00 a.m. to 9:00 p.m., and prohibiting amplified music on the patio.

Traffic and Circulation

The project site is located on the southern side of Olympic Boulevard between South Palm Drive and South Maple Drive. South Palm Drive is an unstriped two-lane street with four metered spaces located on the west side of the street south of Olympic Boulevard. The remaining parking on South Palm Drive is two-hour parking except for those with residential permits. South Maple Drive is also an unstriped two-lane street. South Maple Drive has four metered parking spaces located on the block south of Olympic Boulevard. The remaining parking on South Maple Drive is two-hour parking except for those with residential permits.

The proposed project changes the use and adds floor area to the project site, which is currently a surface parking lot. A traffic impact analysis was conducted as part of the environmental review of the proposal and the analysis found that there would not be significant impacts to the surrounding neighborhood. Based on the increase in office and retail square footage, the project is expected to generate a total of 698 daily trips. While this would be a substantial increase in trips compared to the existing use on the site, the number of trips would not exceed the thresholds for significant impacts as defined by the City. The draft resolution includes several proposed project conditions to address alley safety given the increased number of trips in the alley that will result from the project. Below are the results of the trip generation study conducted for the proposed project:

Project Trip Generation

Land Use	Size	Unit	Average Daily Traffic		A.M. Peak Hour		P.M. Peak Hour	
			Trip Ends Rate	Trip Ends	Trip Ends Rate	Trip Ends	Trip Ends Rate	Trip Ends
Existing Land Use								
Car Storage/Rental	12.0	KGSF*	0.00	0	0.00	0	0.00	0
Proposed Land Use								
General Office	15.843	KGSF	20.4	323	2.72	43	6.06	96
Specialty Retail Center	7.879	KGSF	47.56	375	6.35	50	5.13	41
Net New Trips				***698***		***93***		***137***

Source: Traffic and Parking Study, Appendix A

**KGSF = thousand gross square feet*

During construction, the project is expected to produce approximately 1,100 round-trip truck trips with the use of 20 yard trucks or 2,200 round-trip truck trips with the use of 10 yard trucks for excavation. Construction truck trips would occur on Olympic Boulevard, a City-approved heavy haul route, and these trips would comply with the City's heavy haul regulations. Due to the temporary nature of construction, these trips are not expected to result in any negative effects on traffic and circulation beyond the construction period of approximately 18 months. Based on the environmental analysis of the project, it is not anticipated that project construction would cause significant traffic impacts. A proposed condition included in the draft resolution requires the applicant to submit a Construction Management Plan to the City for review and approval prior to the issuance of a building permit. This Plan must include information about construction parking arrangements and hauling activities, information about the number of works and schedules for construction, information about construction staging. Further, staff recommends conditions that will require a posted sign on the construction fence with the name and contact information for the general contractor and construction supervisor and prohibition on the parking of construction vehicles in the alley.

Streetscape & Urban Design

The proposed building would replace an existing surface parking lot. The three-story building would have a zero-lot-line setback on Olympic Boulevard, which would contribute to activating the pedestrian experience along this portion of Olympic Boulevard. The façade of the building includes modulation of a majority of the third floor away from Olympic Boulevard to create a deck that reduces the perceived bulk and mass of the building from the public right of way. This feature has been added by the applicant team after the previous discussion on the project in April. Further, the building is designed with pedestrian oriented uses such as restaurant and retail space at the ground floor to further enhances this portion of Olympic Boulevard. Providing

the driveway to the underground parking at the rear of the building reduces potential conflicts between pedestrians and vehicles along Olympic Boulevard.

Orienting the building toward the front of the property along Olympic Boulevard allows for the provision of setbacks from the multi-family properties to the rear of the project site. A minimum 46'6" setback from the nearest multi-family building is provided. The setbacks at the rear of the building have been reduced from the previously reviewed design; however the provided setbacks are still quite substantial and minimize potential impacts to the multi-family properties to the rear of the building.

The applicant team presented the project to the Architectural Commission on April 15, 2015 for a preview. The project was well received by the Architectural Commission. While the Architectural Commission reviewed the previously proposed project that was before the Planning Commission on April 28, 2016, many of the elements remain in the currently proposed revised project. Further, the project is required to return to the Architectural Commission for formal review prior to obtaining building permits.

General Plan Consistency
The General Plan includes numerous goals and policies intended to help guide development in the City. Some policies relevant to the Planning Commission's review of the project include:

- Policy LU 2.1 City Places: Neighborhoods, Districts, and Corridors. Maintain and enhance the character, distribution, built form, scale, and aesthetic qualities of the City's distinctive residential neighborhoods, business districts, corridors, and open spaces.

- Policy LU 2.4 Architectural and Site Design. Require that new construction and renovation of existing buildings and properties exhibit a high level of excellence in site planning, architectural design, building materials, use of sustainable design and construction practices, landscaping, and amenities that contribute to the City's distinctive image and complement existing development.

- Policy LU 9.1 Uses for Diverse Customers. Accommodate retail, office, entertainment, dining, hotel, and visitor serving uses that support the needs of local residents, attract customers from the region, and provide a quality experience for national and international tourists.

- Policy LU 10.1 Local-Serving Businesses. Promote appropriate development of businesses that serve, are located in proximity to, and are accessible to adjoining residential neighborhoods, such as grocery stores, dry cleaners, and personal care businesses.

CONCLUSION
The proposed Conditional use Permit would allow development of a three story building containing office and retail/restaurant uses. The proposed Minor Accommodation would allow for reasonable access to an on-site loading area for the proposed building at the rear of the site. The proposed project would meet the standards and goals set forth in the Municipal Code and General Plan. For these reasons, staff recommends approval of the proposed Conditional Use

Permit and Minor Accommodation.

NEXT STEPS

It is recommended that the Planning Commission conduct the public hearing and adopt the attached resolution approving the requested Conditional Use Permit and Minor Accommodation.

Alternatively, the Planning Commission may consider the following actions:

1. Deny the project, or portions of the project, based on specific findings.
2. Direct staff or applicant as appropriate and continue the hearing to a date (un)certain, consistent with permit processing timelines.

Report Reviewed By:

Ryan Gohlich, AICP, Assistant Director of
Community Development / City Planner

Attachment A

Required Findings

Conditional Use Permit Finding:

The additional height and density would not be detrimental to the adjacent property or to the public welfare.

Minor Accommodation Finding:

The increased size of the opening will not have a substantial adverse impact on traffic safety, noise, the scale and massing of the streetscape, or garden quality of the City.

Attachment B

Draft Resolution

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BEVERLY HILLS CONDITIONALLY APPROVING A CONDITIONAL USE PERMIT AND MINOR ACCOMMODATION TO ALLOW THE CONSTRUCTION OF AN APPROXIMATELY 22,045 SQUARE FOOT COMMERCIAL BUILDING ON THE PROPERTY LOCATED AT 9206-9212 OLYMPIC BOULEVARD.

The Planning Commission of the City of Beverly Hills hereby finds, resolves, and determines as follows:

Section 1. EHI-9222, LLC, applicant and property owner (the "Applicant"), has submitted an application for a Conditional Use Permit to allow a floor area ratio of 1.84 to 1 and a height of 35' (3 stories) in a C-3T-2 zone, and a Minor Accommodation to allow a deviation in the openings of the perimeter wall located to the rear of the property, both of which are associated with the construction of a new commercial building on the property located at 9206-9212 Olympic Boulevard (the "Project"). The entitlements required to approve the Project may be approved by the Planning Commission if specific findings can be made in support of the Project.

Section 2. The Project site is located on the south side of Olympic Boulevard, between South Palm Drive and South Maple Drive. The Project site measures 100' by 120' and is made up of two individual parcels of land, each measuring 50' by 120'. The Project site totals 12,000 square feet in area and is immediately bordered by low-rise commercial buildings across Olympic Boulevard to the north, two- and three-story multi-family properties across at 15-foot alley to the south, a two-story commercial building to the east, and a commercial property

improved with a small one-story structure to the west. Development on this portion Olympic Boulevard is characterized by one- and two-story commercial buildings and small multi-tenant shopping centers.

The Project involves construction of a new 3-story commercial building totaling 22,045 square-feet. The Project will have three retail/restaurant spaces at the ground floor and two levels of general office space above the ground floor. The first level will contain approximately 6,917 square feet of retail space and/or restaurant space with a maximum of 1,000 square feet of bar and dining area, the second level of development will consist of approximately 8,121 square feet of general office space, and the third level of development will consist of approximately 7,007 square feet of general office space. The Project will be a 35' tall, 3-story building with an additional 9' clerestory as permitted by the Beverly Hills Municipal Code.

As proposed, the Project requires 63 parking spaces, and the applicant has provided 76 full-size (9' x 19') parking spaces in three subterranean levels. A new driveway from the existing alley at the rear of the site will provide access to the proposed underground on-site parking. A proposed 60' long loading zone would be located perpendicular to the alley at the rear of the site. The loading zone would be accessible via two 15' wide openings in the proposed three-foot tall wall separating the property from the alley to the rear of the property. Pedestrian access to the building would occur from Olympic Boulevard through the building's front entrance.

Section 3. The request to construct a new office building results in the need for specific entitlements as follows:

1. Conditional Use Permit. A Conditional Use Permit is required for

the construction of a structure that exceeds two stories or 35' in height and/or has a floor area ratio greater than 1.33 to one in the C-3T-2 zone. The Project includes the construction of a structure that is three stories and 35' in height and has a floor area ratio of 1.84 to one.

2. Minor Accommodation. A Minor Accommodation is required in order to accommodate additional openings in the required masonry wall located on the rear property line adjacent to the alley. The maximum opening allowed is 25 linear feet per parcel. With the Minor Accommodation the Applicant may request 30 linear feet of opening per parcel. The Project proposes a total of 52 linear feet of opening spread across the two existing parcels.

Section 4. The Project has been environmentally reviewed pursuant to the California Environmental Quality Act (Public Resources Code Sections 21000, *et seq.* ("CEQA"), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000, *et seq.*), and the environmental regulations of the City. Projects characterized as in-fill development that meet certain criteria are categorically exempt from CEQA pursuant to Section 15332 of the State CEQA Guidelines. A Class 32 Exemption Report was prepared for the Project, and the project meets all five of the following criteria set forth in Section 15332 of the State CEQA Guidelines for in-fill development projects:

a.) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

b.) The proposed development occurs within city limits on a project site of no

more than five acres substantially surrounded by urban uses.

c.) The project site has no value as habitat for endangered, rare, or threatened species.

d.) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

e.) The site can be adequately served by all required utilities and public services.

Therefore, the Planning Commission hereby finds that the project is exempt from further environmental review under CEQA.

Section 5. Notice of the Project and public hearing was mailed on April 15, 2016, to all property owners and residential occupants within a 500-foot radius plus block-face of the property. Additionally, notices were also published in the City's two newspapers, the *Beverly Hills Courier* and *Beverly Hills Weekly,* on April 15, 2016 and April 21, 2016, respectively. An on-site posted notice was displayed on the property beginning on April 15, 2016. On April 28, 2016, the Planning Commission considered the application at a duly noticed public hearing and continued the item to the June 9, 2016 regularly scheduled Planning Commission meeting. On June 9, 2016 the Planning Commission continued the item to the June 23, 2016 regularly scheduled Planning Commission meeting. On June 23, 2016 the Planning Commission considered the application. Evidence, both written and oral, was presented at the meetings.

Section 6. In reviewing the request for a Conditional Use Permit, the Planning Commission considered whether it could make the following findings in support of the Project:

1. The additional height and density would not be detrimental to adjacent property or to the public welfare.

Section 7. Based on the foregoing, the Planning Commission hereby finds and determines as follows with respect to the Conditional Use Permit:

1. As conditioned, the proposed project would not be detrimental to adjacent property or to the public welfare. The project is designed to meet the conditions set forth in Beverly Hills Municipal Code §10-3-1632 that commercial projects must adhere to in order to request a Conditional Use Permit for additional height and density in the C-3T-2 zone. These conditions include:

a. An additional setback shall be required from the rear property line; provided, further, such additional setback shall not exceed thirty three percent (33%) of the lot depth for any portion of the structure below two (2) stories and shall not exceed fifty percent (50%) of the lot depth for the third story.

b. The design of the facade and the structure facing residential uses shall be harmonious with the adjacent residential character in architectural style, color, and material.

c. Landscaping or other parklike amenities shall be required within the rear setback in conjunction with the design for loading, parking, trash removal, and access to and from the site.

d. Appropriate restrictions shall be imposed upon the use of the structure, including the hours of operation, additional parking, and

parking restrictions in order to assure adequate on-site parking and to limit the types of uses creating problems of noise, odor, or glare.

e. The intensity of use shall not exceed either sixteen (16) vehicle trips per hour, or two hundred (200) vehicle trips per day for each one thousand (1,000) gross square feet of floor area for uses as specified in the most recent edition of the Institute of Traffic Engineers' publication entitled "Trip Generation", and if the use is not specified in such publication, the vehicle traffic generation for the proposed use shall be designated by the director of transportation.

2. The proposed project meets the above required conditions, which are meant to ensure the compatibility of the building with the surrounding neighborhood. The Project includes setbacks on the second and third floors in order to provide additional privacy, and light and air to the existing multi-family properties across the alley to the south of the project site. This also provides additional space to provide planting materials between the proposed building and the alley between the building and the residential uses, which will further enhance privacy and soften the look of the building from the alley. The Project is designed to enhance the neighborhood and the style of the building complements the existing development in the area. Further, the provision of underground parking with alley access both contributes to a positive pedestrian experience along Olympic Boulevard by reducing potential conflicts between

pedestrians and vehicles, as well as increases opportunities for street parking located in front of the project site by eliminating a pre-existing curb cut. Landscaping and other park-like amenities are provided toward the rear of the Project facing the residential buildings to shield the loading area and electrical transformer from view of the adjacent residential uses. Restrictions have been placed on the Project in the form of conditions of approval to ensure that the use will be compatible with the neighborhood. These conditions include restrictions on loading times and frequency, time restrictions on the use of outdoor areas of the Project, and various conditions to ensure the improvement of the alley and safe use of the loading zone and alley by visitors to the building. A traffic study was conducted for the project and the projected number of daily trips falls below the sixteen (16) vehicle trips per hour, or two hundred (200) vehicle trips per day for each one thousand (1,000) gross square feet of floor area as required by the Beverly Hills Municipal Code. Therefore, construction of the project will not be detrimental to the adjacent property or the public welfare.

Section 8. In reviewing the request for a Minor Accommodation, the Planning Commission considered whether it could make the following findings in support of the Project:

1. The increased size of the opening will not have a substantial adverse impact on traffic safety, noise, the scale and massing of the streetscape, or garden quality of the City.

Section 9. Based on the foregoing, the Planning Commission hereby finds and determines as follows with respect to the Minor Accommodation:

1. As conditioned, the increased size of the opening in the perimeter wall abutting the alley will not have a substantial adverse impact on traffic safety, noise, the scale and massing of the streetscape, or garden quality of the City. The additional openings in the masonry wall to the rear of the property will provide a loading zone that allows trucks to safely maneuver into the loading zone from the 17.5' wide alley. Further, allowing additional openings in the wall provides for the ability to separate the access for the parking garage from the access to the loading zone, which will increase vehicular safety. The scale and massing of the streetscape will not be negatively impacted by the proposed openings in the rear wall of the building, and the Project includes landscaped areas that screen the loading zone and building from view of the adjacent residential properties to ensure that the garden quality of the City is not compromised.

Section 10. Based on the foregoing, the Planning Commission hereby grants the requested Conditional Use Permit and Minor Accommodation, subject to the following conditions:

1. The Planning Commission hereby approves a floor area ratio of 1.84 to one, a height of three stories and 35' (excluding an up to 9' clerestory), and a total of 52 linear feet of openings in the required 3-foot tall masonry wall located on the rear property line. The openings are approved to consist of one 22' opening to the subterranean garage, and two 15' openings to the loading zone.

2. Prior to the issuance of any building permits, the two parcels associated with the development of the Project shall be legally tied to form one parcel. The lot-tie covenant is subject to review and approval by the City Attorney and shall be recorded with the Los Angeles County Assessor's Office.

3. The Project shall be subject to review and approval by the Architectural Commission.

4. After completion of architectural review, and prior to issuance of the certificate of occupancy, the Applicant is required to comply with the Public Art Ordinance. An application is required to be submitted to the Fine Art Commission for review and approval of any proposed art piece or, as an alternative, the Applicant may choose to pay an in-lieu art fee.

5. To prevent potential noise impacts to neighboring residents, use of the third-floor deck area shall be limited to the hours of 7:00 a.m. to 7:00 p.m. daily, and signage indicating such restrictions shall be installed on the deck.

6. Amplified music shall be prohibited on the third-floor deck area.

7. The third-floor deck area shall be used exclusively by employees of the building.

8. Landscape screening, subject to review and approval by the Director of Community Development, shall be provided at the rear of the third-floor deck, facing the multi-family properties across the alley.

9. To prevent potential noise impacts to neighboring residents, use of the ground floor patio area shall be limited to the hours of 9:00 a.m. to 9:00 p.m. daily.

10. Amplified music shall be prohibited on the ground-floor patio area.

11. Unless otherwise authorized by the Planning Commission, the total square footage of all bar and dining areas (excluding back-of-house operations) on the Project site shall be less than 1,000 square feet.

12. The Project shall operate at all times in a manner not detrimental to surrounding properties or residents by reason of lights, noise, activities, parking, or other actions.

13. The Project shall operate at all times in compliance with Municipal Code requirements for Noise Regulation.

14. Employees shall be provided with free parking and retail and/or restaurant patrons shall be provided with two-hour validated parking.

15. Signs shall be placed in appropriate locations to direct building parking and deliveries to the alley.

16. To ensure visibility for egress traffic, a silent visual alarm device shall be installed at the exit ramp by the alley. This device shall light up when a vehicle is leaving the garage, alerting the oncoming traffic in the alley. The device shall be adequately shielded as to not disturb the residential units in the multi-family buildings across the alley from the project. Parabolic mirrors shall be placed at the intersection of the east-west alley and the north-south alley at the rear of the Project site.

17. All deliveries shall be made to the property between 10 a.m. and 4:00 p.m. to avoid peak traffic on the adjacent alleys.

18. The loading zone shall be a minimum of 60' by 12' with two 15' openings per the approved plans. Trucks shall be instructed to approach the site from eastbound Olympic Boulevard, turn right (southbound) onto Palm Drive, and continue in a clockwise direction, exiting the alley onto Maple Drive after completing loading activities in the designated loading area.

19. The loading zone shall have clear signage prohibiting parking by any vehicle other than a delivery vehicle at the time it is making a delivery.

20. The Applicant shall provide improved illumination in the alley. The illumination must be appropriately shielded from the adjacent multi-family buildings. Any illumination shall be subject to review by the City.

21. A clear and identifiable street address shall be placed in a visible location.

22. Two and a half feet (2.5') for public use at the southern side of the property shall be dedicated to the City of Beverly Hills to widen the alley according to the Street Master Plan adopted by the City Council.

23. The pavement and center drainage gutter in the alley at the rear of the property shall be removed and replaced according to the City standards, and the full cost of such work shall be paid for by the Applicant.

24. Sidewalk, and curb and gutter fronting the site on Olympic Boulevard shall be removed and replaced (according to City standards), and the full cost of such work shall be paid for by the Applicant. The existing driveway on Olympic Boulevard shall be removed.

25. The applicant shall work with the City to provide improved lighting and other street amenities to provide safe pedestrian access.

26. A Sewer Area Study may be required based on final approved use and occupancy in order to analyze the existing sewer lines within the City of Beverly Hills which will convey the flow from the subject project. The Applicant shall pay for the sewer system upgrades (if needed) due to the additional proposed sewage generated from this project.

27. In accordance with the requirements set forth in City Council Resolution 71-R-4269, the applicant shall file a formal written request with the Civil Engineering Division for approval of any type of temporary construction encroachment (steel tieback rods, etc.) within the public right-of-way. Shoring plans and elevations prepared by a registered civil engineer must be submitted for review by the Civil Engineering Division. Shoring elements shall not project in to the alleys. An indemnity bond must be submitted and approved by the City Attorney prior to excavation.

28. The Applicant shall protect all existing street trees adjacent to the subject site during construction of the Project. Every effort shall be made to retain mature street trees. No street trees, including those street trees designated on the preliminary plans, shall be removed and/or relocated unless written approval from the Recreation and Parks Department and the City Engineer is first obtained.

29. Removal and/or replacement of any street trees shall not commence until the Applicant has provided the City with an improvement security to ensure the establishment of any relocated or replaced street trees. The security

amount will be determined by the Director of Recreation and Parks, and shall be in a form approved by the City Engineer and the City Attorney.

30. The Applicant shall provide that all roof and/or surface drains discharge to the street. All curb drains installed shall be angled at 45 degrees to the curb face in the direction of the normal street drainage flow. The Applicant shall provide that all groundwater discharges to a storm drain. All ground water discharges must have a permit (NPDES) from the Regional Water Quality Control Board. Connection to a storm drain shall be accomplished in the manner approved by the City Engineer and the Los Angeles County Department of Public Works. No concentrated discharges onto the alley surfaces will be permitted.

31. The Applicant shall provide for all utility facilities, including electrical transformers required for service to the proposed structure(s), to be installed on the subject site. No such installations will be allowed in any City right-of-way.

32. The Applicant shall underground, if necessary, the utilities in adjacent streets and alleys per requirements of the Utility Company and the City.

33. The Applicant shall make connection to the City's sanitary sewer system through the existing connections available to the subject site unless otherwise approved by the City Engineer and shall pay the applicable sewer connection fee.

34. The Applicant shall make connection to the City's water system through the existing water service connection unless otherwise approved by the City Engineer. The size, type, and location of the water service meter installation will also require approval from the City Engineer.

35. The Applicant shall obtain the appropriate permits from Civil Engineering for the placement of construction canopies, fences, etc., for construction of any improvements in the public right-of-way, and for use of the public right-of-way for staging and/or hauling certain equipment and materials related to the Project.

36. The Applicant shall remove and reconstruct any existing improvements in the public right-of-way damaged during any construction operations associated with the Project.

37. Condensation from HVAC and refrigeration equipment shall drain to the sanitary sewer, not curb drains.

38. The Applicant shall submit a Construction Management Plan to the Departments of Building and Safety, Public Works, and Transportation for review and approval prior to issuance of a building permit. The Construction Management Plan shall include, at a minimum the following:

a. Written information about the construction parking arrangements, and hauling activities at different stages of construction to be reviewed and approved by the Engineering Division of Public Works and the Building & Safety Department.

b. Information regarding the anticipated number of workers, the location of parking with respect to schedules of the construction period, the arrangements of deliveries, hauling activities, the length of time of operation, designation of

construction staging area and other pertaining information regarding construction related traffic.

c. The proposed demolition/construction staging for this project to determine the amount, appropriate routes and time of day of heavy hauling truck traffic necessary for demolition, deliveries, etc., to the subject site.

d. A sign shall be posted on the temporary construction fence with the name and contact information of the general contractor and construction supervisor during construction of the Project.

e. No parking of construction vehicles or vehicles related to the construction of the Project in the alley during construction except pursuant to a permit issued by the City.

39. The Project shall be constructed in substantial compliance with the plans and specifications approved by the Planning Commission on June 23, 2016.

40. APPEAL. Decisions of the Planning Commission may be appealed to the City Council within fourteen (14) days of the Planning Commission action by filing a written appeal with the City Clerk. Appeal forms are available in the City Clerk's office. Decisions involving subdivision maps must be appealed within ten (10) days of the Planning Commission Action. An appeal fee is required.

41. RECORDATION. The resolution approving a Conditional Use Permit and Minor Accommodation shall not become effective until the owner of the Project site records a covenant, satisfactory in form and content to the City Attorney,

accepting the conditions of approval set forth in this resolution. The covenant shall include a copy of the resolution as an exhibit. The Applicant shall deliver the executed covenant to the Department of Community Development **within 60 days** of the Planning Commission decision. At the time that the Applicant delivers the covenant to the City, the Applicant shall also provide the City with all fees necessary to record the document with the County Recorder. If the Applicant fails to deliver the executed covenant within the required 60 days, this resolution approving the Project shall be **null and void** and of no further effect. Notwithstanding the foregoing, the Director of Community Development may, upon a request by the Applicant, grant a waiver from the 60-day time limit if, at the time of the request, the Director determines that there have been no substantial changes to any federal, state, or local law that would affect the Project.

42. EXPIRATION. Conditional Use Permit and Minor Accommodation: The exercise of rights granted in such approvals shall be commenced within three (3) years after the adoption of such resolution unless otherwise extended.

43. VIOLATION OF CONDITIONS: A violation of any of these conditions of approval may result in a termination of the entitlements granted herein.

44. This approval is for those plans submitted to the Planning Commission on June 23, 2016, a copy of which shall be maintained in the files of the City Planning Division. Project development shall be consistent with such plans, except as otherwise specified in these conditions of approval.

45. Minor amendments to the plans shall be subject to approval by the Director of Community Development. A significant change to the approved Project shall be subject to Planning Commission Review. Construction shall be in conformance with the plans approved herein or as modified by the Planning Commission or Director of Community Development.

46. Project Plans are subject to compliance with all applicable zoning regulations, except as may be expressly modified herein. Project plans shall be subject to a complete Code Compliance review when building plans are submitted for plan check. Compliance with all applicable Municipal Code and General Plan Policies is required prior to the issuance of a building permit.

47. APPROVAL RUNS WITH LAND. These conditions shall run with the land and shall remain in full force for the duration of the life of the Project.

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Section 11. The Secretary of the Planning Commission shall certify to the passage, approval, and adoption of this resolution, and shall cause this resolution and his/her Certification to be entered in the Book of Resolutions of the Planning Commission of the City.

Adopted: June 23, 2016

Alan Robert Block
Chair of the Planning Commission of the
City of Beverly Hills, California

Attest:

Secretary

Approved as to form:

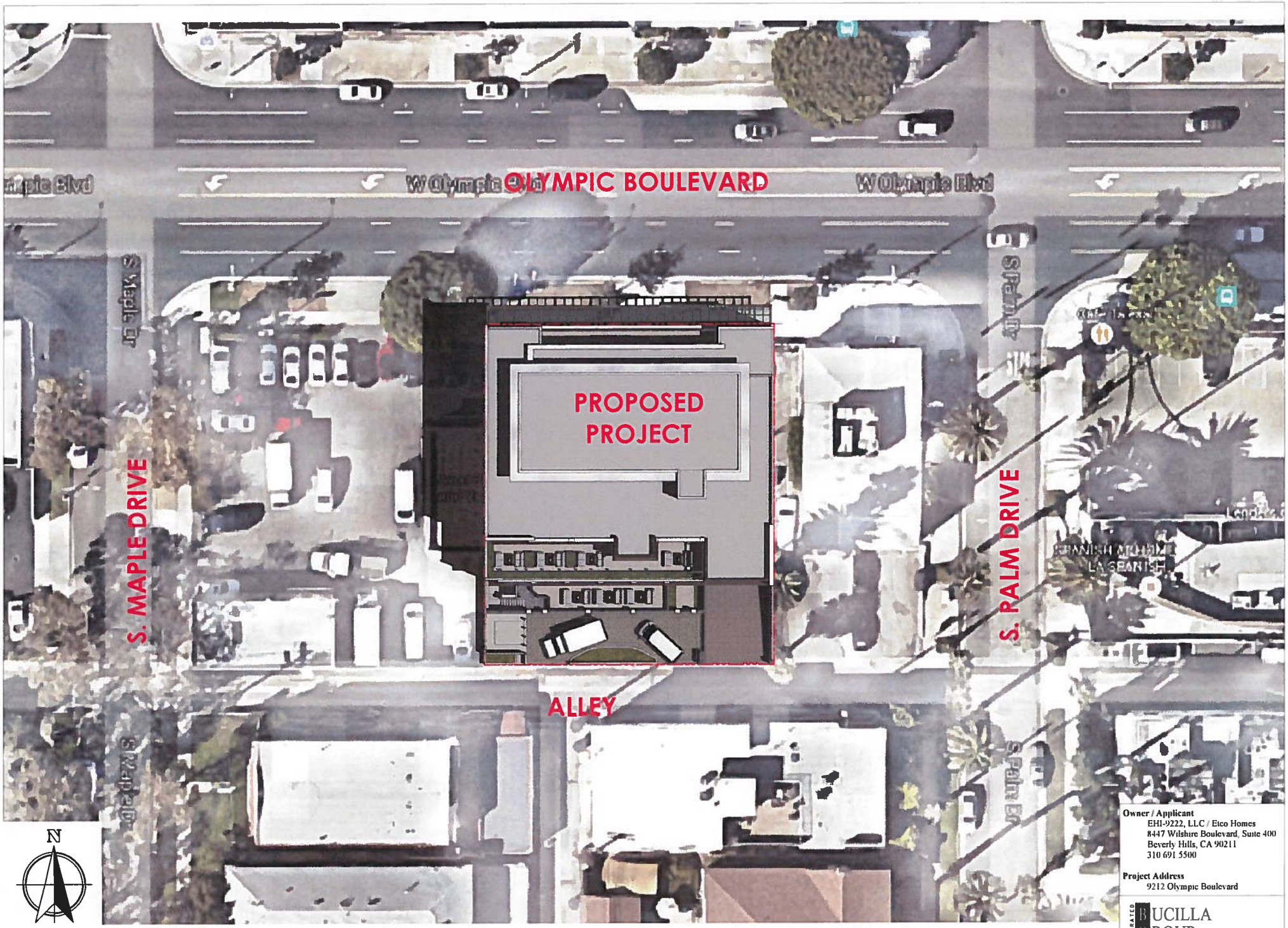
David M. Snow
Assistant City Attorney

Approved as to content:

Ryan Gohlich, AICP
City Planner

Attachment C

Shade and Shadow Study



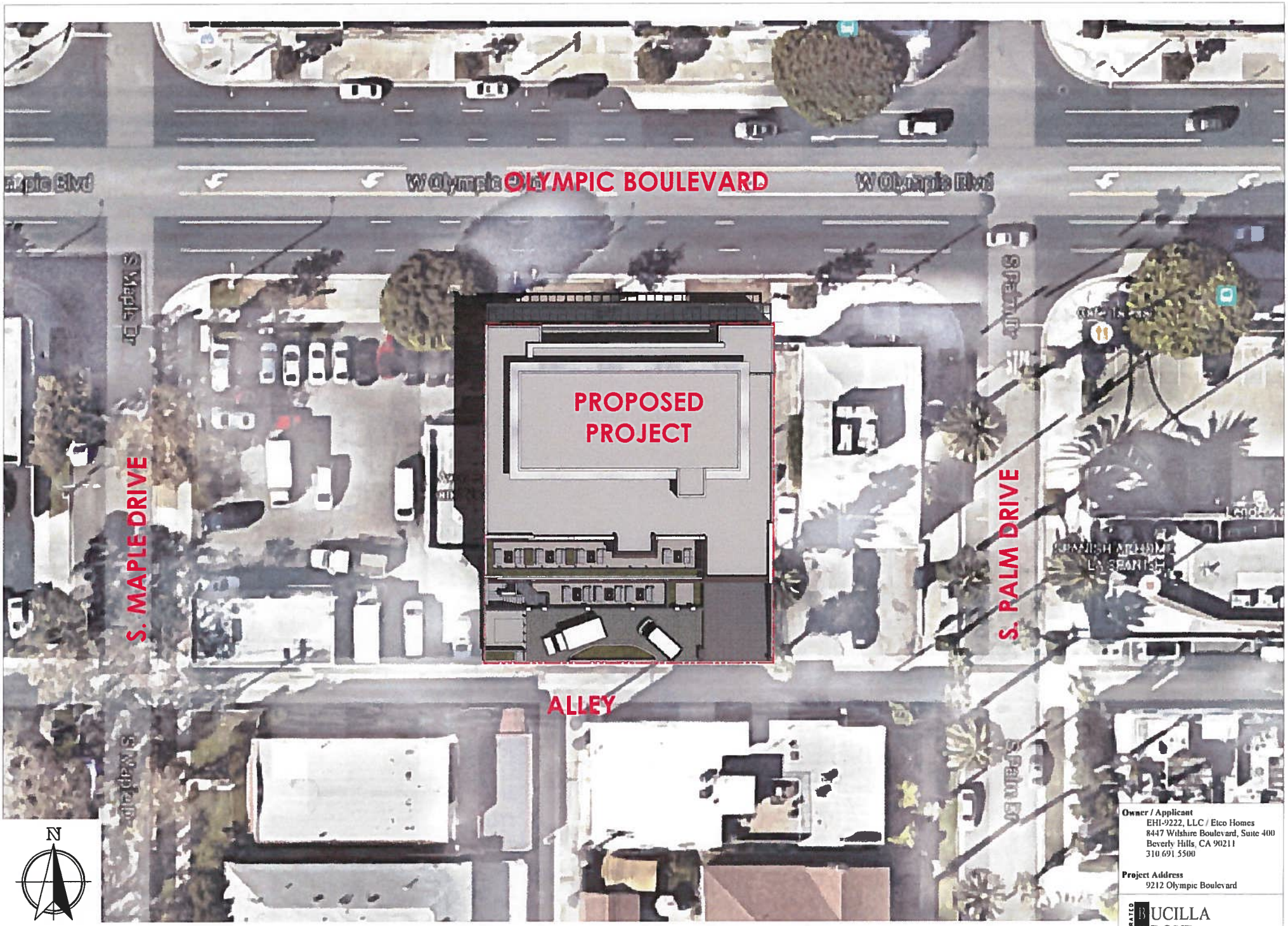
Owner / Applicant
EHI-9222, LLC / Etco Homes
8447 Wilshire Boulevard, Suite 400
Beverly Hills, CA 90211
310 691 5500

Project Address
9212 Olympic Boulevard

BUCILLA GROUP ARCHITECTURE
INCORPORATED
Architecture Planning Interior Design
Historic Preservation LEED Value Engineering

SHADOW STUDY (PROPOSED)

SUMMER SOLSTICE 10:00 AM



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BUCILLA GROUP ARCHITECTURE
INCORPORATED
Architecture Planning Interior design
Historic preservation LEED Value engineering

SHADOW STUDY (PROPOSED)

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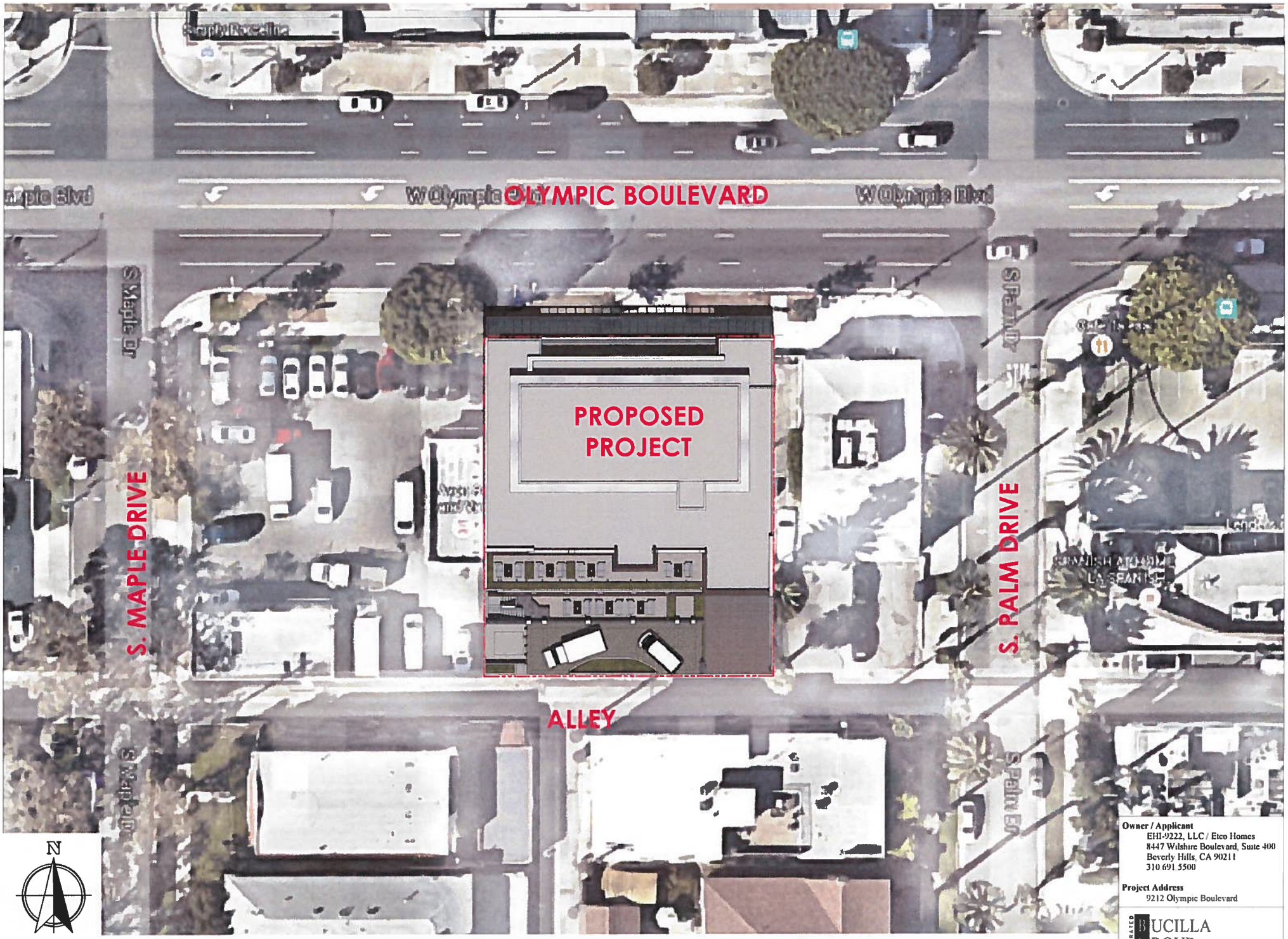

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Beverly Hills, CA 90211
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Project Address
9212 Olympic Boulevard

INCORPORATED
LUCILLA GROUP ARCHITECTURE
Architecture Planning Interior Design
Historic Preservation Leed Value Engineering

SHADOW STUDY (PROPOSED)

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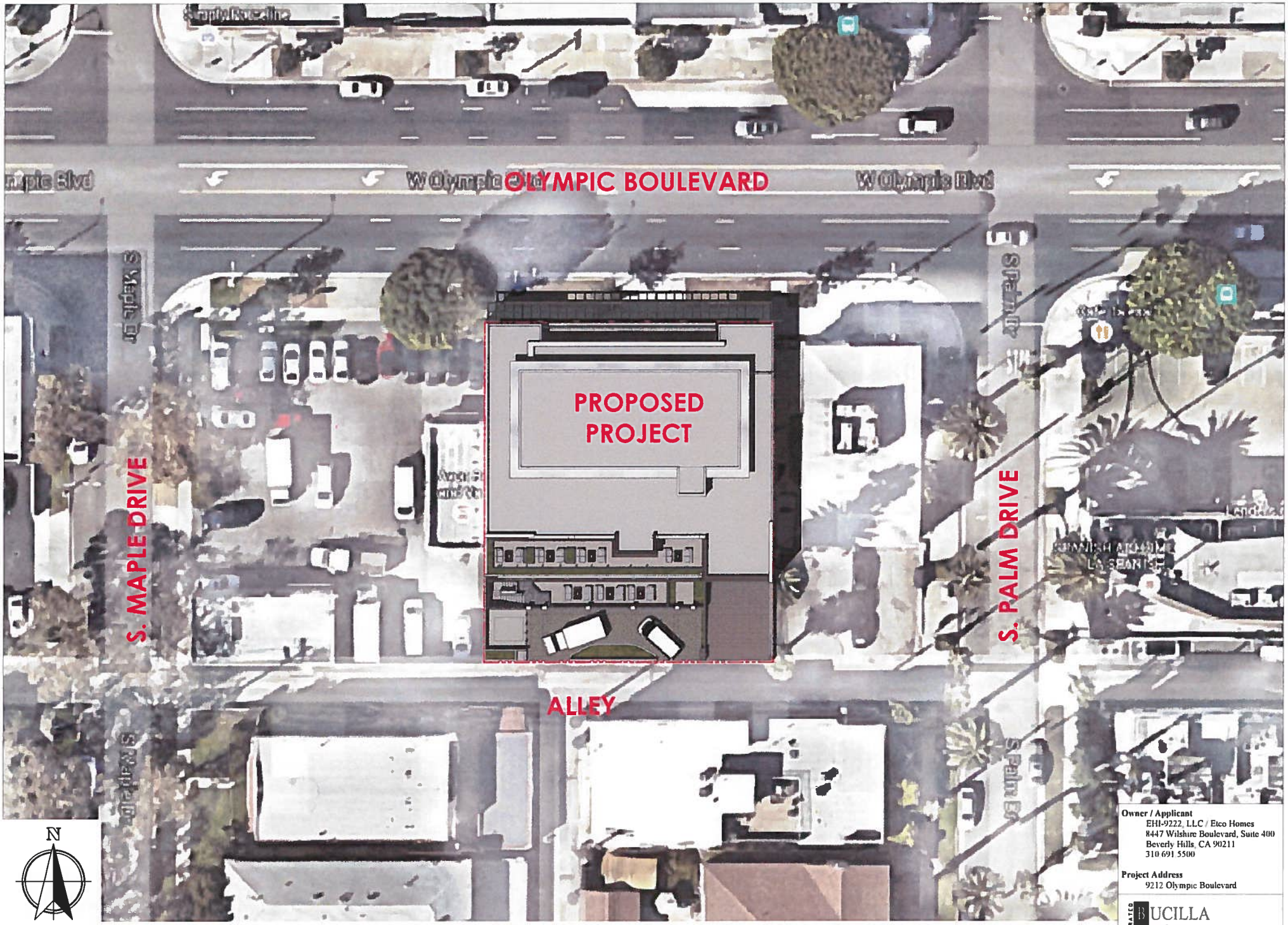
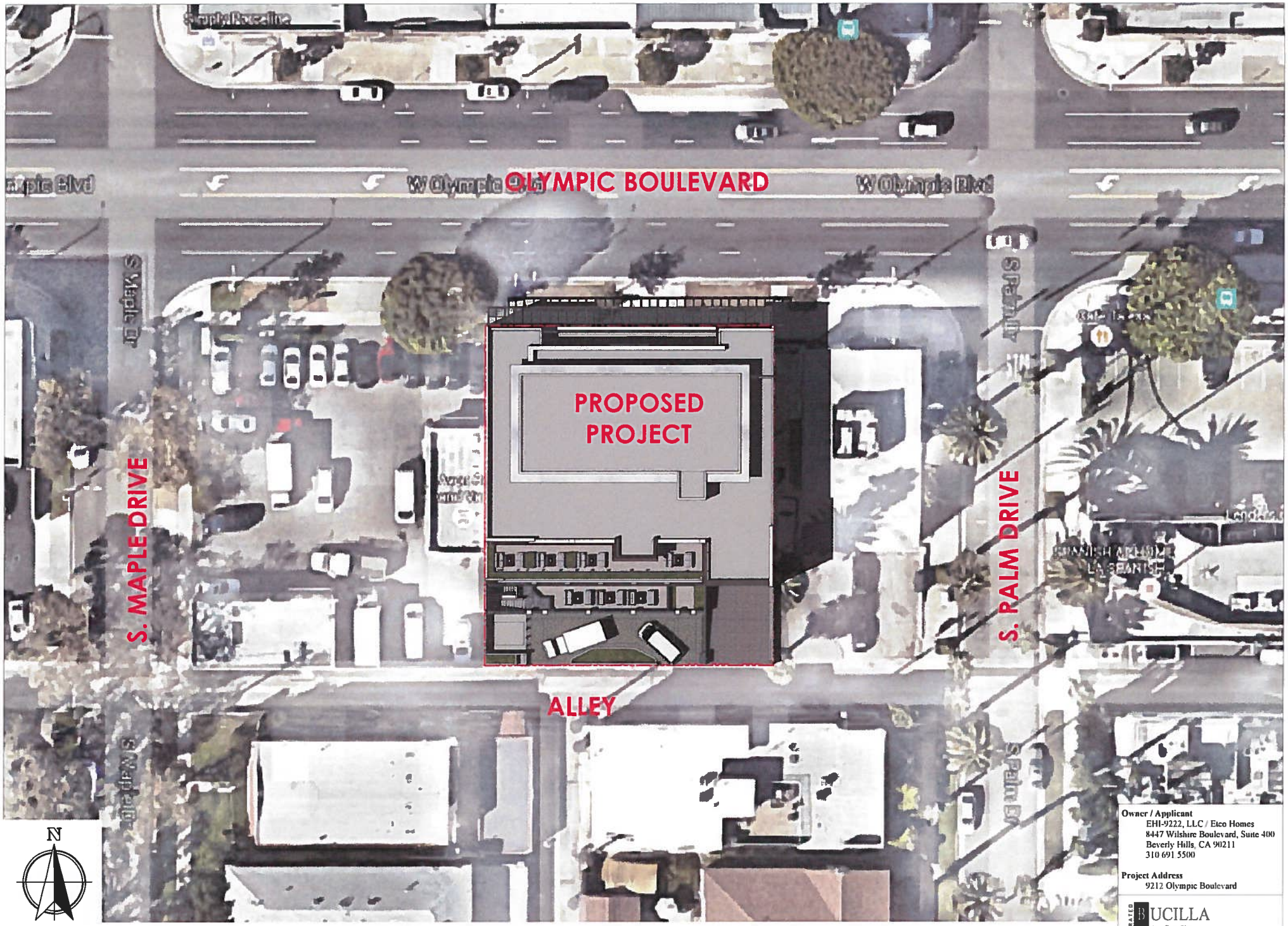


SHADOW STUDY (PROPOSED) **SUMMER SOLSTICE 1:00 PM**

Owner / Applicant
EHI-9222, LLC / Etco Homes
8447 Wilshire Boulevard, Suite 400
Beverly Hills, CA 90211
310 691 5500

Project Address
9212 Olympic Boulevard

INCORPORATED
BUCILLA GROUP ARCHITECTURE
ARCHITECTURE PLANNING INTERIOR DESIGN
HISTORIC PRESERVATION LEED VALUE ENGINEERING



Owner / Applicant
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Beverly Hills, CA 90211
310 691 5500

Project Address
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BUCILLA GROUP ARCHITECTURE INCORPORATED
Architecture Planning Interior design
Historic preservation LEED Value engineering

SHADOW STUDY (PROPOSED)

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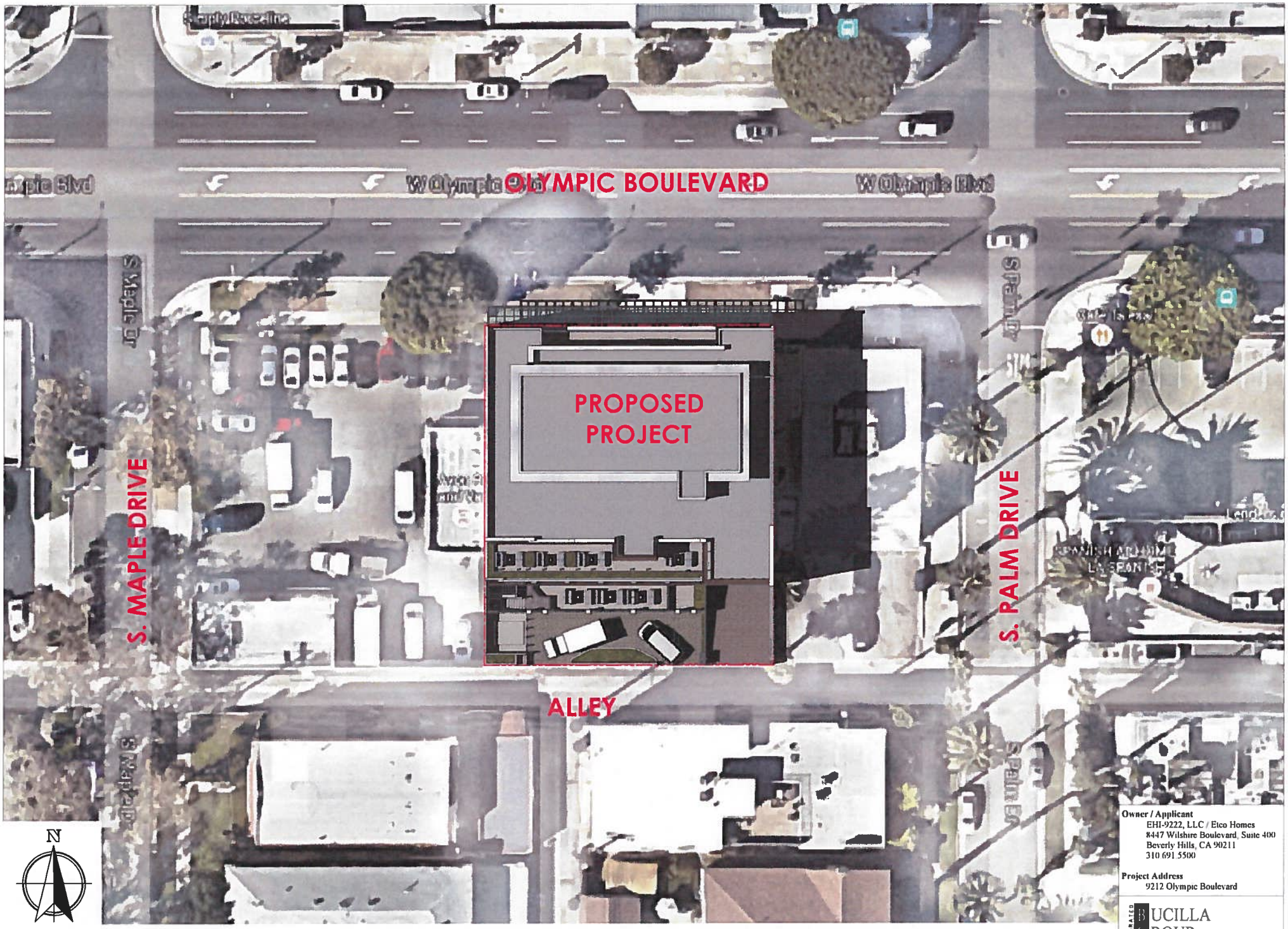

Owner / Applicant
EHI-9222, LLC / Etco Homes
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Beverly Hills, CA 90211
310 691 5500

Project Address
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BUCILLA GROUP ARCHITECTURE
INCORPORATED
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Historic Preservation LEED Value Engineering

SHADOW STUDY (PROPOSED)

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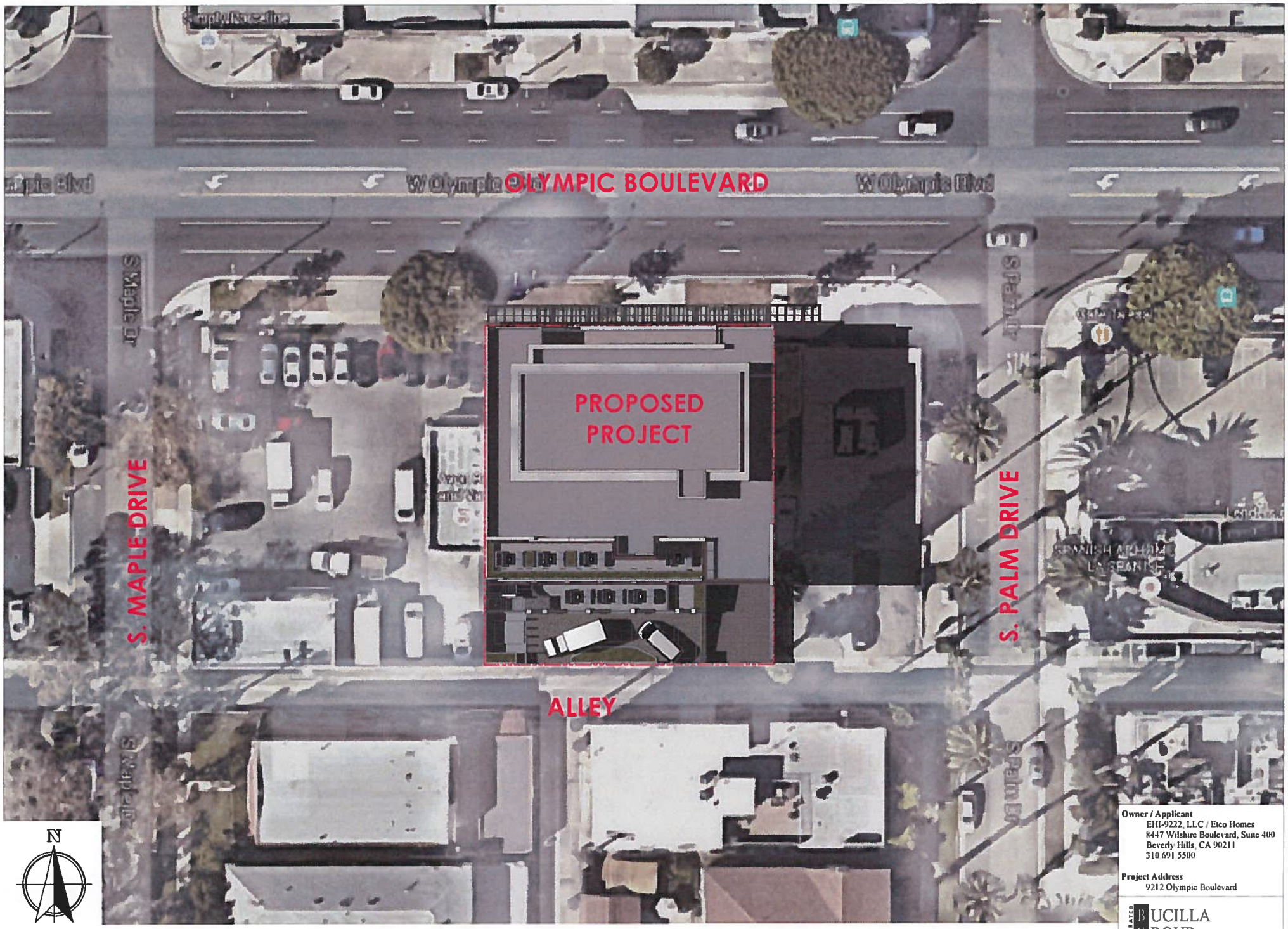

Owner / Applicant
EHI-9222, LLC / Etco Homes
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Beverly Hills, CA 90211
310 691 5500

Project Address
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BUCILLA GROUP ARCHITECTURE
INCORPORATED
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Historic Preservation LEED Value Engineering

SHADOW STUDY (PROPOSED)

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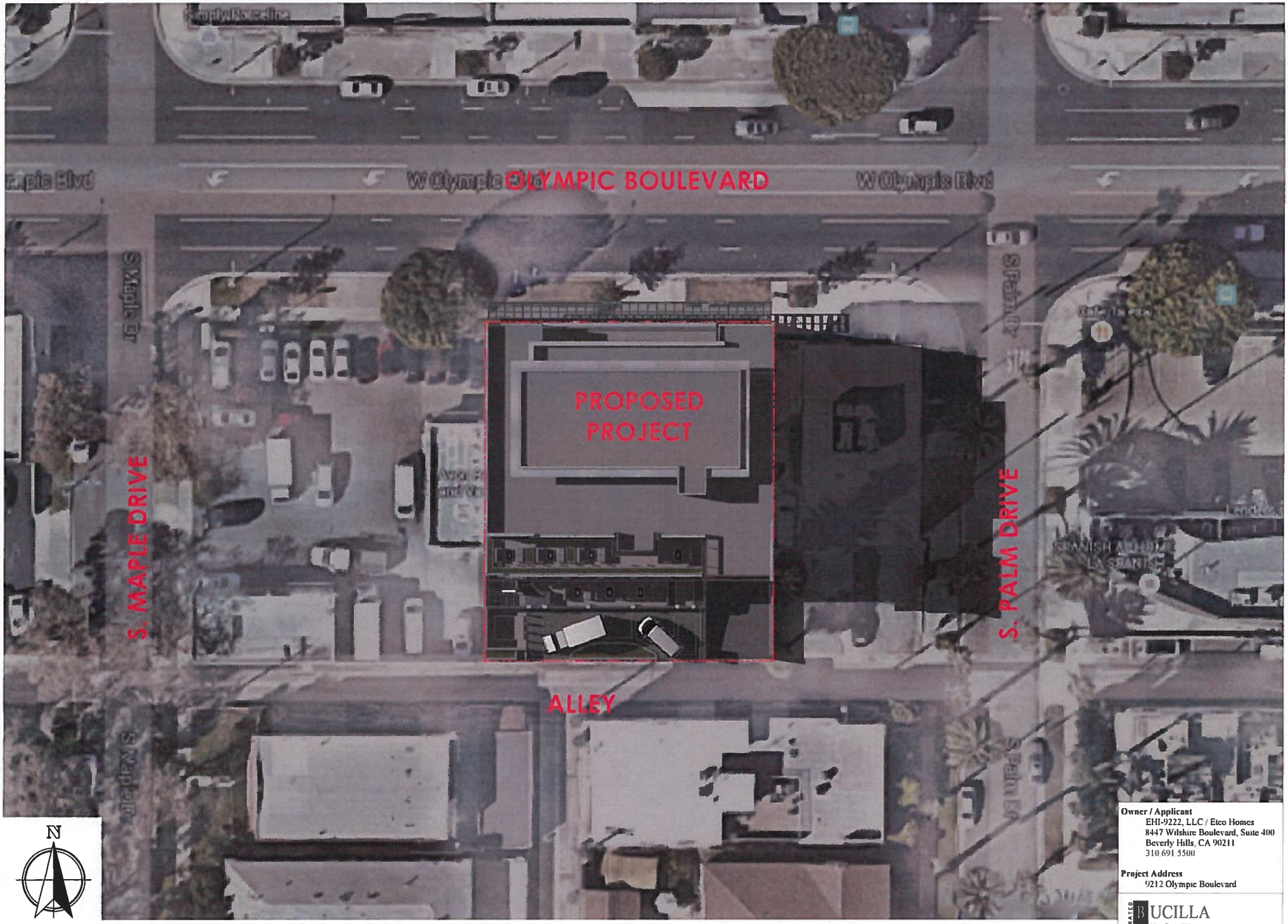

Owner / Applicant
EHI-9222, LLC / Etco Homes
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Beverly Hills, CA 90211
310 691 5500

Project Address
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BUCILLA GROUP ARCHITECTURE
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Historic Preservation LEED Value Engineering

SHADOW STUDY (PROPOSED)

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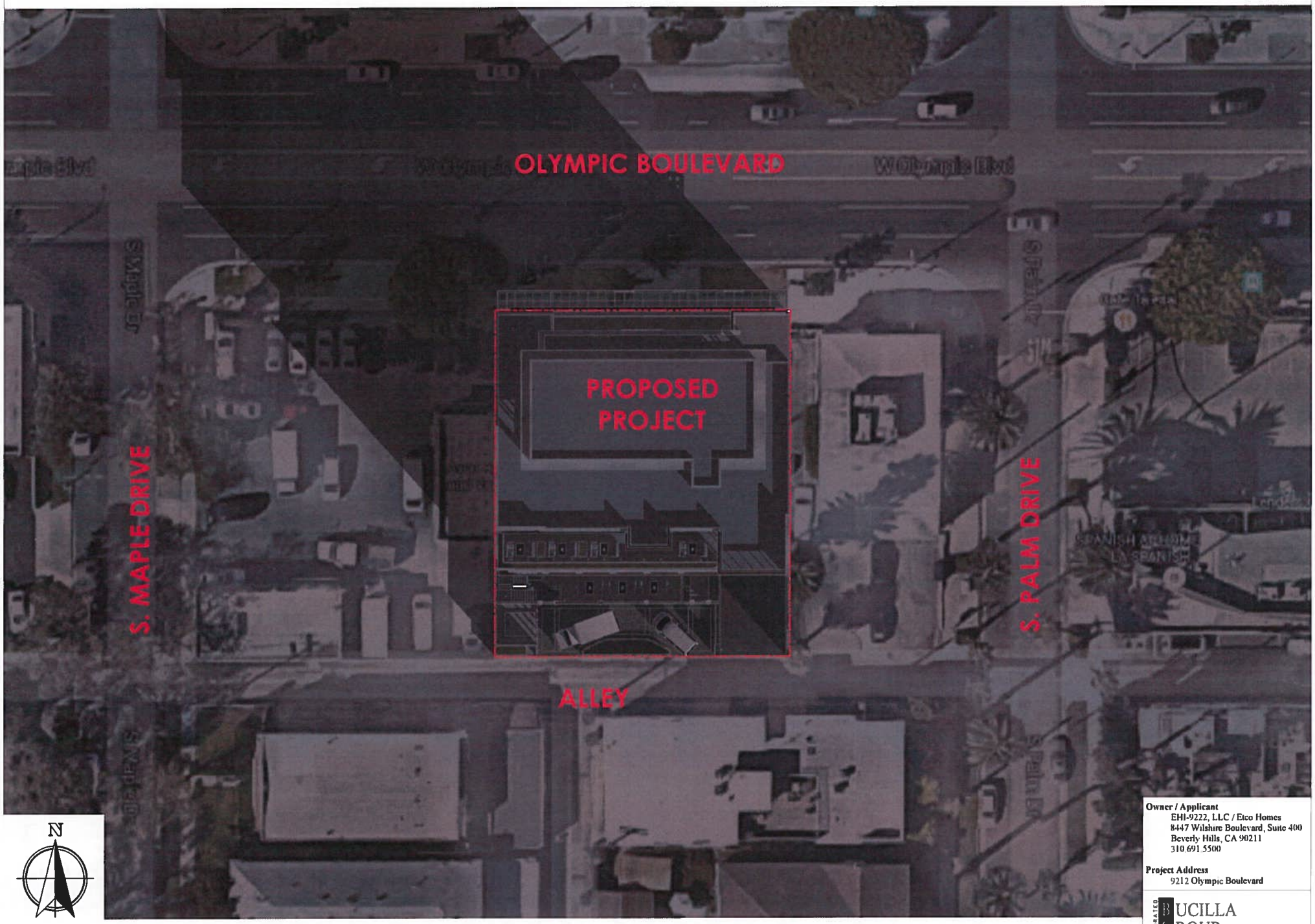
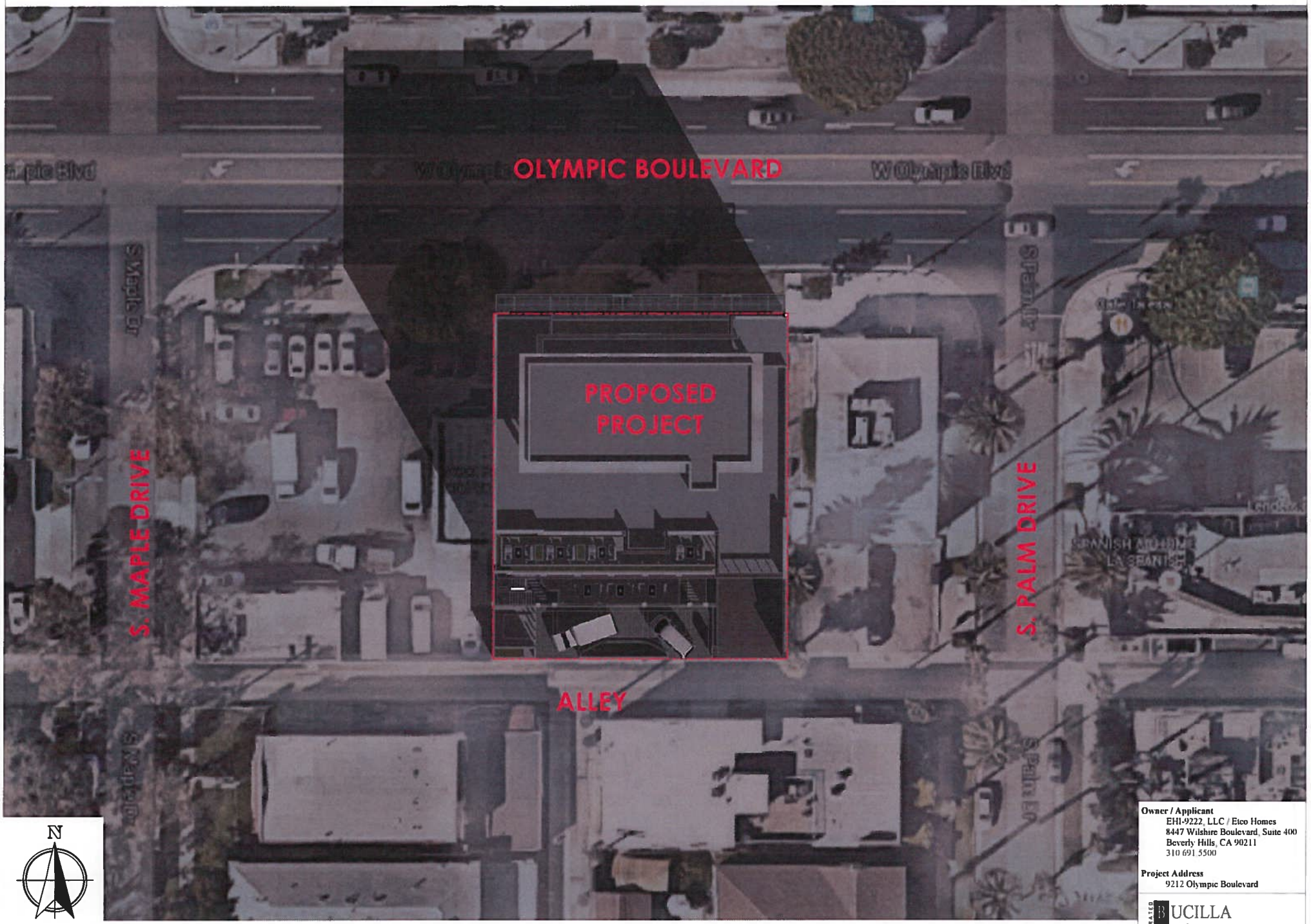


SHADOW STUDY (PROPOSED) **WINTER SOLSTICE** **9:00 AM**

Owner / Applicant
EHI-9222, LLC / Etco Homes
8447 Wilshire Boulevard, Suite 400
Beverly Hills, CA 90211
310.691.5500

Project Address
9212 Olympic Boulevard

BUCILLA GROUP ARCHITECTURE
Architecture Planning Interior Design
Historic Preservation LEED Value Engineering

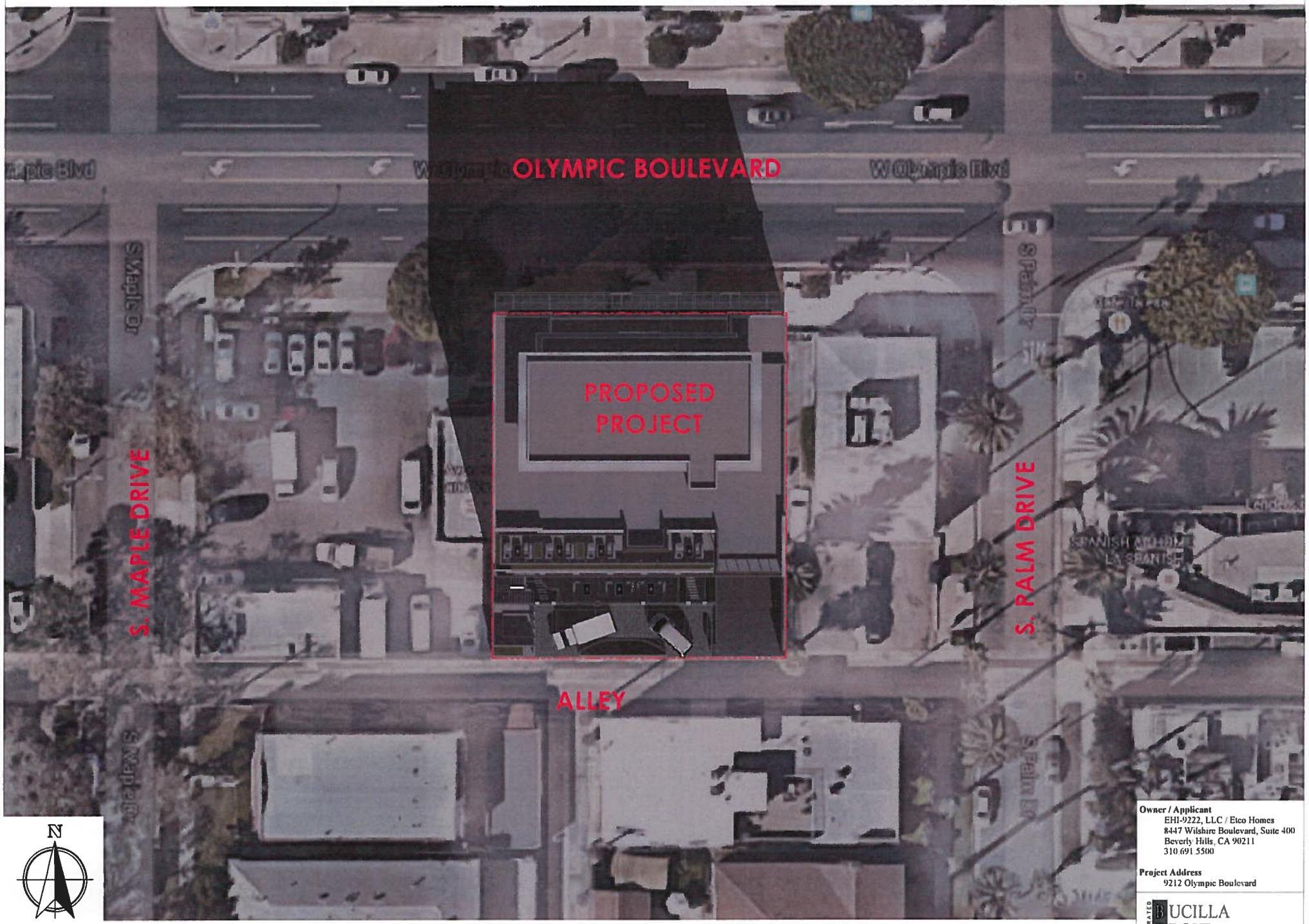


SHADOW STUDY (PROPOSED) **WINTER SOLSTICE** **10:00 AM**

Owner / Applicant
EHI-9222, LLC / Etco Homes
8447 Wilshire Boulevard, Suite 400
Beverly Hills, CA 90211
310 691 5500

Project Address
9212 Olympic Boulevard

BUCILLA GROUP ARCHITECTURE INCORPORATED
Architecture Planning Interior design
Historic preservation LEED Value engineering



Owner / Applicant
EHI-9222, LLC / Etco Homes
8447 Wilshire Boulevard, Suite 400
Beverly Hills, CA 90211
310.691.5500

Project Address
9212 Olympic Boulevard

BUCILLA GROUP ARCHITECTURE
INCORPORATED
Architecture Planning Interior design
Historic preservation LEED Value engineering

SHADOW STUDY (PROPOSED)

WINTER SOLSTICE **11:00 AM**

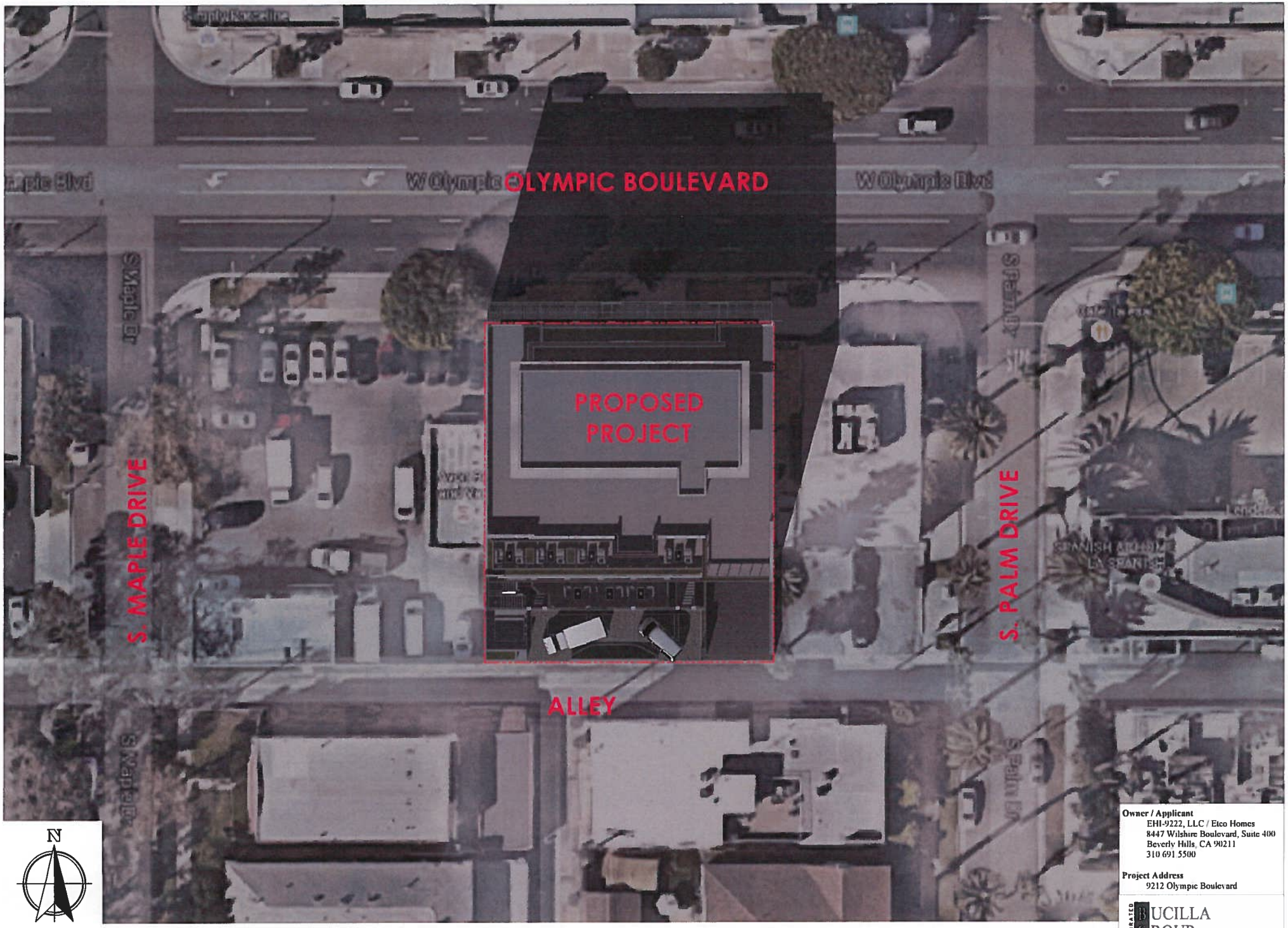
Owner / Applicant
EHI-9222, LLC / Etco Homes
8447 Wilshire Boulevard, Suite 400
Beverly Hills, CA 90211
310 691 5500

Project Address
9212 Olympic Boulevard

BUCILLA GROUP ARCHITECTURE INCORPORATED
Architecture Planning Interior Design
Historic Preservation Leed Value Engineering

SHADOW STUDY (PROPOSED)

WINTER SOLSTICE **12:00 PM**



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9212 Olympic Boulevard

BUCILLA GROUP ARCHITECTURE
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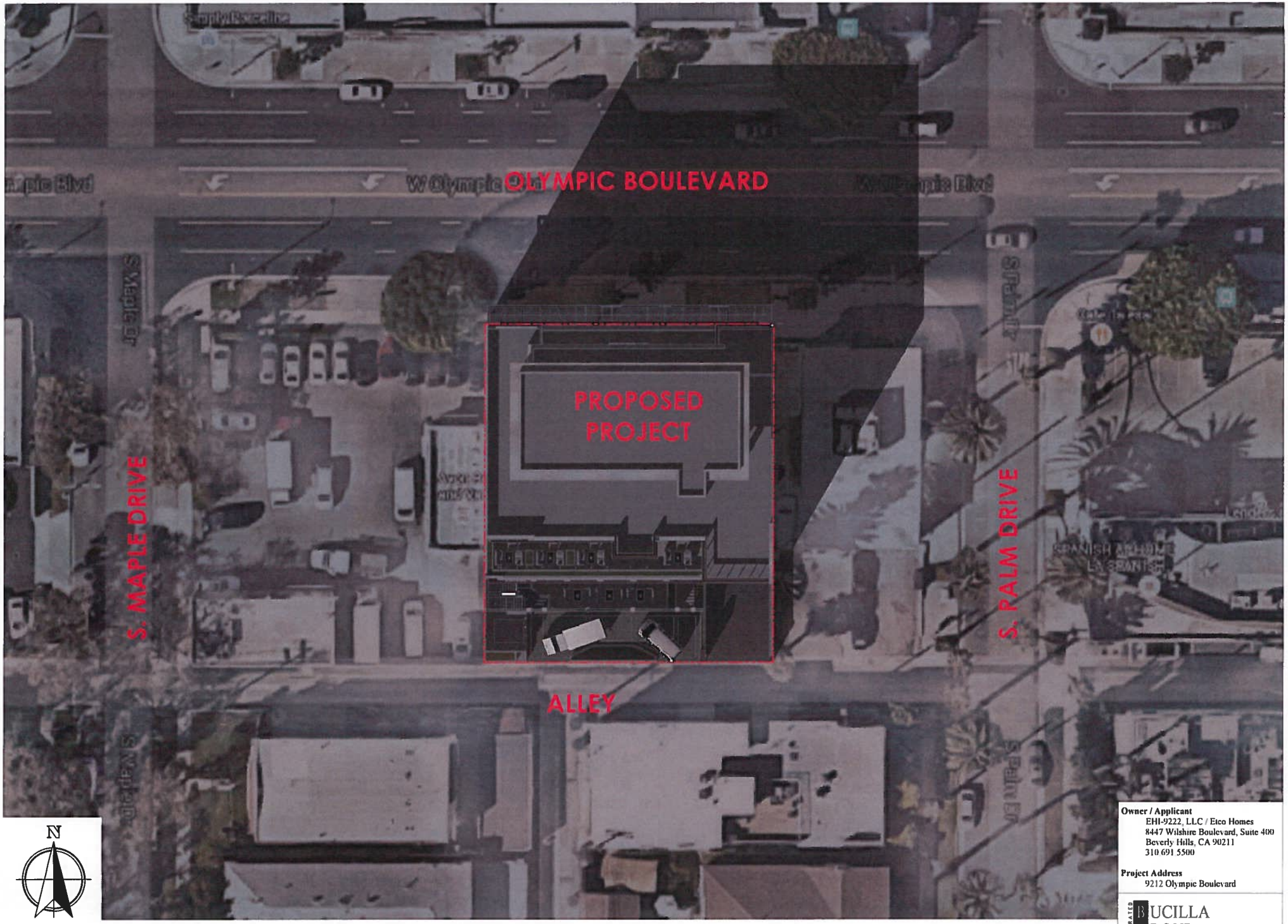
Historic preservation LEED Value Engineering

SHADOW STUDY (PROPOSED) **WINTER SOLSTICE** **1:00 PM**



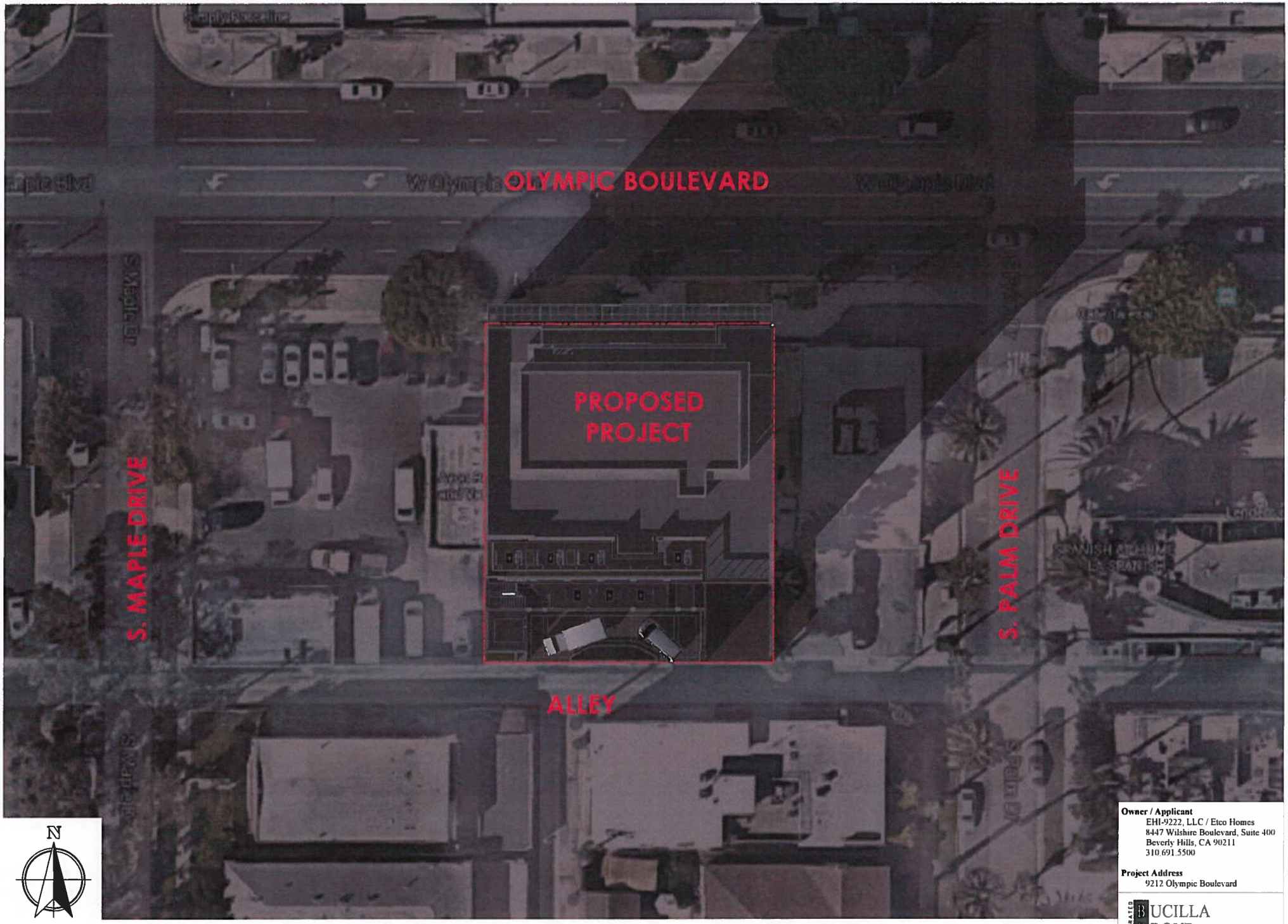
Owner / Applicant
EHI-9222, LLC / Etco Homes
8447 Wilshire Boulevard, Suite 400
Beverly Hills, CA 90211
310 691 5500

Project Address
9212 Olympic Boulevard

BUCILLA GROUP ARCHITECTURE
INCORPORATED
Architecture Planning Interior design
Historic preservation LEED Value engineering

SHADOW STUDY (PROPOSED)

WINTER SOLSTICE **2:00 PM**



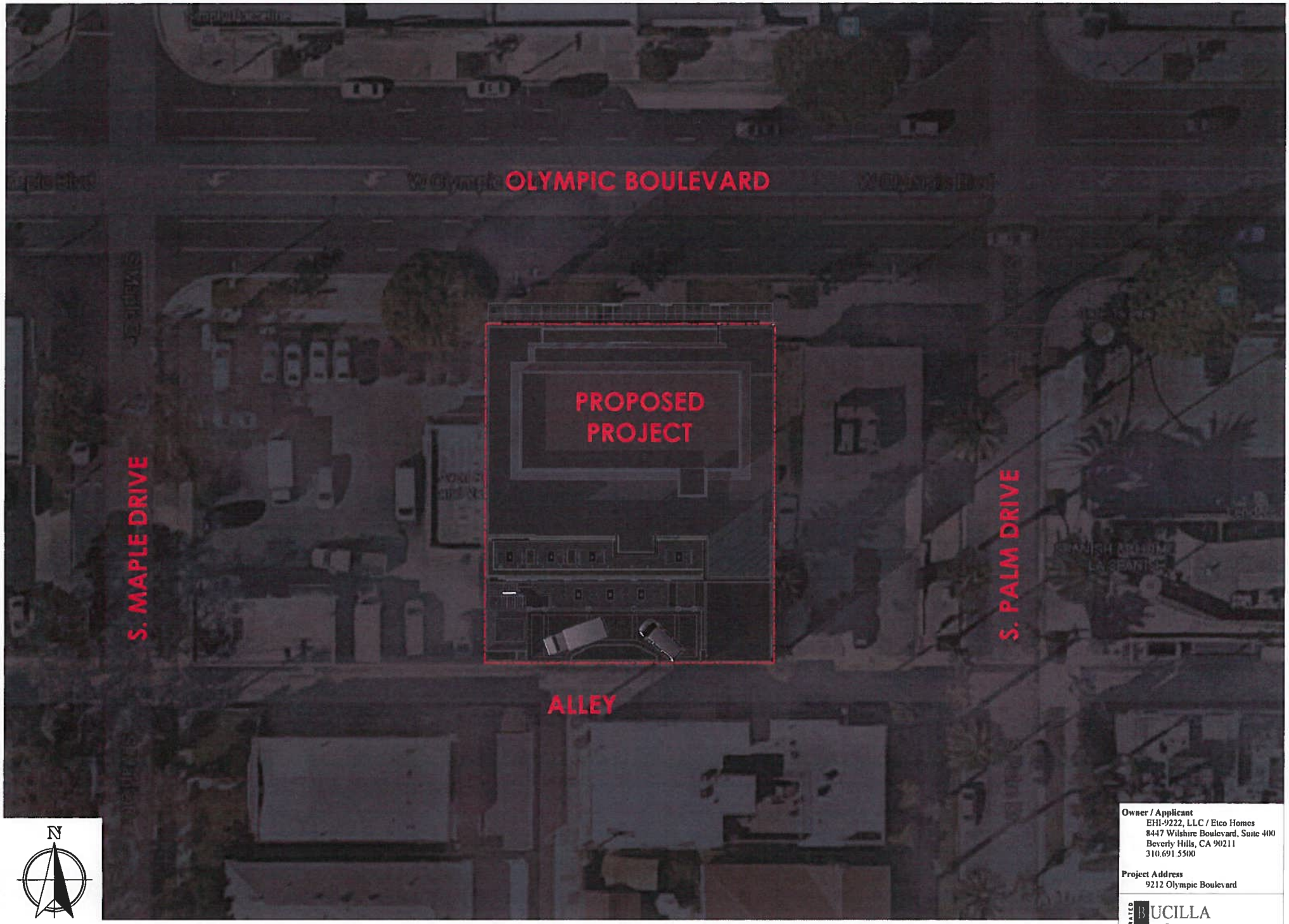
Owner / Applicant
EHI-9222, LLC / Etco Homes
8447 Wilshire Boulevard, Suite 400
Beverly Hills, CA 90211
310.691.5500

Project Address
9212 Olympic Boulevard

BUCILLA GROUP ARCHITECTURE
INCORPORATED
Architecture Planning Interior Design
Historic Preservation LEED Value Engineering

SHADOW STUDY (PROPOSED)

WINTER SOLSTICE **3:00 PM**



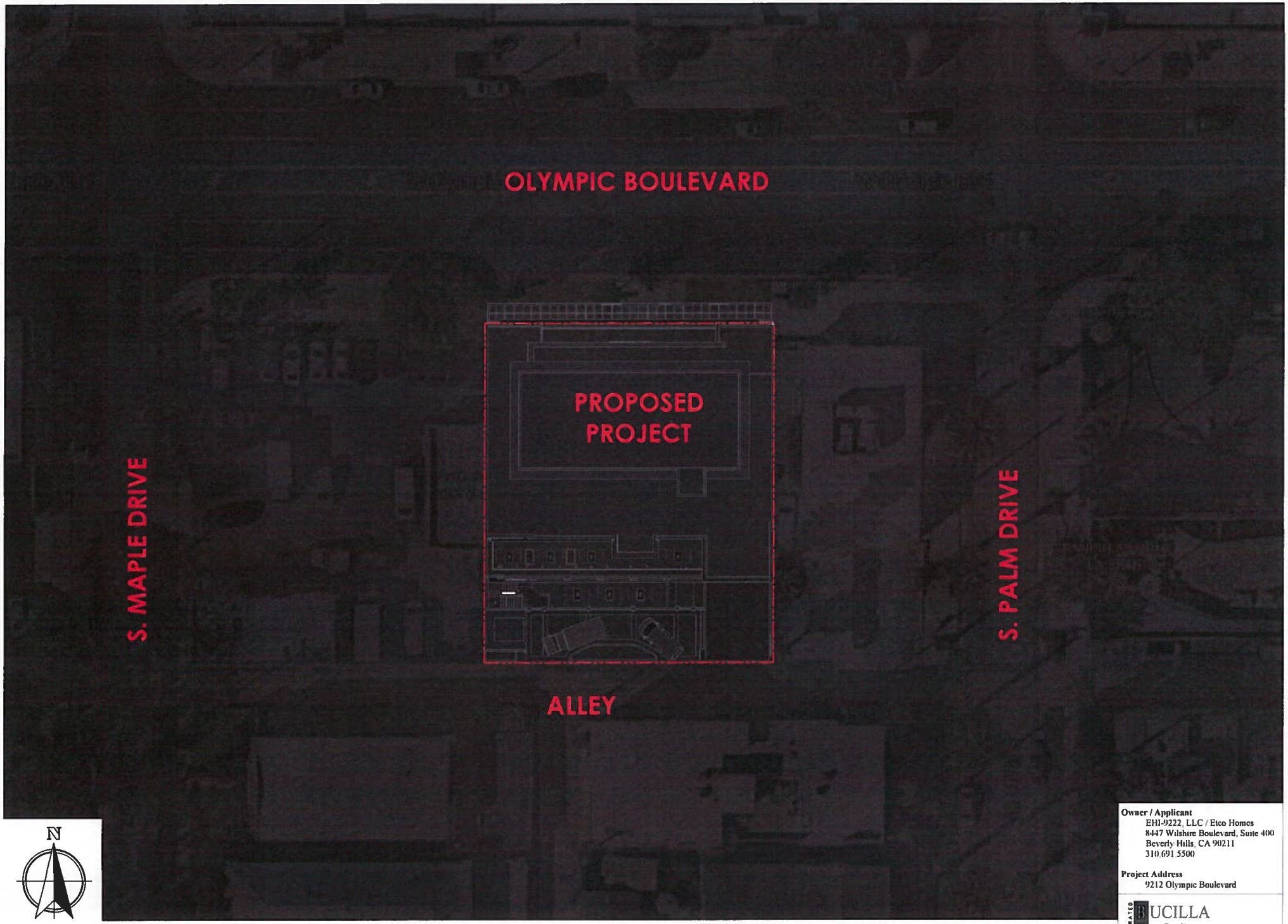
Owner / Applicant
EHI-9222, LLC / Etco Homes
8447 Wilshire Boulevard, Suite 400
Beverly Hills, CA 90211
310.691.5500

Project Address
9212 Olympic Boulevard

BUCILLA GROUP ARCHITECTURE INCORPORATED
Architecture Planning Interior Design Historic Preservation LEED Value Engineering

SHADOW STUDY (PROPOSED)

WINTER SOLSTICE 4:00 PM

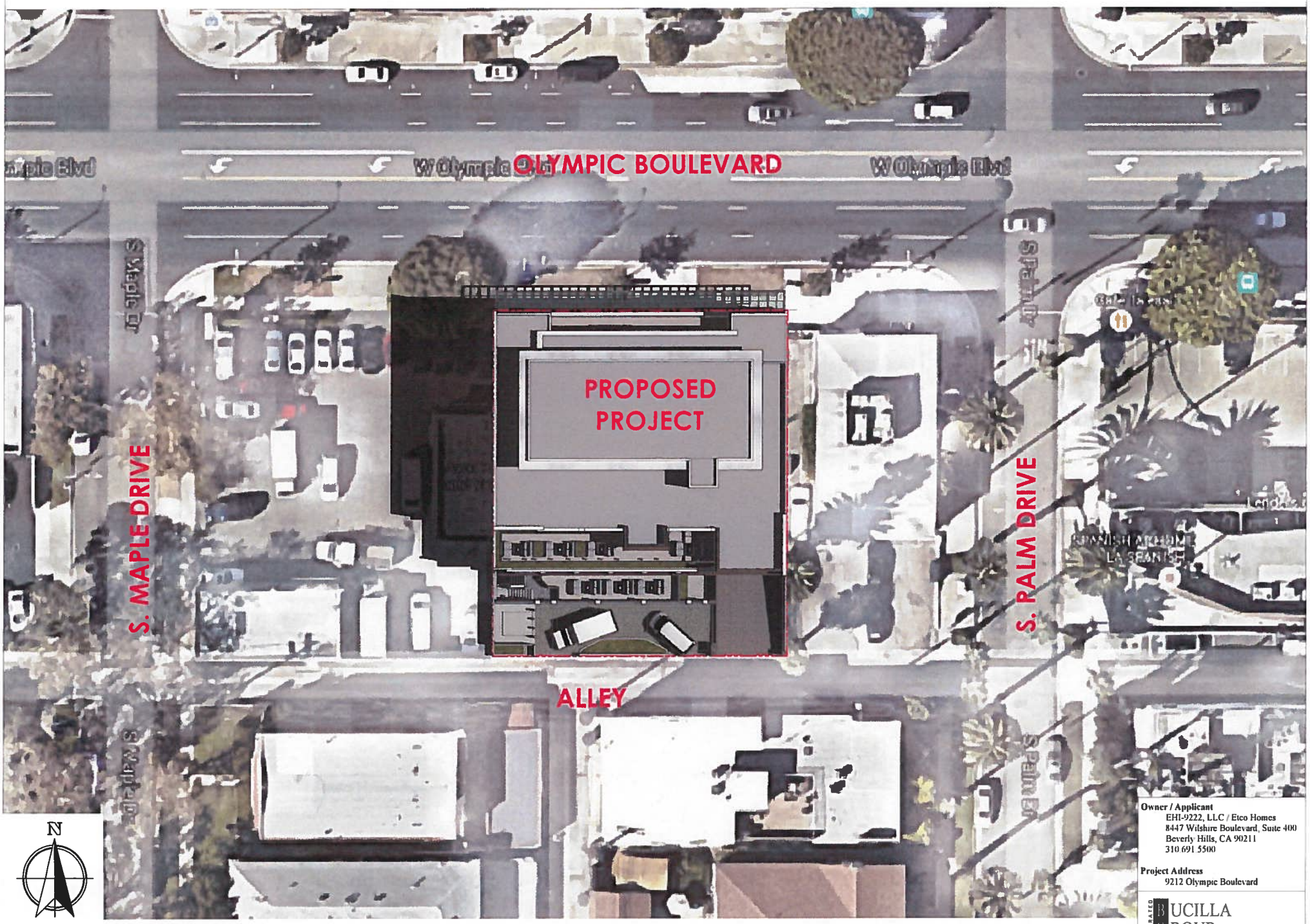


SHADOW STUDY (PROPOSED) **WINTER SOLSTICE** **5:00 PM**

Owner / Applicant
EHI-9222, LLC / Etco Homes
8447 Wilshire Boulevard, Suite 400
Beverly Hills, CA 90211
310.691.5500

Project Address
9212 Olympic Boulevard

BUCILLA GROUP ARCHITECTURE INCORPORATED
Architecture Planning Interior Design
Historic Preservation LEED Value Engineering



Owner / Applicant
EHI-9222, LLC / Etco Homes
8447 Wilshire Boulevard, Suite 400
Beverly Hills, CA 90211
310 691 5500

Project Address
9212 Olympic Boulevard

BUCILLA GROUP ARCHITECTURE
INCORPORATED
Architecture Planning Interior Design
Historic Preservation Leed Value Engineering

SHADOW STUDY (PROPOSED)

SUMMER SOLSTICE 9:00 AM

Attachment D

Truck Specifications Sheet

BUCILLA GROUP ARCHITECTURE, INC.
ARCHITECTURE PLANNING INTERIOR DESIGN
HISTORIC PRESERVATION LEED VALUE ENGINEERING

MEMO – Supplement Information for Traffic Study

Date January 20, 2016
Project 9212 Olympic
RE: Delivery Van and Truck Types for Loading Zone

Fed Ex Van

FED EX 24' truck


Staples 20' Truck


Sparkletts Extended Van


Sparkletts 20' Truck

Safeway 20' Truck

Office Depot Van


USPS Truck


UPS 20' Truck

Greg G. Bucilla III
President
BUCILLA GROUP ARCHITECTURE, INC.

19782 MacArthur Blvd., Suite 270, Irvine, California 92612 949.851.9080 FAX: 949.623.0084

Attachment E

Categorical Exemption

City of Beverly Hills

9212 Olympic Boulevard Project

CEQA Class 32 Categorical Exemption Report

June 2016

rincon

Environmental Scientists Planners Engineers

9212 Olympic Boulevard Project

CEQA Class 32
Categorical Exemption Report

Prepared by:

City of Beverly Hills
Planning Division, Department of Community Development
455 North Rexford Drive
Beverly Hills, California 90210
Contact: Timmi Tway, Associate Planner

Prepared with the assistance of:

Rincon Consultants, Inc.
180 North Ashwood Avenue
Ventura, California 93003

June 2016

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City of Beverly Hills
9212 Olympic Boulevard Project

CEQA Class 32 Categorical Exemption Report

Table of Contents

List of Tables

CATEGORICAL EXEMPTION REPORT

This report serves as the technical documentation of an environmental analysis performed by Rincon Consultants, Inc., for the proposed 9212 Olympic Boulevard commercial building in the City of Beverly Hills. The intent of the analysis is to document whether the project is eligible for a Class 32 Categorical Exemption (CE). The report provides an introduction, project description, and evaluation of the project's consistency with the requirements for a Class 32 exemption. This includes an analysis of the project's potential impacts in the areas of biological resources, traffic, air quality, noise, water quality, and historic resources. The report concludes that the project is eligible for a Class 32 CE.

1. INTRODUCTION

The California Environmental Quality Act (CEQA) states that a Class 32 CE is allowed when:

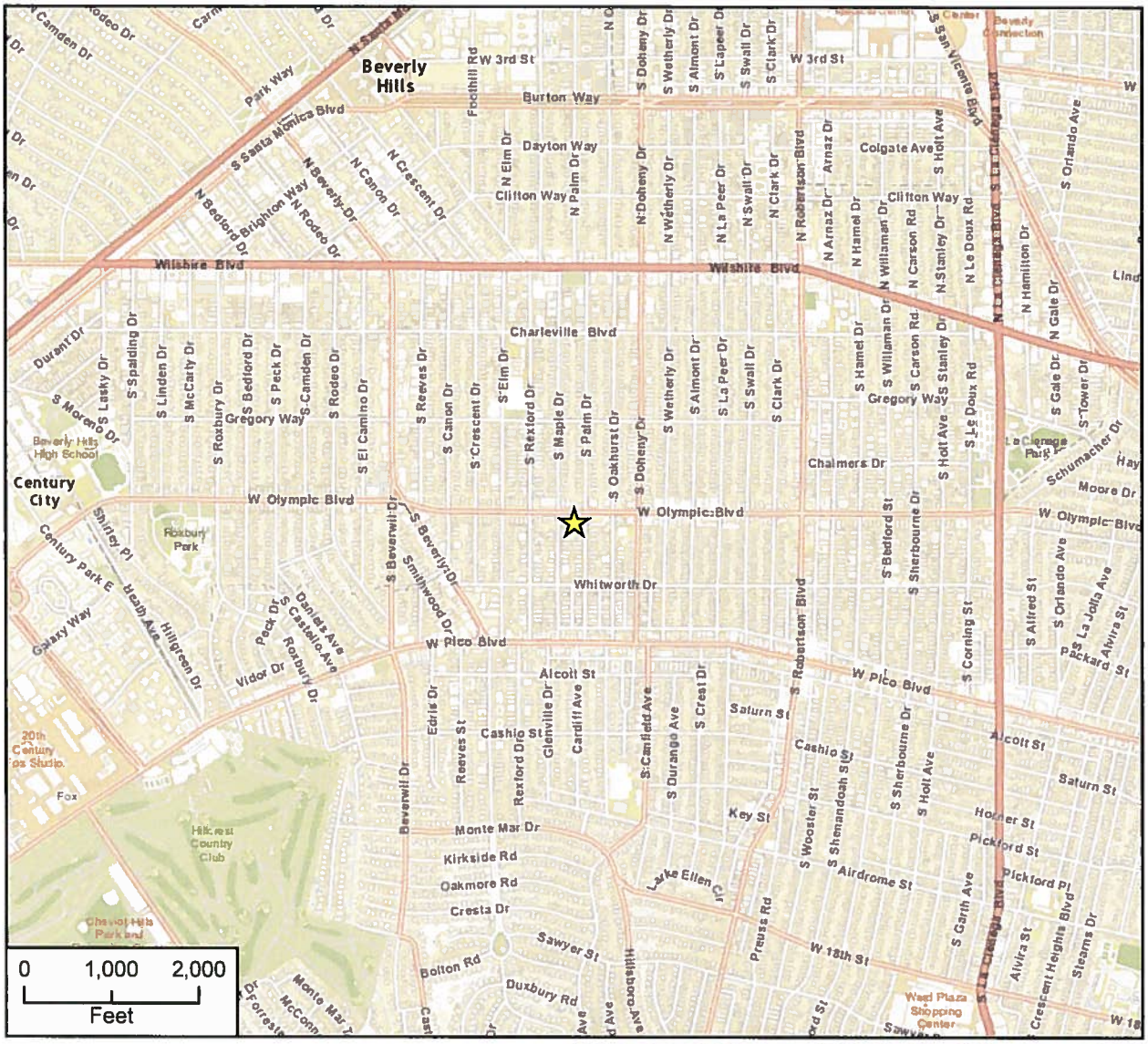
> *(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.*
> *(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.*
> *(c) The project site has no value as habitat for endangered, rare or threatened species.*
> *(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.*
> *(e) The site can be adequately served by all required utilities and public services.*

Additionally, State CEQA Guidelines Section 15300.2 states that a categorical exemption "shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource."

Rincon Consultants, Inc. evaluated the project's consistency with the above requirements, including its potential impacts in the areas of biological resources, traffic, noise, air quality, water quality, and historic resources to confirm the project's eligibility for the Class 32 exemption.

2. PROJECT DESCRIPTION

The proposed project would involve demolition of a surface parking lot, currently used by a rental car business, on two contiguous parcels and the construction of a 22,045 square-foot (sf) building with ground-floor retail/restaurant space, two levels of commercial office space, and four subterranean levels of parking totaling 47,000 sf in floor area. A courtyard would be present on the ground floor and the roof of the second story would have an outdoor patio. Figure 1 shows the location of the project site and Figures 2a through 2h show the proposed site plan and floor plans. Table 1 summarizes the characteristics of the proposed building.



Imagery provided by Google and its licensors © 2016.

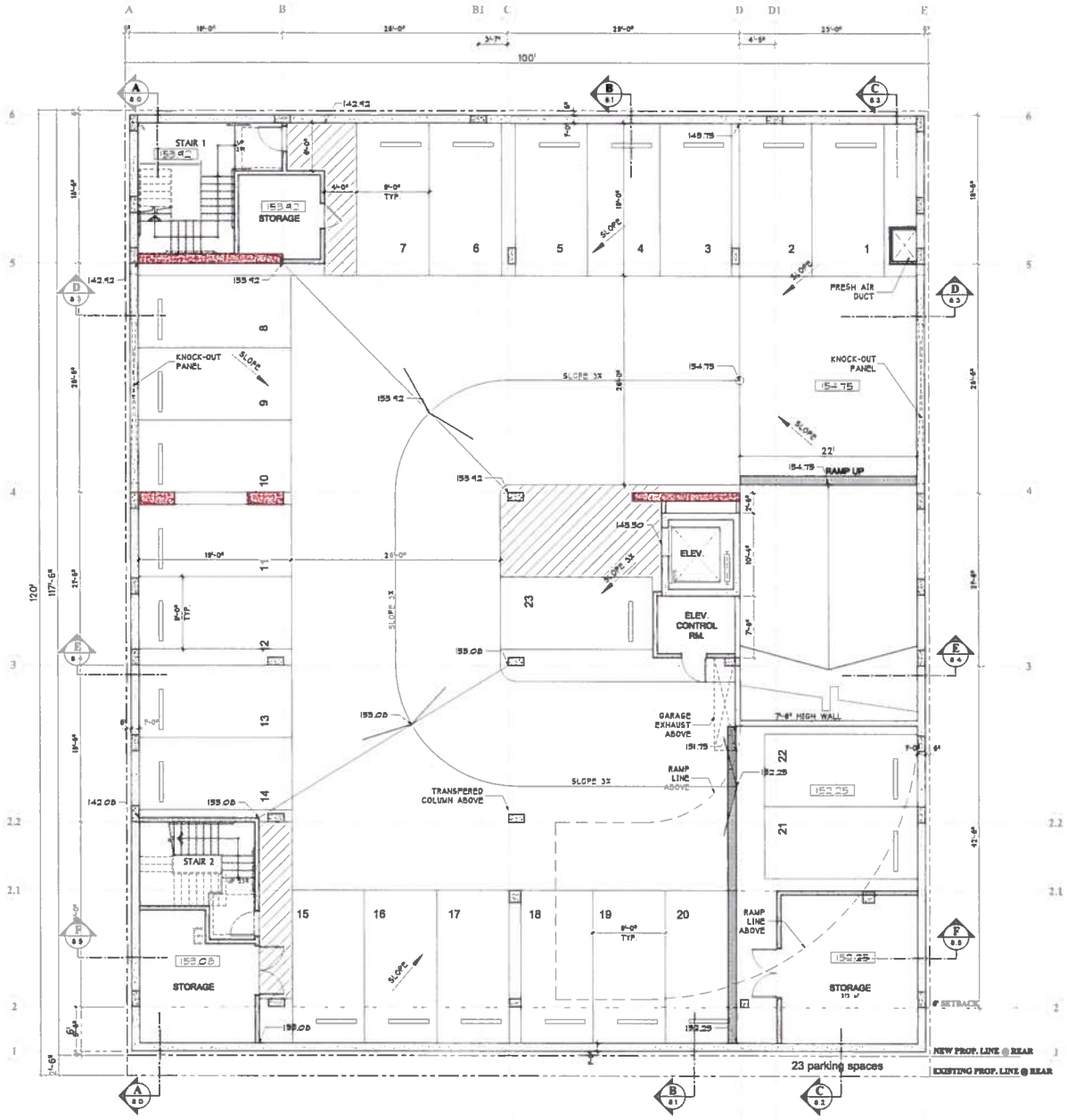
N

☆ Project Location

Project Location

Figure 1

City of Beverly Hills



PARKING (P4)

Standard 23 spaces

TOTAL PARKING COUNT

P1	18 spaces
P2	17 spaces
P3	18 spaces
P4	23 spaces
Total	76

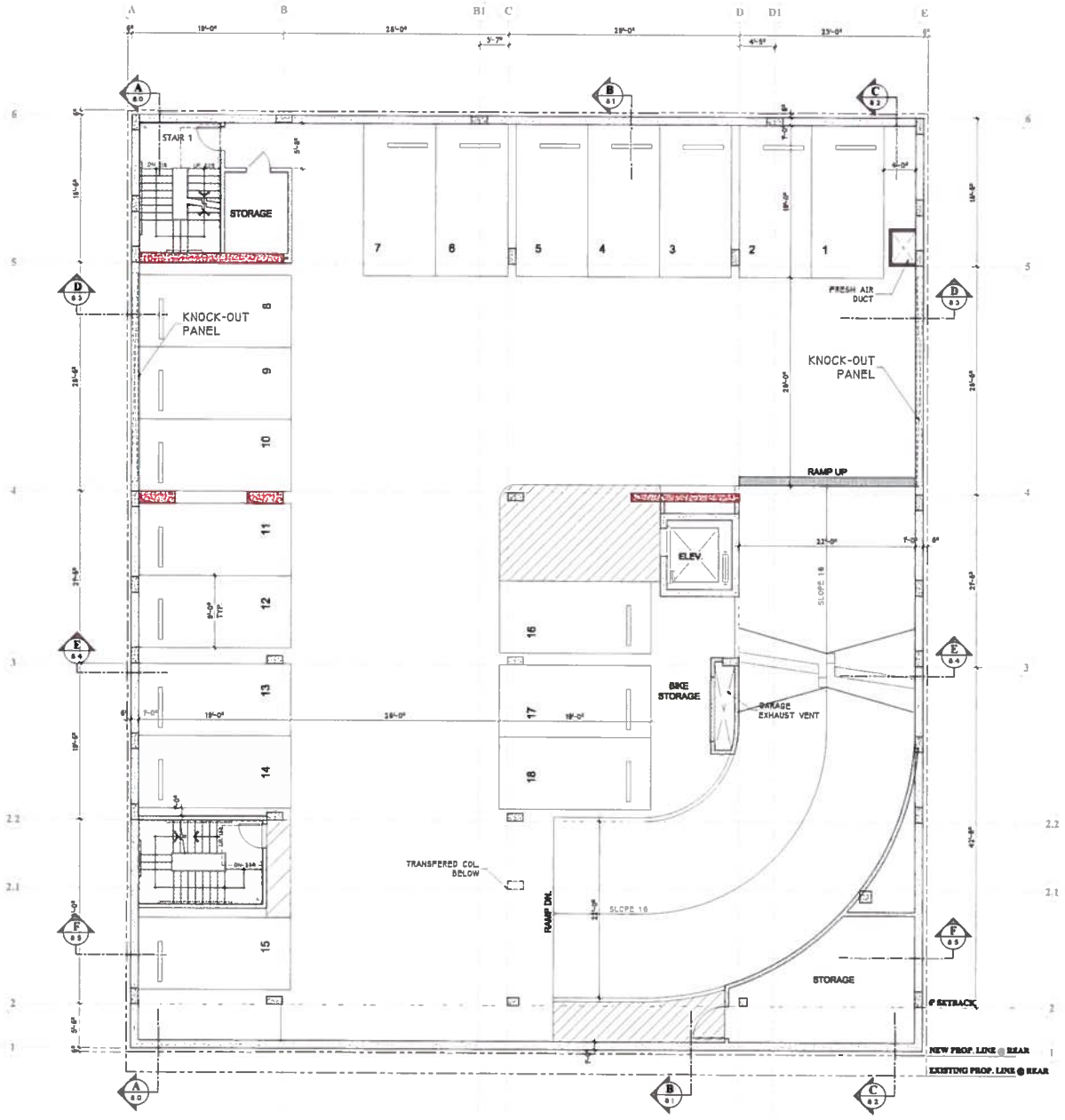
0 22 Feet

N

Source: Bucilla Group Architecture Inc, 2016

Basement Parking P4 Floor Plan

Figure 2a



PARKING (P3)

Standard 18 spaces

TOTAL PARKING COUNT

P1	18 spaces
P2	17 spaces
P3	18 spaces
P4	23 spaces
Total	76

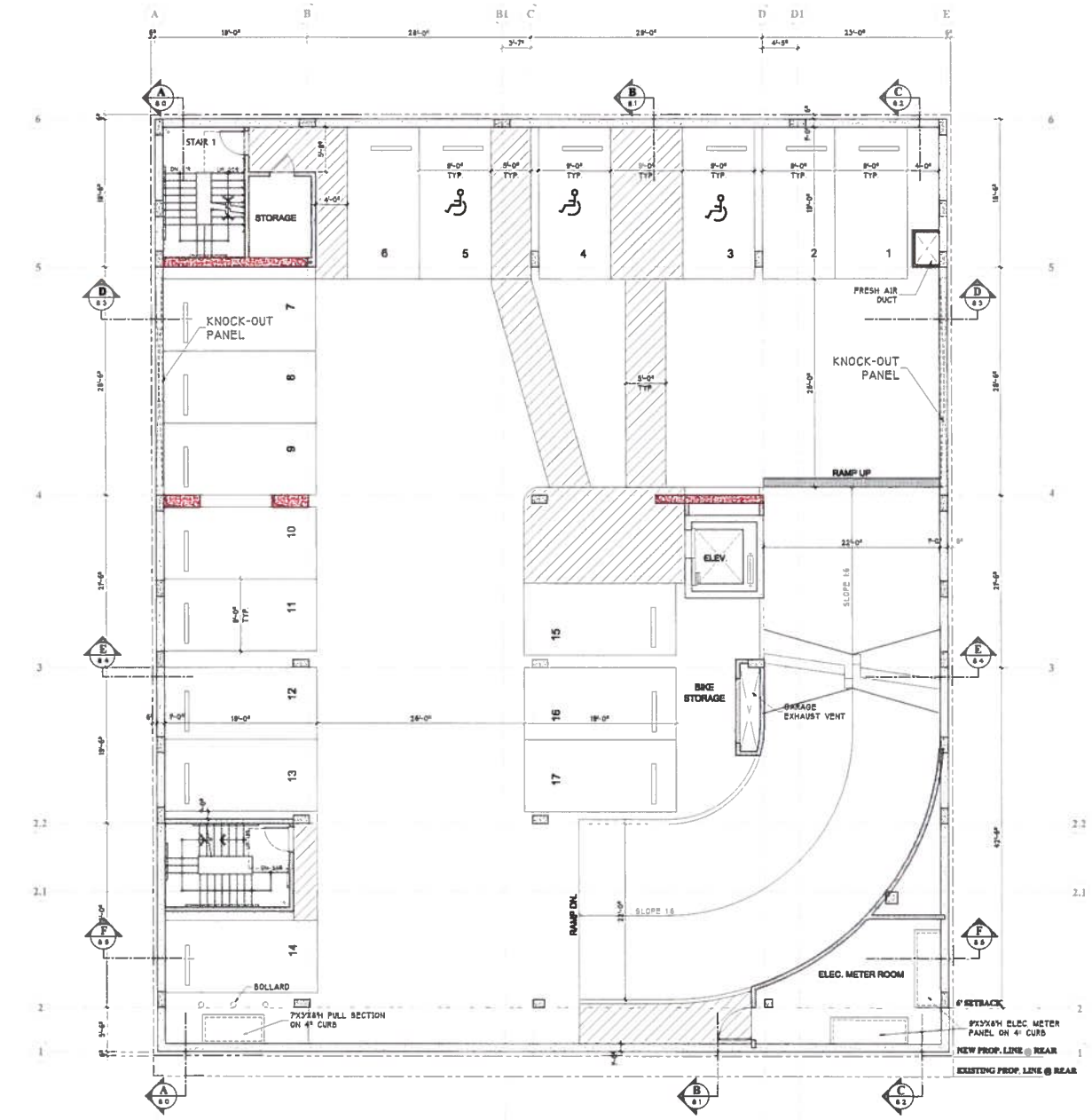
0 22 Feet

N

Source: Bucilla Group Architecture Inc, 2016

Basement Parking P3 Floor Plan

Figure 2b



PARKING (P2)

Standard	14 spaces
Handicapped	3 spaces
Total	17 spaces

TOTAL PARKING COUNT

P1	18 spaces
P2	17 spaces
P3	18 spaces
P4	23 spaces
Total	76

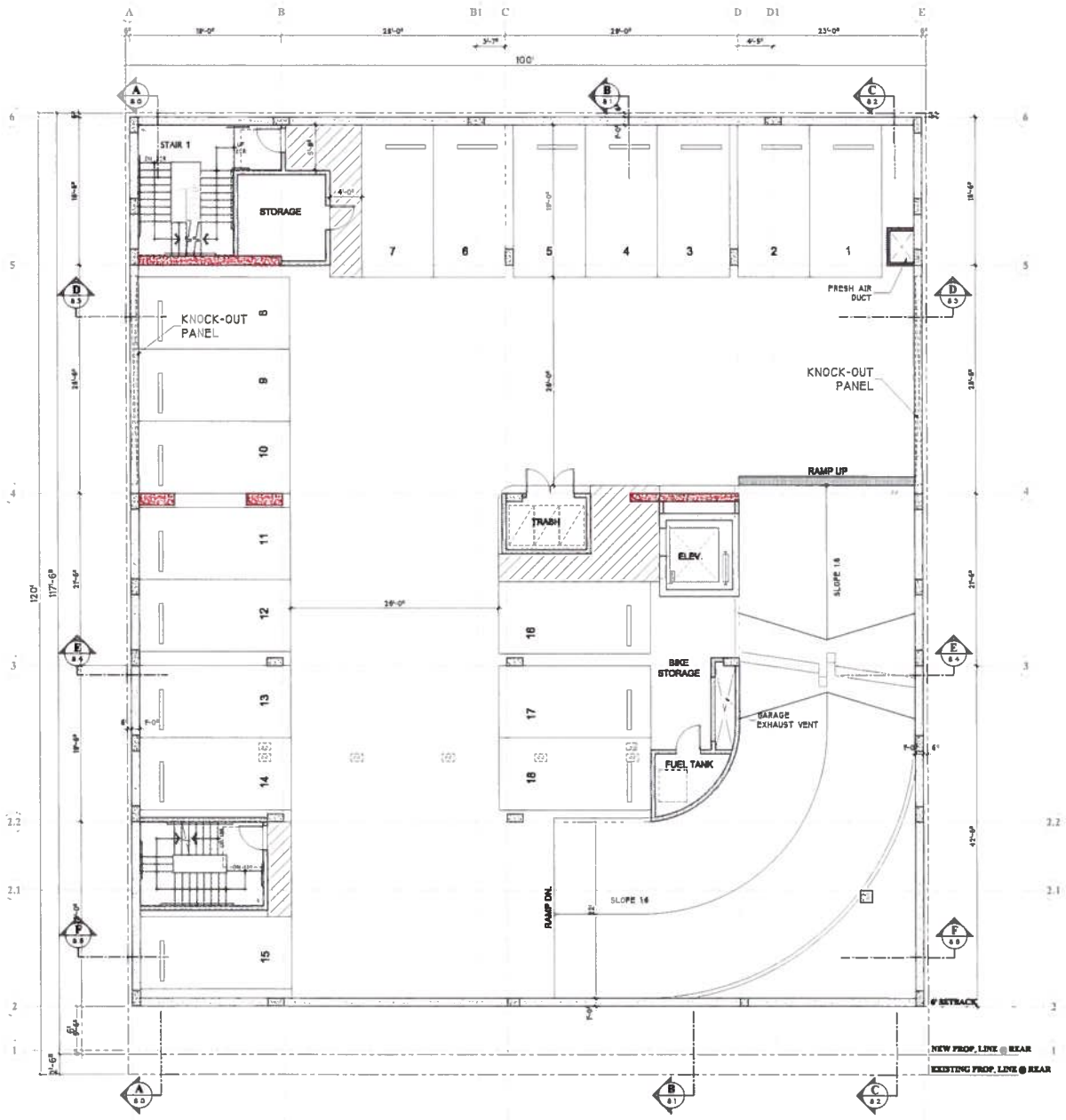
0 22 Feet

N

Source: Bucilla Group Architecture Inc, 2016

Basement Parking P2 Floor Plan

Figure 2c



PARKING

Standard 18 spaces

TOTAL PARKING COUNT

P1	18 spaces
P2	17 spaces
P3	18 spaces
P4	23 spaces
Total	76

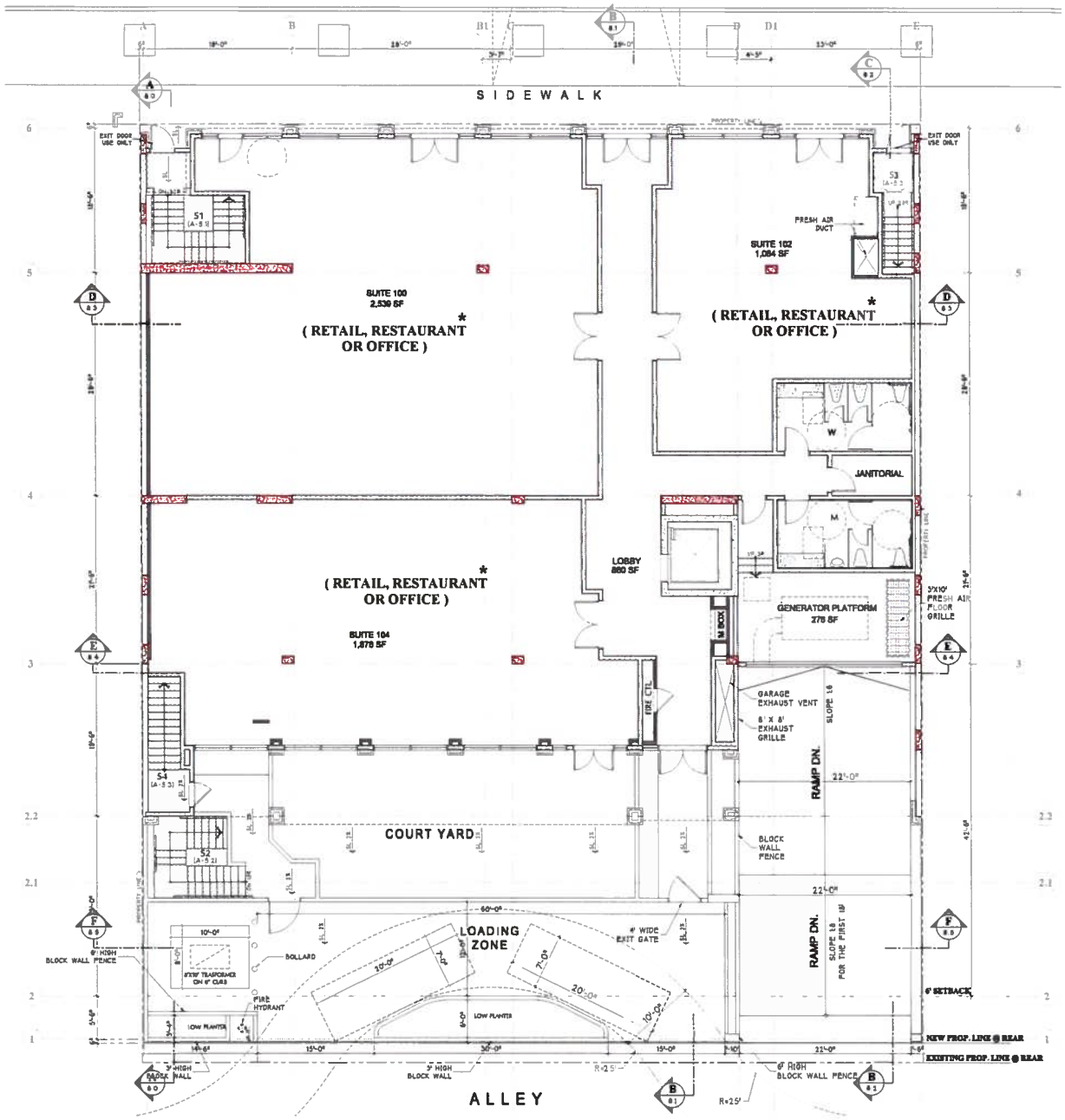
0 22 Feet

N

Source: Bucilla Group Architecture Inc, 2016

Basement Parking P1 Floor Plan

Figure 2d



AREA CALCS (GROUND FLOOR)

BUILDING SQUARE FOOTAGE

LEVEL 1	GROSS	NET
SUITE 100	2,539 SF	2,539 SF
SUITE 102	1,084 SF	1,084 SF
SUITE 104	1,878 SF	1,878 SF
SERVICE AREA		
LOBBY	907 SF	907 SF
ELEV.	71 SF	
GEN. RM.	276 SF	
RESTROOM	344 SF	344 SF
STAIR 1	166 SF	
STAIR 3	90 SF	
STAIR 4	101 SF	
TOTAL	7,571 SF	6,900 SF

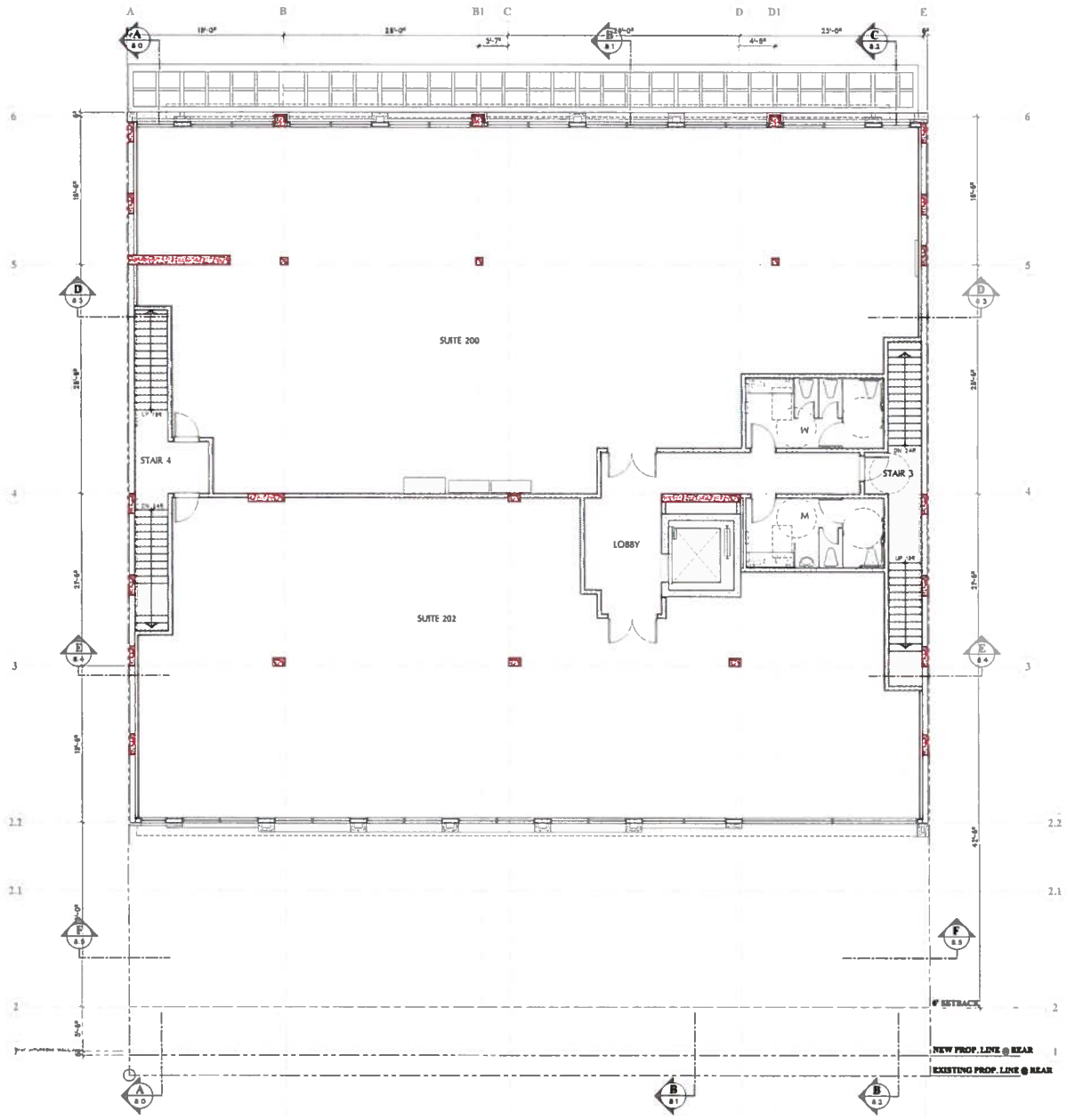
0 22 Feet

N

Source: Bucilla Group Architecture Inc, 2016

Ground Floor Plan

Figure 2e



AREA CALCS (SECOND FLOOR)
BUILDING SQUARE FOOTAGE

LEVEL 2	GROSS	NET
SUITE 200	4,012SF	4,012SF
SUITE 202	3,428SF	3,428SF
SERVICE AREA		
LOBBY/CORR	344 SF	344 SF
ELEV.	71 SF	
RESTROOM	337 SF	337 SF
STAIR 3	172 SF	
STAIR 4	164 SF	
TOTAL	8,528 SF	8,121 SF

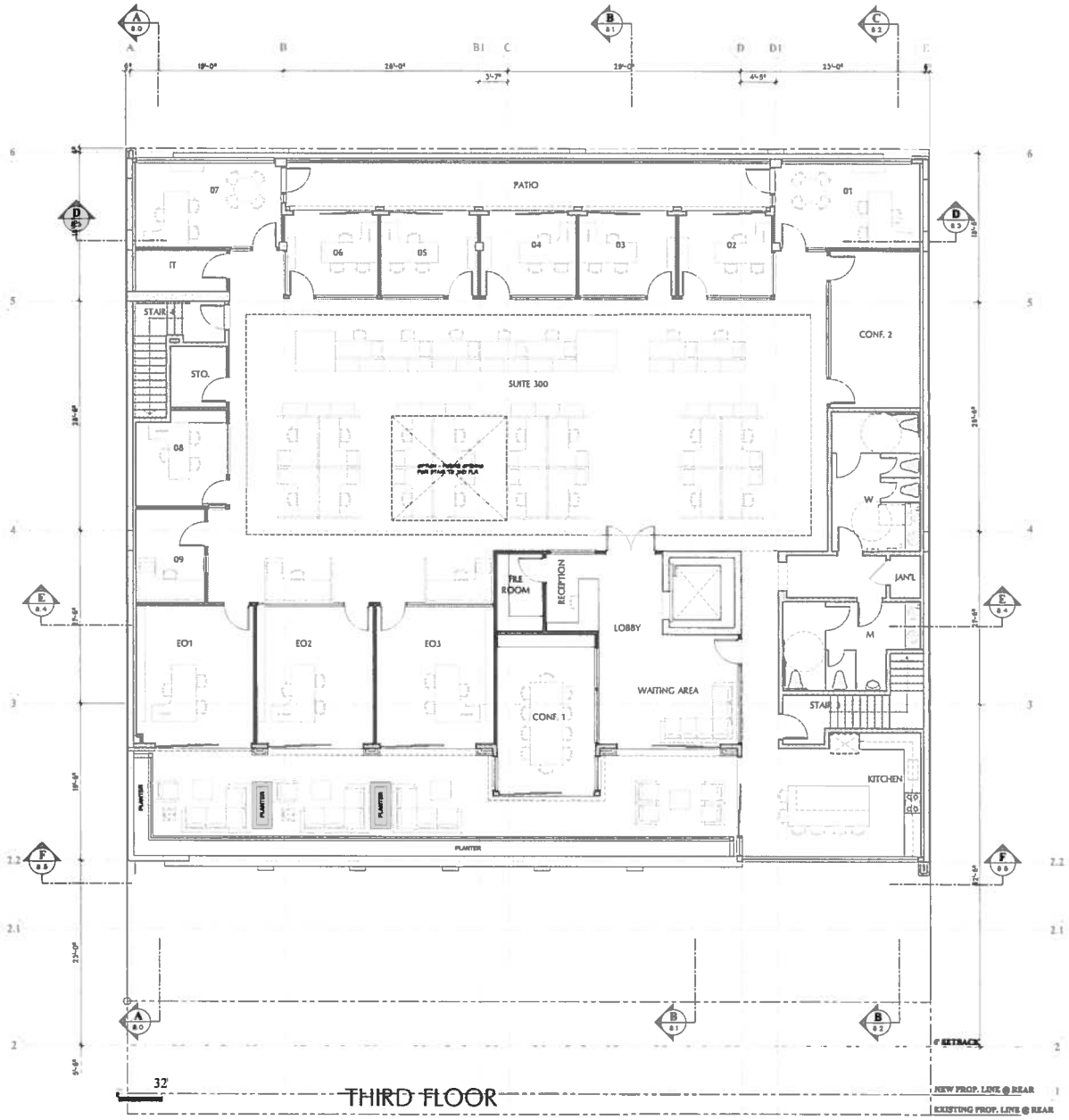
0 22 Feet

N

Source: Bucilla Group Architecture Inc, 2016

Second Floor Plan

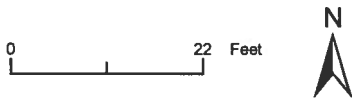
Figure 2f



AREA CALCS (THIRD FLOOR)

BUILDING SQUARE FOOTAGE

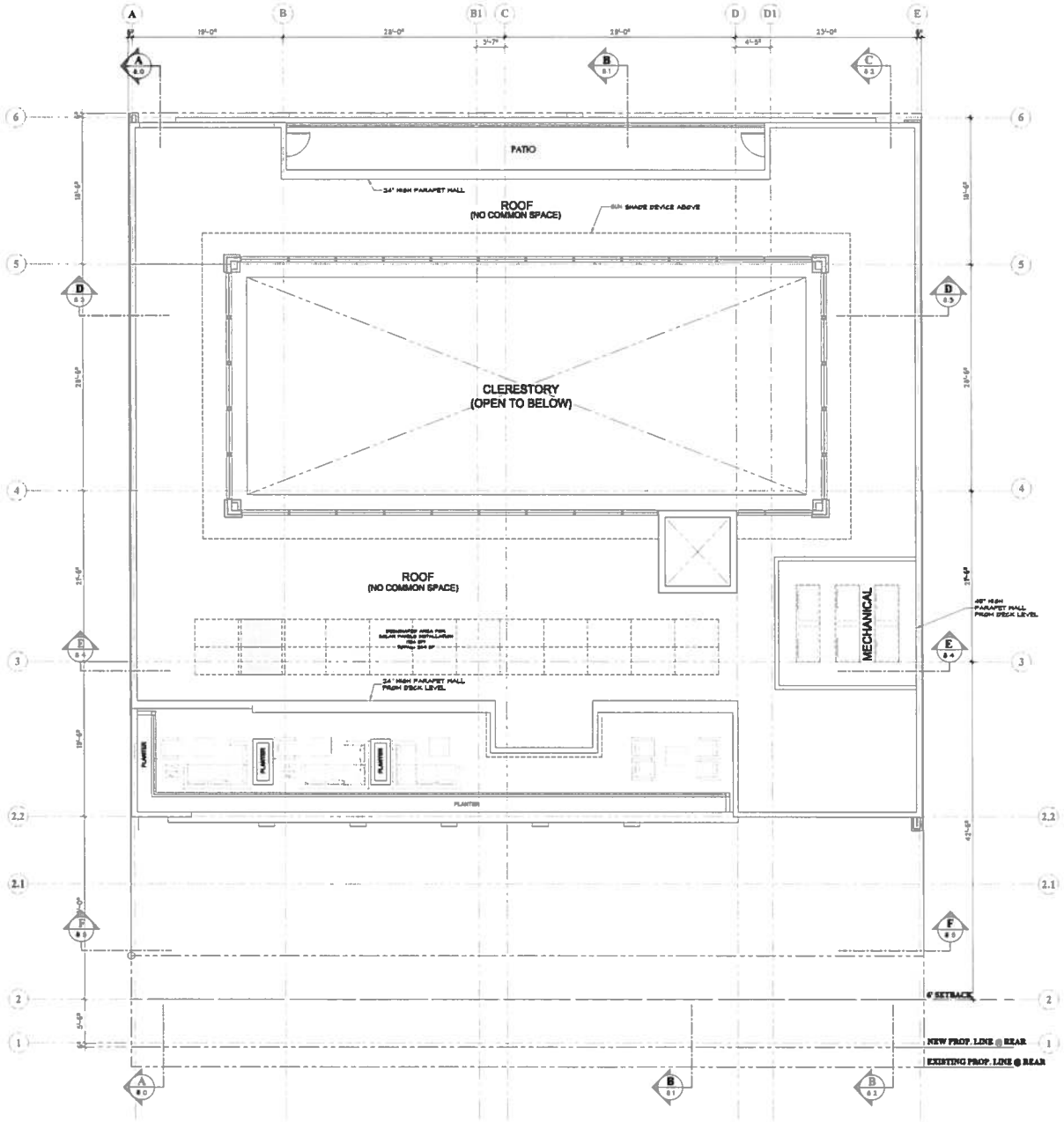
LEVEL 3	GROSS	NET
SUITE 300	5,838 SF	5,838 SF
SERVICE AREA		
LOBBY/CORR	293 SF	293 SF
ELEV.	71 SF	
RESTROOM	513 SF	513 SF
KITCHEN	363 SF	363 SF
STAIR 3	114 SF	
STAIR 4	123 SF	
TOTAL	7,315 SF	7,007 SF



Source: Bucilla Group Architecture Inc, 2016

Third Floor Plan

Figure 2g



ROOF	7414 SF
CLERESTORY	2316 SF (31.2%)

0 22 Feet

N

Source: Bucilla Group Architecture Inc, 2016

Roof Plan

Figure 2h

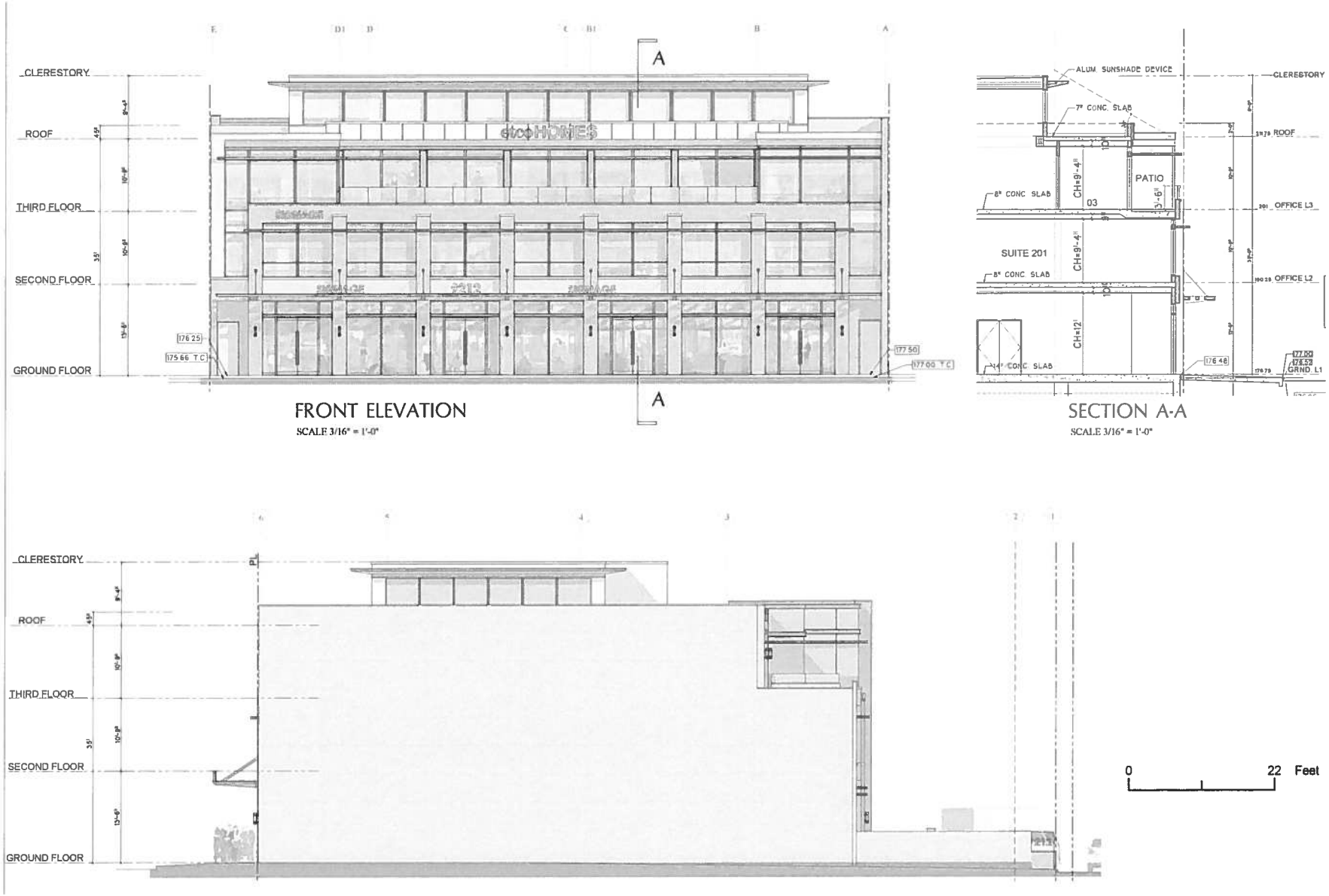
Table 1
Project Characteristics

Address	9212 Olympic Blvd
Assessor's Parcel Numbers (APNs)	4332-001-001 and 4332-001-002
Combined Lot Area	12,000 sf
Building Footprint	7,879 sf
Floor Area	Parking P4: 11,750 sf Parking P3: 11,750 sf Parking P2: 11,750 sf Parking P1: 11,750 sf Level 1: 6,917 sf Level 2: 8,121 sf Level 3: 7,007 sf *Total: 22,045 sf*[1]
Land Uses	Retail/Restaurant: 5,501 sf Commercial office: 13,278 sf
Height	35 feet[2] 3 stories above grade plus clerestory, with 4 underground levels of parking below
Parking	76 spaces, 47,000 sf

[1] *The total floor area is calculated pursuant to Beverly Hills Municipal Code §10-3-100 and does not include parking areas, elevator shafts, stair shafts, and rooms housing building operating equipment or machinery rooms.*
[2] *The listed height does not include the clerestory, which would add 9 feet to the building's height.*
sf = square feet

The proposed building footprint of 7,879 sf would occupy approximately 66% of the total combined lot area, which is 12,000 sf. The building would have a floor area of 22,045 sf, not including the parking areas, elevator shafts, and rooms housing operating equipment or machinery. The floor area would include a ground-floor retail/restaurant space of 6,917 sf and commercial office space on the second and third floors of 8,121 sf and 7,007 sf, respectively. The restaurant space on the ground level would be limited to one restaurant with a maximum dining area of 1,000 sf. Four levels of subterranean parking would have a total of 76 parking spaces; each parking level would be 11,750 sf, with 23 spaces on Level P4, 18 spaces on level P3, 17 spaces on Level P2, and 18 spaces on Level P1.

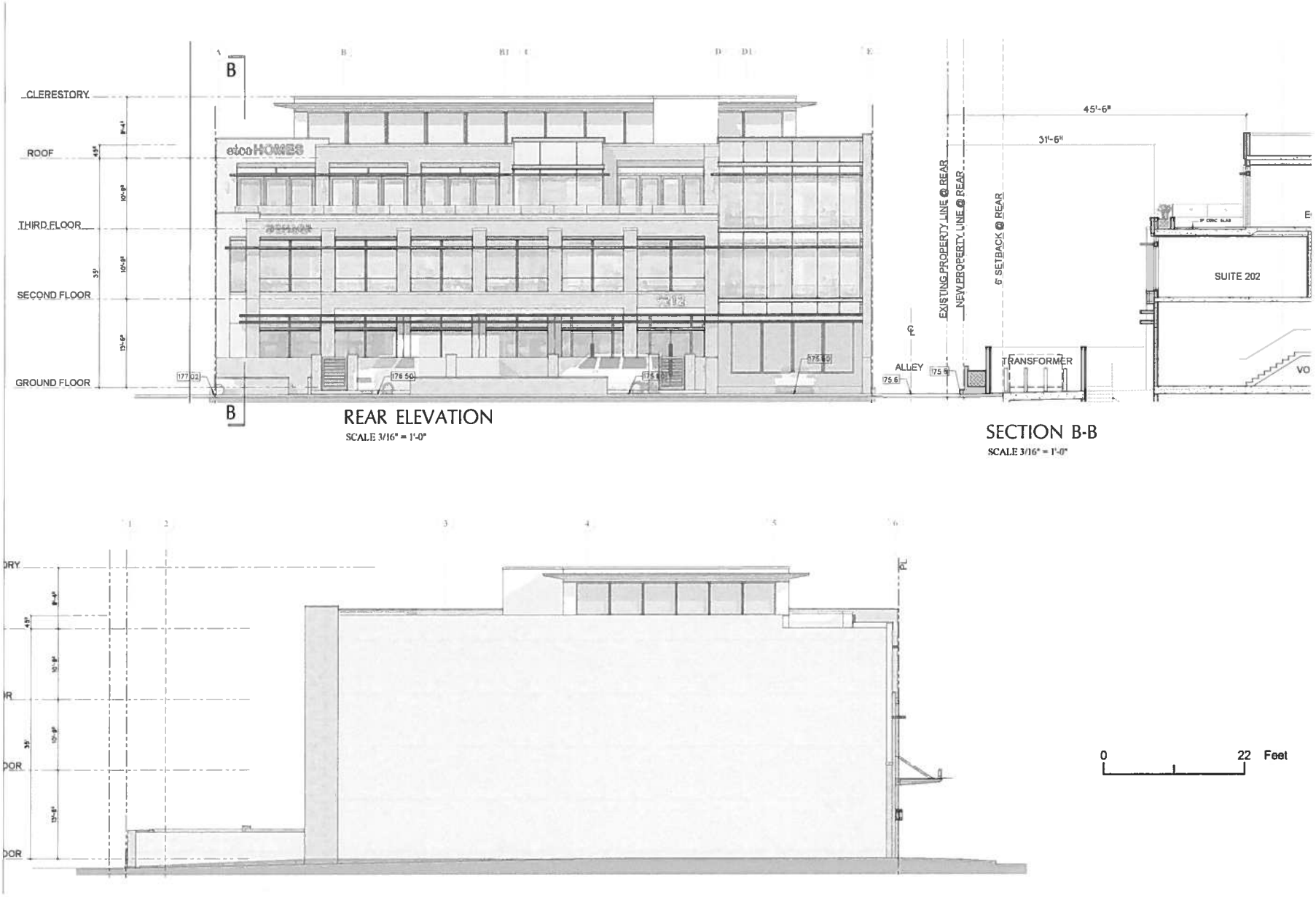
The building would have a height of 35 feet, not including a nine-foot clerestory. The clerestory would occupy 2,316 sf, or 31.2% of the third story square footage. The exterior of the building would have a courtyard and loading area on the south side of the building, off of the back alley. Figures 3a and 3b show the proposed building elevations. The project would provide vehicular access to the subterranean parking area from the back alley on the south side of the building. Visitors would park in the subterranean spaces and access the retail/restaurant and commercial spaces through an elevator in the middle of the building. Two stairwells would also be present in the northwest and southwest corners of the building. Primary pedestrian access would be provided from Olympic Boulevard.



Source: Bucilla Group Architecture Inc, 2016

Front and Left Elevation

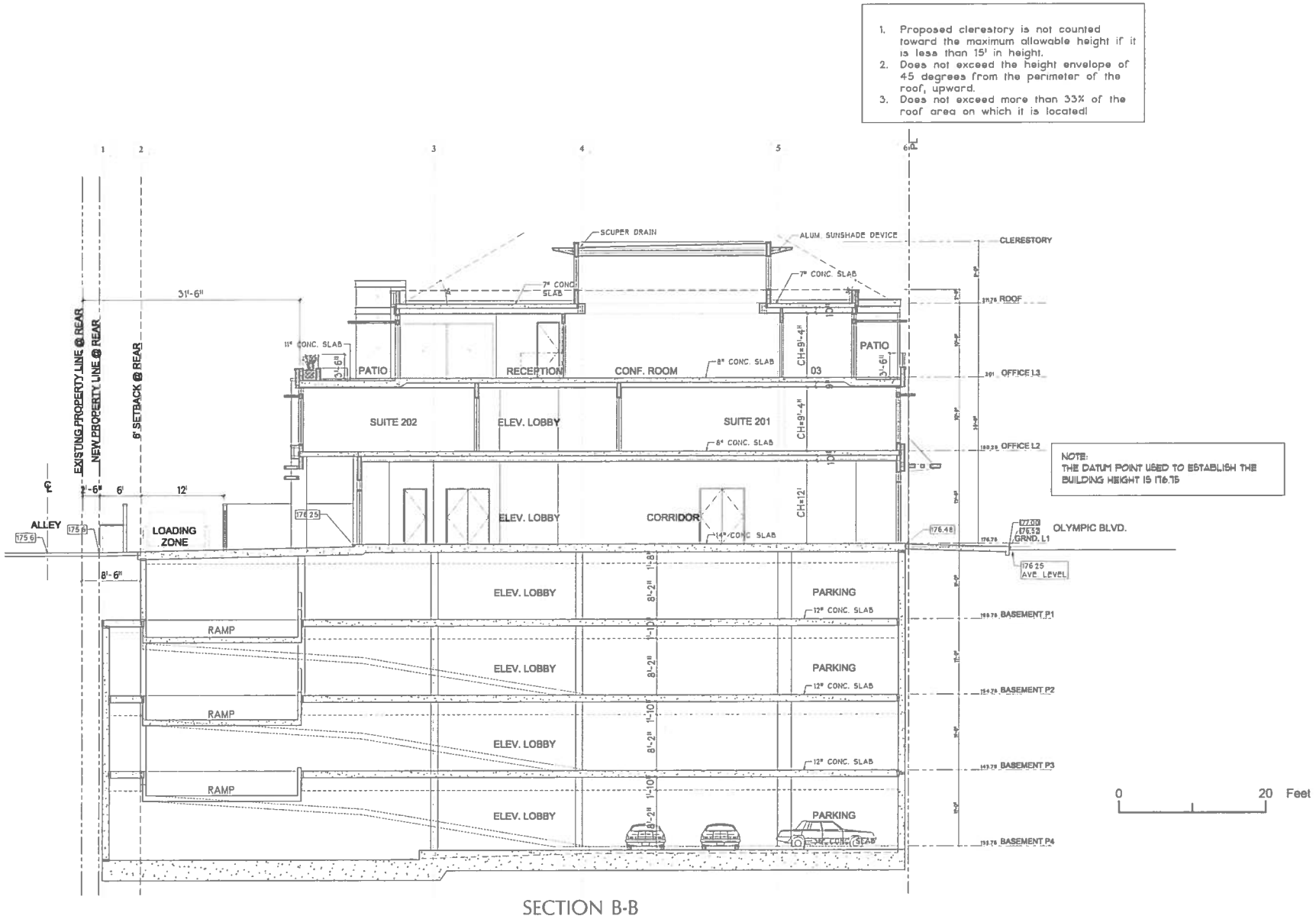
Figure 3a



Source: Bucilla Group Architecture Inc, 2016

Rear and Right Elevation

Figure 3b



Source: Bucilla Group Architecture Inc, 2016

Section View

Figure 4

3. EXISTING SITE CONDITIONS

The project site is a relatively flat, rectangular area of 12,000 sf (0.28 acres) located on the south side of Olympic Boulevard, between S. Palm Drive and S. Maple Drive in the City of Beverly Hills. The site is currently developed as a surface parking lot with vehicular access off of Olympic Boulevard. The lot provides parking facilities for a rental car company. The surrounding area is developed with multi-story commercial and multi-family residential development: a two-story commercial building immediately to the east, a single-story commercial building and surface parking lot immediately to the west, a two-story commercial building across Olympic Boulevard to the north, and a three-story multi-family residence across the alley to the south.

4. ANALYSIS

Criterion (a) *The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.*

Permitted Uses. According to the City of Beverly Hills General Plan Land Use Map, the project site is designated for low density general commercial use. The project site is zoned Commercial Transition Zone (C-3T-2). Pursuant to the City of Beverly Hills Municipal Code (BHMC) Section 10-3-1601, the C-3 zone permits commercial uses including, but not limited to, cafes, theaters, exercise clubs, dance academies, studios, offices, parking garages, and wholesale or retail shops. The proposed office space and ground-floor retail shops and restaurants are allowed uses on the project site, pursuant to the C-3 zoning. Uses permitted in the C-3 zone are all permitted in the C-3T-2 zone, per Section 10-3-1632 of the BHMC.

Floor Area Ratio. BHMC Section 10-3-1632 permits a floor area ratio (FAR) of 1.33 in the C-3T-2 zone. This is permitted to increase to 2.0 with a conditional use permit. As the proposed project would have a FAR of 1.84 (22,045 sf / 12,000 sf), the project would be acceptable with issuance of a conditional use permit.

Open Spaces and Setbacks. The southern border of the project site abuts a residential zone developed with multi-family housing. BHMC Article 19.5 requires non-residential development that is adjacent to residential development to maintain setbacks and include walls in order to create a transition between the uses. Because there is an alley that separates the project site from the adjacent residential zone, the setback requirement would be six feet and the wall requirement would be a three-foot-high solid masonry wall along the property line, abutting the alley. The wall can have a maximum 25-foot-wide opening, per the existing lot, to accommodate a driveway, which can be increased to a 30-foot opening with a minor accommodation. The proposed project would conform to the 6-foot setback and would have a three-foot-high masonry wall along the southern property line. The wall would have two 15-foot openings to provide access to the loading area and one 22-foot opening to provide access to the subterranean parking garage. The minor accommodation required for the opening requires review by the director of community development.

Height Requirements. BHMC Section 10-3-1632 limits buildings in the C-3T-2 zone to two stories or 35 feet, whichever is less; however, pursuant to the criteria for a conditional use permit as set forth in BHMC Section 10-3-38 and without a mandatory environmental impact report, the Planning Commission may approve a building that is three stories or 45 feet, provided that it complies with the following conditions:

- *An additional setback from the rear property line, provided the setback does not exceed thirty-three percent (33%) of the lot depth for any portion of the structure below two stories and does not exceed fifty percent (50%) for the third story.*
- *The design of the façade and structure facing residential uses shall be harmonious with the adjacent residential character.*
- *Landscaping or other parklike amenities shall be required within the rear setback in conjunction with the design for loading, parking, trash removal, and access to and from the site.*
- *Appropriate restriction shall be imposed on the structure, including hours of operation, additional parking, and parking restrictions in order to ensure adequate parking on-site and limit types of uses that would create noise, odor, or glare.*
- *The intensity of use shall not exceed either sixteen (16) vehicle trips per hour, or two hundred (200) vehicle trips per day for each one thousand (1,000) gross square feet of floor area.*

The proposed project would conform to the above conditions. Its consistency with each condition is discussed below.

Setbacks and Coverage. The proposed project would have a ground-floor rear setback of six (6) feet, which is 5.1% of the depth of the site, and an additional second floor rear setback of 31'6", which is 26% of the depth of the site. The third story of the project would have an additional setback of 45'6", which is 38% of the depth of the site. None of these setbacks exceed the maximums set by the BHMC.

The proposed project includes a nine-foot high clerestory above the third floor. This would increase the total height of the proposed project to 44 feet. However, per BHMC Section 10-3-100, an unoccupied clerestory is not considered as part of the height limit for a non-residential structure if the clerestory is less than fifteen feet in height, does not exceed 33% of the roof area, and does not exceed or intersect a line projecting from the perimeter of the roof upward at an angle of 45° from the horizontal. The proposed clerestory would be nine feet in height and occupy 2,316 sf, which is 31.2% of the proposed 7,414 sf roof. The section view of the proposed project (see Figure 4) shows that the clerestory would not exceed or intersect a 45° angle from the perimeter of the roof.

Design and Landscaping. As shown in Figures 3a and 3b, the proposed project would feature a brick façade, large windows, and modern, straight lines. A gated enclosure for a transformer would be provided at the rear of the property, along the alley. Landscaping would be done in the rear setback to buffer the loading area, transformer enclosure, and outdoor patio area from the alleyway.

Parking. BHMC Section 10-3-2730 requires that commercial space provide one parking space for every 350 sf of floor area. The proposed project would have a floor area

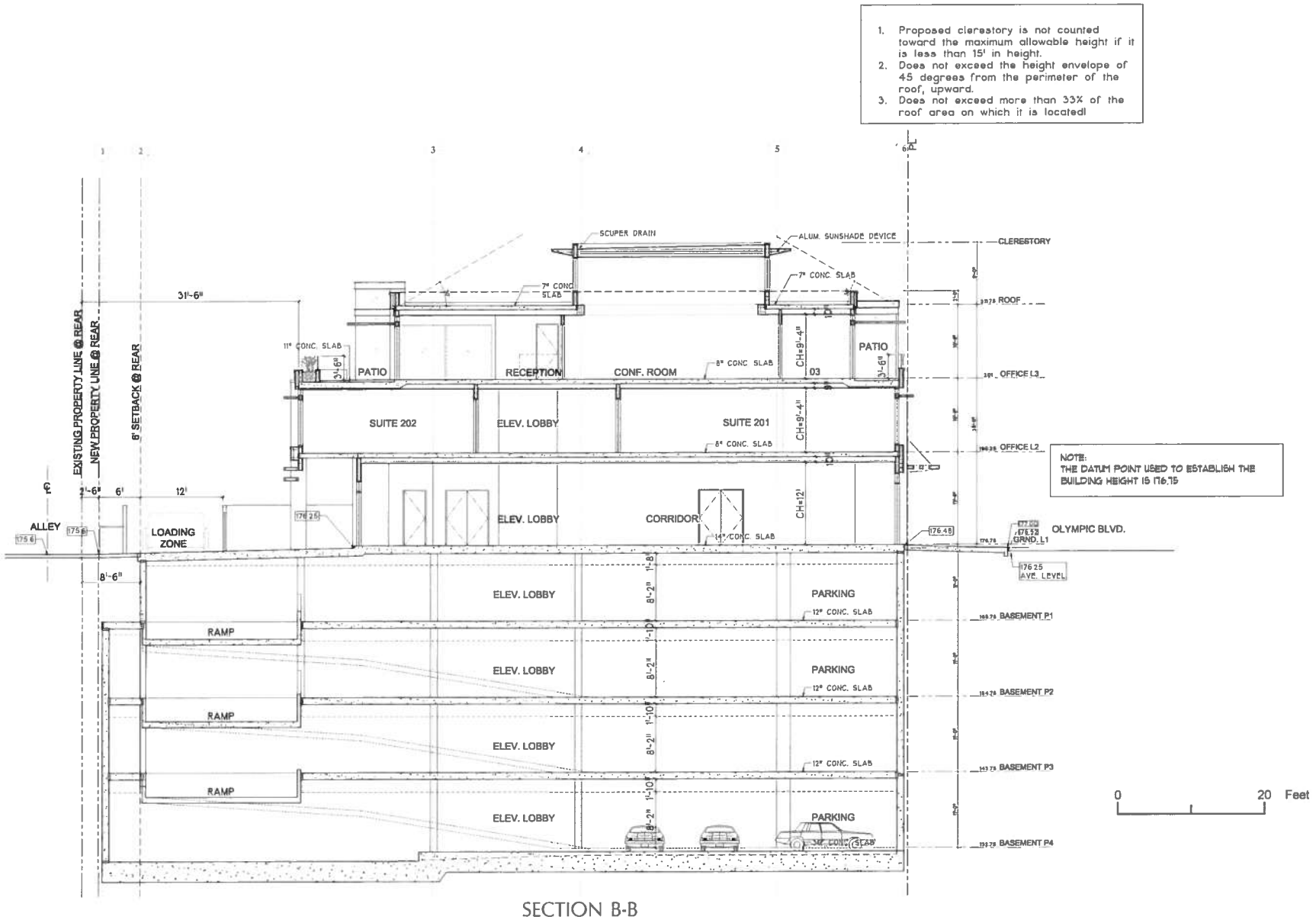
of approximately 22,045 sf and be required to provide 63 parking spaces, per the BHMC requirement. The proposed project includes 76 parking spaces, thirteen more than required.

Additionally, the provided parking would be in a subterranean garage, which would decrease noise and glare associated with parking lots. Parking facilities are not listed on Figure 4-3 of the 1993 SCAQMD CEQA *Air Quality Handbook* as a use that requires analysis of odor impacts. Odor is normally associated with uses such as agriculture, wastewater treatment, industrial facilities, or landfills, none of which are proposed as part of the project.

Intensity of Use. Because the proposed project would have a floor area of approximately 22,045 sf, the project would be allowed a maximum of 4,409 vehicle trips per day (22,045 sf/1,000 sf * 200 vehicle trips) per the intensity of use condition. The proposed project would add approximately 698 average daily trips (Coco Traffic Planners Inc., 2016), which is well below the maximum.

With the aforementioned considerations regarding additional setbacks, clerestory coverage, parking, and intensity of use and Planning Commission approval, the proposed project would be consistent with the height standards set forth for the C-3T-2 zone.

General Plan Consistency. The General Plan has several land-use policies that are relevant to the proposed project, including the following specifically applicable policies related to community character and quality and economic sustainability. Table 2 presents an evaluation of the project's consistency with applicable Beverly Hills General Plan policies.



SECTION B-B

Source: Bucilla Group Architecture Inc, 2016

Section View

Figure 4

Table 2
Consistency with Beverly Hills General Plan Policies

LU 2.1 City Places: Neighborhoods, Districts, and Corridors. *Maintain and enhance the character, distribution, built form, scale, and aesthetic qualities of the City's distinctive residential neighborhoods, business districts, corridors, and open spaces.*	Consistent: Surrounding development consists of two- to three-story multi-family residential buildings and one- to three-story commercial buildings. The proposed three-story commercial building would be similar in scale to surrounding development and would be consistent with the character and quality of the area. The building would undergo architectural review to ensure the façade is compatible with the surrounding development. The building elevations, Figures 3a and 3b, show the architectural style of the proposed project. The project would feature a brick façade, modern, clean lines, and landscaping to ensure cohesion with the architectural style of the area.
LU 2.4 Architectural and Site Design. *Require that new construction and renovation of existing buildings and properties exhibit a high level of excellence in site planning, architectural design, building materials, use of sustainable design and construction practices, landscaping, and amenities that contribute to the City's distinctive image and complement existing development.*	Consistent: The proposed project would exhibit a facade consisting of glass and brick, as shown in Figures 3a and 3b. The project design would be required to undergo architectural review to ensure that the design is complements the existing development.
LU 9.1 Uses for Diverse Customers. *Accommodate retail, office, entertainment, dining, hotel, and visitor serving uses that support the needs of local residents, attract customers from the region, and provide a quality experience for national and international tourists.*	Consistent: The proposed project would accommodate restaurant, retail, and office uses that support the needs of local residents and attract customers from the region.
LU 11.2 Site Planning and Architectural Design. *Require that commercial and office properties and buildings are planned and designed to exhibit a high level of site and architectural design quality and excellence.*	Consistent: The proposed project would exhibit quality site and architectural design. The exterior of the building would consist of a glass storefront. The rear of the building would have planters, an outdoor patio, and a wall to ease the transition to the adjacent residential uses.
LU 12.2 Building, Parking Structure, and Site Design. *Require that buildings, parking structures, and properties in commercial and office districts be designed to assure compatibility with abutting residential neighborhoods, incorporating such elements as setbacks, transitional building heights and bulk, architectural treatment of all elevations, landscape buffers, enclosure of storage facilities, air conditioning, and other utilities, walls and fences, and non-glare external lighting.*	Consistent: The proposed building, parking structure, and site design would be compatible with abutting residential neighborhoods. The building height of three stories above grade, architectural treatment, and landscape buffers would complement the surrounding development. The southern elevation would feature a wall and planters to ease the transition from residential uses to commercial, as well as an outdoor patio.
LU 12.3 Alleys Between Commercial and Residential Uses. *Encourage that alleys be attractively designed as a transition between retail and office districts and residential neighborhoods, using features such as quality paving materials, landscaping, low voltage lighting and high-quality maintenance to assure that such alleys are attractive, and kept free of trash and debris.*	Consistent: The project site has an alley on the south end separating commercial and residential uses. The project would enhance the transition between the commercial use and the adjacent residential area with landscaping on the project site along the alley frontage and a low planter box separating the loading zone. Between the loading zone and building, the project would have an outdoor courtyard area, separated by a block wall fence, to enhance the transition.

As shown in Table 2, the proposed project would be generally consistent with applicable General Plan policies. The project would be consistent with applicable zoning designation and regulations and General Plan designation and policies.

Criterion (b) *The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.*

The project site is located on a 0.28-acre parcel within a developed urban neighborhood. As described in Section 3, Existing Site Conditions, it is immediately surrounded by urban uses on all sides.

Criterion (c) *The project site has no value as habitat for endangered, rare, or threatened species.*

The project site is paved with a surface parking lot and is located within a highly developed urban area that lacks habitat that would be suitable for sensitive animal or plant species. There is limited vegetation on the northern edge of the project site; however, no shrubs or trees are present. This does not provide habitat for sensitive species due to its small size and highly urban context.

Criterion (d) *Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.*

The following discussion provides an analysis of the project's potential effects with respect to traffic, noise, air quality, and water quality.

A. TRAFFIC

The following analysis of potential traffic impacts is based on the Traffic and Parking Study prepared by Coco Traffic Planners, Inc. for the proposed project in January 2016 and the Revised Traffic and Parking Impact Assessment prepared for the revised project in June 2016. The traffic and parking study is included as Appendix A.

Trip Generation. Trip rates for existing and proposed land uses were based on Institute of Traffic Engineers (ITE) traffic generation factors from the 9th Edition of the *Traffic Generation Manual* (ITE, 2012). The trip rate "car storage/rental" was applied for the existing surface parking lot and the trip rates for "general office" and "specialty retail center (3)" were applied for the proposed commercial development. As shown in Table 3, the project is expected to generate a net total of 698 daily trips, including 93 trips during the a.m. peak hour and 137 trips during the p.m. peak hour. Because specialty retail centers are assumed to open after 10:00 a.m., traffic generation during commuter a.m. peak hours are negligible; however, in order to evaluate the worst-case scenario, traffic generation was applied to the a.m. peak hour. This analysis excludes weekend trips because a negligible number of such trips would be expected.

Table 3
Project Trip Generation

Land Use	Size	Unit	Average Daily Traffic		A.M. Peak Hour		P.M. Peak Hour	
			Trip Ends Rate	Trip Ends	Trip Ends Rate	Trip Ends	Trip Ends Rate	Trip Ends
Existing Land Use								
Car Storage/Rental	12.0	KGSF*	0.00	0	0.00	0	0.00	0
Proposed Land Use								
General Office	15.843	KGSF	20.4	323	2.72	43	6.06	96
Specialty Retail Center	7.879	KGSF	47.56	375	6.35	50	5.13	41
Net New Trips				***698***		***93***		***137***

Source: Traffic and Parking Study, Appendix A
**KGSF = thousand gross square feet*

Signalized Intersection Impacts. Coco Traffic Planners modeled impacts to traffic flow at intersections in the vicinity of the project site under existing conditions, future (2017) conditions, future conditions with related projects, and future conditions with related projects and the addition of traffic generated by the project. The Intersection Capacity Utilization (ICU) method was used to assign a level of service (LOS) to each. ICU is the ratio of traffic volume to the capacity. LOS is a qualitative measure used to describe the condition of traffic flow on the street system, ranging from excellent conditions at LOS A to overloaded conditions at LOS F. The City of Beverly Hills has set traffic thresholds, beyond which a project's impact is considered significant and requires implementation of mitigation measures. The traffic impact is significant if a project increases the ICU by 0.02 or more at an intersection operating at LOS E or worse or if a project increases the ICU by 0.03 or more at an intersection operating at LOS D or better. Table 4 shows the ICU values and definitions for levels of service, and the allowable increase in ICU. Table 5 shows the project related impacts at signalized and unsignalized intersections.

Table 4
Intersection Threshold Criteria

Level of Service	ICU	Allowable Increase in ICU	Definition
A	0.00-0.60	0.03	Excellent. No vehicle waits longer than one red light and no approach phase is fully used.
B	0.601-0.70	0.03	Very Good. An occasional approach phase is fully utilized; many drivers begin to feel somewhat restricted within groups of vehicles.
C	0.701-0.80	0.03	Good. Occasionally drivers may have to wait through more than one red light; backups may develop behind

Table 4
Intersection Threshold Criteria

Level of Service	ICU	Allowable Increase in ICU	Definition
			turning vehicles.
D	0.801-0.90	0.03	Fair. Delays may be substantial during portions of the rush hours, but enough lower volume periods occur to permit clearing of developing lines, preventing excessive backups.
E	0.901-1.00	0.02	Poor. Represents the most vehicles intersection approaches can accommodate; may be long lines of waiting vehicles through several signal cycles.
F	>1.00	0.02	Failure. Backups from nearby locations or on cross streets may restrict or prevent movement of vehicles out of the intersection approaches. Tremendous delays with continuously increasing queue lengths.

Source: Traffic and Parking Study, Appendix A

Table 5
Traffic Levels at Surrounding Intersections

Intersection (N/S@E/W)	Time Period	Existing		2017		2017 Cumulative		Cumulative + Project		Project Related Change in ICU
		ICU	LOS	ICU	LOS	ICU	LOS	ICU	LOS	
Rexford Drive @ Olympic Boulevard	A.M.	0.769	C	0.784	C	0.784	C	0.789	C	0.005
	P.M.	0.718	C	0.732	C	0.733	C	0.736	C	0.003
Maple Drive @ Olympic Boulevard	A.M.	0.592	A	0.602	B	0.602	B	0.607	B	0.004
	P.M.	0.597	A	0.607	B	0.608	B	0.615	B	0.007
Palm Drive @ Olympic Boulevard	A.M.	0.629	B	0.640	B	0.641	B	0.649	B	0.009
	P.M.	0.579	A	0.588	A	0.590	A	0.602	B	0.012
Doheny Drive @ Olympic Boulevard	A.M.	0.842	D	0.856	D	0.857	D	0.867	D	0.011
	P.M.	0.875	D	0.890	D	0.891	D	0.901	E	0.010

Source: Traffic and Parking Study, Appendix A

As shown in Table 5, under existing conditions, only the intersection of Doheny Drive and Olympic Boulevard operates below LOS C. The intersection of Doheny Drive and Olympic Boulevard currently operates at LOS D during a.m. and p.m. peak hours. While the proposed project combined with cumulative future traffic conditions would reduce the LOS at the intersection to LOS E during the p.m. peak hour, the proposed project

would generate a change in ICU of just 0.010, which is below the City's threshold of significance. All other intersections would continue to operate at LOS C or higher and none would see a significant increase in ICU related to the project. Therefore, the proposed project would not significantly impact traffic at any of the studied intersections.

Two-Way Stop Intersections. The ICU analysis, shown in Table 5, assumes that all intersections are signalized. However, the intersection at S. Maple Drive and Olympic Boulevard and the intersection at Palm Drive and Olympic Boulevard are controlled by side-street stop signs, with traffic free-flowing on Olympic Boulevard. These intersections were further analyzed using the Highway Capacity Manual (HCM) 2000 Edition methodology for Two-Way Stop Controlled (TWSC) intersections. The results of this analysis concluded that while a minor increase in total delays would occur at both of the intersections, traffic conditions would remain good and no mitigation would be required. This analysis is included in the Coco Traffic Planners Inc., Traffic and Parking Study (Appendix A).

Parking Supply and Demand. The proposed project would provide 76 parking spaces in three levels of subterranean parking. These parking spaces are intended only to serve the new development. Parking requirements for commercial uses are included in BHMC Section 10-3-2730. As shown in Table 6, the proposed project would meet the parking requirements set forth by the BHMC.

Table 6
BHMC Parking Requirements

Use	Area (sf)	Ratio	Sub-Total
Commercial	22,045	1:350	63
Total Required by BHMC			63 spaces
Actual Provided by Proposed Project			76 spaces

BHMC Section 10-3-2730 requires one space per 350 square feet of floor area for commercial uses not otherwise specified in that section.

Site Access. The existing surface parking lot is accessed via a driveway off of Olympic Boulevard. The proposed project would remove this access point and provide access to the subterranean garage via a two-way driveway off of the alley to the south of the project site. Two stairwells (in the northwest and southwest corners) and a central elevator would provide access from the subterranean garage to the retail, restaurant, and office space above. Primary pedestrian access would be provided from the sidewalk on the Olympic Boulevard side of the project site, with additional pedestrian access provided from the alley.

The 60-foot loading zone would be accessed via the alley, with two 15-foot openings, one on each end. The loading zone would fit two trucks.

Construction Traffic. Construction traffic impacts on roadway facilities would be significant if the construction of a project creates a prolonged impact due to lane closure, emergency vehicle access, traffic hazards to bicycles and/or pedestrians, damage to the

roadbed, truck traffic on roadways not assigned as truck routes, and other similar impediments to circulation. Based on the following assumptions, it is not anticipated that project construction would cause significant traffic impacts:

- It is anticipated that the construction vehicles, haul trucks, and construction workers would access the site from Olympic Boulevard, which is an approved heavy haul route (Beverly Hills, March 2009).
- The proposed project would not involve road closures that would affect emergency vehicle access or create hazards to bicycles and pedestrians.
- The total number of construction trips would be staggered throughout the day, with many trips occurring during off-peak hours.

To reduce temporary disruptions on the adjacent roadway network due to construction activities, the project would be expected to comply with the standard City of Beverly Hills condition of approval requiring preparation and approval of a Construction Management Plan prior to the initiation of construction activities. This plan would address the following items:

- Maintain existing access for land uses in proximity of the project site during project construction.
- Schedule deliveries and hauling of construction materials to non-peak travel periods, including night hours and weekends.
- Coordinate deliveries and hauling to reduce the potential of trucks waiting to load or unload for extended periods of time.
- Minimize obstruction of through traffic lanes on Olympic Boulevard.
- Meet the requirements of the Community Development and Public Works/Transportation Departments with respect to construction scheduling and coordination with other construction near the project site, heavy hauling and material delivery routing, types of trucks, use limitations per hour, hours of operations, traffic plan submission for different stages, pedestrian and vehicular access, street use permit process, daily street cleanliness and maintenance and safety after work, and parking management for construction workers.

Additionally, the maximum number of construction parking spaces would be identified, and the applicant would be required to accommodate parking either at the project site or at a nearby site from which workers would be transported to the site. With the provision of such parking, it is anticipated that for workers traveling to the project site there would be sufficient on-site access. Therefore, no additional management plans for construction workers are necessary.

Finally, it should be noted that construction traffic impacts are temporary by their nature, and would have no effect on traffic and circulation beyond the construction period.

Conclusion. The assessment of traffic impacts, parking supply and demand, site access, and construction impacts determined that there would be no significant impacts.

B. NOISE

Noise Characteristics and Measurement. Noise level, or volume, is generally measured in decibels (dB) using the A-weighted sound pressure level (dBA). The A-weighting scale is an adjustment to the actual sound power levels to be consistent with that of human hearing response, which is most sensitive to frequencies around 4,000 hertz (about the highest note on a piano) and less sensitive to low frequencies (below 100 hertz).

One of the most frequently used noise metrics that considers duration as well as sound power level is the equivalent noise level (L_{eq}). The L_{eq} is defined as the steady A-weighted level that is equivalent to the same amount of energy as that contained in the actual varying levels over a period of time (essentially, L_{eq} is the average sound level).

Noise Standards. The City of Beverly Hills' General Plan incorporates comprehensive goals, policies, and implementation actions related to noise and acceptable noise levels. These policies address unnecessary, excessive, and annoying noise levels and sources, such as vehicles, construction, special sources (e.g., radios, musical instruments, animals) and stationary sources (e.g., heating and cooling systems, mechanical rooms).

For traffic related noise, impacts would be significant if project-generated traffic results in the exposure of sensitive receptors to a perceptible increase in roadway noise. Roughly a doubling of traffic volume would be necessary to generate a perceptible increase in roadway noise levels of 3 dBA or more.

Impacts relating to on-site activities would be significant when project-related activities create noise exceeding the standards as identified by the applicable noise zone for the project site. The project site is zoned for commercial use, but adjacent properties to the south are zoned for multi-family residential use. The nearest sensitive receptors to the project site are multi-family residences located approximately 30 feet to the south of the project site (across the alley).

Existing Ambient Noise Levels. The primary source of noise in the vicinity of the project site is motor vehicle traffic, including automobiles, trucks, buses, and motorcycles. Roadways that contribute to ambient noise near the project site include Olympic Boulevard, S. Maple Drive, and the alley behind the project site. A secondary source of noise is motor vehicle activity on-site, at the existing rental car company parking lot. Due to the logarithmic nature of sound, elimination of this relatively minor noise source on-site would not result in a noticeable reduction in the ambient noise level, which depends primarily on motor vehicle traffic on roadways.

To determine existing ambient noise levels on the project site, three 15-minute weekday noise measurements were taken on the project site during p.m. peak traffic hours between 4:00 p.m. and 5:00 p.m. on October 16, 2015, using an ANSI Type II integrating sound level meter. The first noise measurement was located on Olympic Boulevard. The second noise measurement was located in the alleyway behind the project site. The third measurement was located at the intersection of Olympic Boulevard and S. Maple Drive.

Table 7 lists the measured noise levels. As shown in Table 7, noise levels were measured at 70.0 dBA L_{eq} along Olympic Boulevard, 64.9 dBA L_{eq} along the alleyway, and 64.2 dBA L_{eq} at S. Maple Drive. During the noise measurements, motor vehicles were the primary noise source.

Table 7
On-Site Noise Measurement Results

Measurement Number	Measurement Location	Noise Sources	Sample Time	L_{eq} (dBA)
1	Olympic Boulevard	Street Traffic	4:00 p.m.	70.0
2	Alleyway	Residential Traffic w/ tree trimming, leaf blower, and fire truck	4:22 p.m.	64.9
3	S. Maple Drive	Street Traffic w/ industrial truck	4:45 p.m.	64.2

Source: Field visit on October 16, 2015, using ANSI Type II Integrating sound level meter. Refer to Appendix B for noise monitoring data sheets.

Construction Noise. The project would result in temporary noise level increases during site preparation, excavation, paving, and building construction. The grading phase of project construction tends to create the highest noise levels because of the operation of heavy equipment. As shown in Table 8, noise levels associated with heavy equipment typically range from about 76 to 95 dBA at a reference distance of 50 feet from the source and from 74 to 93 dBA at a distance of 30 feet (representing the nearest sensitive receptors). The next closest sensitive receptor is located 75 feet from the project site. Noise levels at this distance would range from 77 dBA to 86 dBA, as shown in Table 8.

Table 8
Typical Noise Levels at Construction Sites

Equipment	Typical Level (dBA)		
	50 Feet	30 Feet	75 Feet
Air Compressor	81	85	78
Backhoe	80	84	77
Concrete Mixer	85	89	82
Jackhammer	88	92	85
Paver	89	93	86
Saw	76	74	73
Scraper	89	93	86
Truck	88	92	85

Source: Hanson, Towers, and Meister, May 2006.
Note: Pile drivers are not permitted onsite pursuant to the City of Beverly Hills Building and Safety Department (Ryan Gohlich, personal communication, April 2012).

Pursuant to the City's noise ordinance (BHMC Sections 5-1-202 and 5-1-205), a significant impact would occur if construction activities occurring on the project site would result in an increase of 5 dBA above the ambient level outside the hours permitted by the City's noise ordinance (i.e., between the hours of 6:00 p.m. and 8:00 a.m. on weekdays, or at any time on Saturday, Sunday, or a public holiday). Further, construction work within 500 feet of a residential zone is prohibited on Saturdays. Because construction would be temporary and would only occur during the hours permitted by the City's noise ordinance, impacts due to construction noise would be less than significant.

Construction Vibration. Vibration is a unique form of noise because its energy is carried through buildings, structures, and the ground, whereas most ambient noise is simply carried through the air. Thus, vibration is generally felt rather than heard. Some vibration effects can be caused by noise; e.g., the rattling of windows from truck pass-bys. This phenomenon is caused by the coupling of the acoustic energy at frequencies that are close to the resonant frequency of the material being vibrated. Typically, groundborne vibration generated by manmade activities attenuates rapidly as distance from the source of the vibration increases and vibration rapidly diminishes in amplitude with distance from the source. The ground motion caused by vibration is measured as particle velocity in inches per second and is referenced as vibration decibels (VdB) in the U.S.

The vibration velocity level threshold of perception for humans is approximately 65 VdB. A vibration velocity of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels for many people. Most perceptible indoor vibration is caused by sources within buildings such as operation of mechanical equipment, movement of people, or the slamming of doors. Typical outdoor sources of perceptible groundborne vibration are construction equipment, steel wheeled trains, and traffic on rough roads. If a roadway is smooth, the groundborne vibration from traffic is barely perceptible. The range of interest is from approximately 50 VdB, which is the typical background vibration velocity, to 100 VdB, which is the general threshold where minor damage can occur in fragile buildings.

Significant impacts occur when vibration or groundborne noise levels exceed the Federal Railroad Administration (FRA) maximum acceptable level threshold of 65 VdB for buildings where low ambient vibration is essential for interior operations (such as hospitals and recording studios), 72 VdB for residences and buildings where people normally sleep, including hotels, and 75 VdB for institutional land uses with primary daytime use (such as churches and schools).
Construction activities that would occur on the project site have the potential to generate groundborne vibration. Table 9 identifies various velocity levels for the types of construction equipment that are likely to operate at the project site during construction.

Table 9
Vibration Source Levels for Construction Equipment

Equipment	Approximate VdB		
	25 Feet	30 Feet	75 Feet
Large Bulldozer	87	85	73
Loaded Trucks	86	83	71
Small Bulldozer	58	55	43
Jackhammers	79	76	65

Source: Federal Railroad Administration, 2012.
Note: Pile drivers are not permitted on-site pursuant to the City of Beverly Hills Building and Safety Department (Ryan Gohlich, personal communication, April 2012).

Based on information presented in Table 9, vibration levels could be approximately 85 VdB at the existing residences located 30 feet south of the project site. As noted above, impacts would be significant if vibration levels exceeded 72 VdB during recognized sleep hours (as established by the Federal Railway Administration for places were people normally sleep). Though vibration levels may exceed 72 VdB at nearby sensitive receptors, construction activities would be limited to daytime hours between 8:00 a.m. and 6:00 p.m. Monday through Friday, per BHMC Section 5-1-206. Therefore, vibration levels would not affect residential uses that are sensitive to vibration levels when sleep is disturbed. In addition, the project would not exceed vibration levels that could potentially damage nearby buildings.

Construction activity would be temporary and the use of heavy equipment would be primarily limited to the excavation, site preparation, and exterior construction phases. As construction of the outer shell of the building progresses, the building itself would contain much of the construction activity, and the likelihood of utilizing bulldozers and jackhammers decreases. Trucks would still be anticipated to bring construction materials to the site, which may periodically generate vibrations that would be felt by nearby receptors; however, the vibrations would not be likely to persist for long periods. Because vibration would be a temporary impact during construction and would not occur during normal sleep hours, impacts would be less than significant.

Operational Noise. Existing uses near the project site may periodically be subject to noises associated with operation of the proposed project, including exterior noise that is typical of commercial development and parking garages: conversations; trash hauling; delivery traffic, loading and unloading; tire and engine noise from the movement of vehicles on driveways; noise associated with rooftop ventilation and heating systems; and beeping from the locking and unlocking of motor vehicles. For example, conversations taking place on the third floor outdoor patio or in the ground floor outdoor courtyard may be heard at adjacent residences. However, this activity would not substantially contribute to average ambient noise levels and would be comparable to similar activity at the nearby residences.

In addition, the proposed project would generate traffic noise from vehicles traveling to and from the project site. As shown in Table 3, the proposed project would generate a net gain of approximately 698 average daily trips, 93 a.m. peak hour trips, and 137 p.m. peak hour trips. Vehicular access to the proposed project would be provided from the two-way

alley to the south of the project site. The Traffic and Parking Study prepared for the proposed project estimates that 57% of trips would occur on Palm Drive, 43% of trips would occur on Maple Drive, and 82% of trips would occur on Olympic Boulevard. Table 10 shows existing traffic volumes and the expected increase in trips on local roadways. Palm Drive during the p.m. peak hour would experience the largest percentage increase in traffic, with a 54% increase over existing trips. Roughly a doubling of traffic volume would be necessary to generate a perceptible increase in roadway noise levels of 3 dBA or more. Therefore, the minimal amount of traffic generated by the proposed project relative to existing traffic volumes on local roadways would not result in a perceptible increase in roadway noise.

Table 10
Vehicle Trip Increase by Roadway

Roadway	Existing A.M./P.M. Peak Hour Trips Trips [a]	Percentage of Project Trips [b]	Net New Project Trips A.M.:(93*b) P.M.: (137*b) [c]	Percentage Increase (c/a*100) [d]
Palm Drive (south of Olympic Boulevard)	112 / 144	57%	53 / 78	46.4% / 54.2%
Maple Drive (south of Olympic Boulevard)	75 / 121	43%	40 / 59	53.3% / 48.8%
Olympic Boulevard (between Palm Drive and Maple Drive)	3,578 / 3,755	82%	76 / 112	2.1% / 3.0%

Source: Traffic and Parking Study, Appendix A

Conclusion. The proposed project is not expected to result in a significant long-term increase in traffic noise levels, and temporary construction noise would be less than significant, based on compliance with the City's time restrictions on construction activities, contained in the City's Municipal Code. The proposed commercial uses of the proposed project would not be expected to have a significant impact on daily noise at the project site. Therefore, noise-related impacts resulting from implementation of the proposed project would be less than significant.

C. AIR QUALITY

A significant adverse air quality impact may occur when a project individually or cumulatively interferes with progress toward the attainment of the ozone standard by releasing emissions that equal or exceed the established long term quantitative thresholds for pollutants, or causes an exceedance of a state or federal ambient air quality standard for any criteria pollutant. Because the project site is located within the South Coast Air Basin and falls under the jurisdiction of the South Coast Air Quality Management District (SCAQMD), this air quality analysis conforms to the methodologies recommended in SCAQMD's CEQA Air Quality Handbook (1993). The following significance thresholds have been recommended by the SCAQMD for project operations within the South Coast Air Basin:

- *55 pounds per day of ROG;*
- *55 pounds per day of NO_X;*

- *550 pounds per day of CO;*
- *150 pounds per day of PM_{10}; and*
- *55 pounds per day of $PM_{2.5}$.*

Construction-related air quality impacts are considered significant if emissions associated with construction activity would exceed adopted SCAQMD thresholds. Temporary construction emission thresholds have been recommended by the SCAQMD on a daily basis as follows:

- *75 pounds per day of ROG;*
- *100 pounds per day of NO_X;*
- *550 pounds per day of CO;*
- *150 pounds per day of PM_{10}; and*
- *55 pounds per day of $PM_{2.5}$.*

In addition to the regional air quality thresholds shown above, SCAQMD has developed Localized Significance Thresholds (LSTs) in response to the Governing Board's Environmental Justice Enhancement Initiative (1-4), which was prepared to update the SCAQMD's CEQA Air Quality Handbook. LSTs were devised in response to concern regarding exposure of individuals to criteria pollutants in local communities. LSTs represent the maximum emissions from a project that will not cause or contribute to an air quality exceedance of the most stringent applicable federal or state ambient air quality standard at the nearest sensitive receptor, taking into account factors such as ambient concentrations in each source receptor area (SRA), project size, and distance to the sensitive receptor. However, LSTs only apply to emissions within a fixed stationary location, including idling emissions during both project construction and operation, and are not applicable to mobile sources such as cars on a roadway (SCAQMD, Final Localized Significance Threshold Methodology, June 2003). LSTs have been developed for NO_X, CO, PM_{10}, and $PM_{2.5}$. Since the majority of emissions from the proposed office and retail/restaurant uses would be generated by vehicle trips on roadways, LSTs for operational emissions would not apply to the proposed project. Construction LSTs for the 0.28-acre project site were derived based on the SCAQMD's LSTs for one- acre project sites in SRA 2 for Northwest Coastal LA County.

Operational Emissions. Long-term operational emissions associated with the proposed project are those associated with vehicle trips (mobile emissions) and the use of natural gas, consumer products, and architectural coatings (area source emissions) upon buildout of the project. Pollutant emissions associated with the proposed project (shown in Table 11) were quantified using the California Emissions Estimator Model (CalEEMod), version 2013.2.2, based on the proposed use and the number of associated vehicle trips generated by the project as discussed above. This analysis takes into account the removal of land uses currently existing on the project site. Emissions generated from the operation of a surface parking lot are primarily from mobile sources.

Table 11
Estimated Operational Emissions

	Emissions (lbs/day)				
	ROG	NO_X	CO	PM_{10}	$PM_{2.5}$
Emissions from Proposed 3-Story Commercial Building with Subterranean Parking	8.1	5.4	20.0	3.8	1.1
Emissions from Existing Surface Parking Lot	(0.2)	(<0.01)	(<0.01)	(0)	(0)
Net New Emissions	**7.9**	**5.4**	**20.0**	**3.8**	**1.1**
SCAQMD Thresholds	*55*	*55*	*550*	*150*	*50*
Exceed Thresholds?	***No***	***No***	***No***	***No***	***No***

Source: CalEEMod v. 2013.2.2

( ) denotes reduction

Note: Please see Appendix B for complete modeling results. For a conservative estimate of project emissions, construction and operational emissions were modeled and reported for the maximum day during the winter, since emission estimates are typically higher in the winter months compared to the summer months. Winter emission estimates are then compared to the SCAQMD thresholds measured in pounds-per-day. The annual emissions listed in the tables in Appendix B show the average annual emissions in terms of metric tons per year. These estimates are used for analysis of greenhouse gas emissions impacts, since the greenhouse gas emission thresholds are based on metric tons per year.

As shown in Table 11, the emissions generated by the proposed project would not exceed the SCAQMD's daily operational thresholds and would not significantly affect regional air quality. Therefore, the impact is less than significant for the proposed project.

Construction Emissions. Development of the proposed project would involve site grading, excavation, renovation, and other construction-related activities that have the potential to generate substantial air pollutant emissions. Temporary construction emissions from these activities were estimated using CalEEMod, based on the gross amount of proposed new commercial and retail/restaurant space and the new parking. Table 12 shows the maximum daily construction emissions.

Table 12
Estimated Construction Emissions

	Emissions (lbs/day)				
	ROG	NO_X	CO	PM_{10}	$PM_{2.5}$
Maximum Daily Emissions	32.5	15.9	12.9	1.7	1.2
SCAQMD Threshold	*75*	*100*	*550*	*150*	*55*
Exceed SCAQMD Threshold?	***No***	***No***	***No***	***No***	***No***
Localized Significance Thresholds[1]	*N/A*	*103*	*562*	*4*	*3*
Exceed LST?	***No***	***No***	***No***	***No***	***No***

Source: CalEEMod v. 2013.2.2

[1] Allowable emissions (lbs/day) as a function of receptor distance (25 meters) from site boundary, as derived from a regression analysis on the LSTs for one-acre sites in Source Receptor Area 2: Northwest Coastal LA County. Source: http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds

Note: Please see Appendix C for complete modeling results. For a conservative estimate of project emissions, construction and operational emissions were modeled and reported for the maximum day during the winter, since emission estimates are typically higher in the winter months compared to the summer months. Winter emission estimates are then compared to the SCAQMD thresholds measured in pounds-per-day.

As indicated in Table 12, emissions from construction activities would not exceed SCAQMD daily significance thresholds and would not result in any significant air quality impacts. Moreover, SCAQMD Rule 403 requires the following measures to reduce fugitive dust; these are required to be implemented at all construction sites located within the South Coast Air Basin. Compliance with the SCAQMD Rule 403 measures would further reduce construction emissions.

1. ***Minimization of Disturbance.*** *Construction contractors should minimize the area disturbed by clearing, grading, earth moving, or excavation operations to prevent excessive amounts of dust.*
2. ***Soil Treatment.*** *Construction contractors should treat all graded and excavated material, exposed soil areas, and active portions of the construction site, including unpaved on-site roadways to minimize fugitive dust. Treatment shall include, but necessarily be limited to, periodic watering, application of environmentally safe soil stabilization materials, and/or roll compaction as appropriate. Watering shall be done as often as necessary, and at least twice daily, preferably in the late morning and after work is done for the day.*
3. ***Soil Stabilization.*** *Construction contractors should monitor all graded and/or excavated inactive areas of the construction site at least weekly for dust stabilization. Soil stabilization methods, such as water and roll compaction and environmentally safe dust control materials, shall be applied to portions of the construction site that are inactive for over four days. If no further grading or excavation operations are planned for the area, the area shall be seeded and watered until landscape growth is evident, or periodically treated with environmentally safe dust suppressants, to prevent excessive fugitive dust.*
4. ***No Grading During High Winds.*** *Construction contractors should stop all clearing, grading, earth moving, and excavation operations during periods of high winds (20 miles per hour or greater, as measured over a one-hour period).*
5. ***Street Sweeping.*** *Construction contractors should sweep all on-site driveways and adjacent streets and roads at least once per day, preferably at the end of the day, if visible soil material is carried over to adjacent streets and roads.*

Conclusion. The proposed project would not generate significant air quality impacts. Additionally, as discussed in the Traffic section, this project would not result in significant increases in traffic at intersections. Thus, the project would not require analysis for CO hotspots, based on the recommendations contained in Caltrans' Transportation Project CO Protocol Manual.

D. GREENHOUSE GAS EMISSIONS

Climate Change and Greenhouse Gases. Climate change is the observed increase in the average temperature of the Earth's atmosphere and oceans along with other substantial changes in climate (such as wind patterns, precipitation, and storms) over an extended period of time. Climate change is the result of numerous, cumulative sources of greenhouse gases (GHGs). GHGs contribute to the "greenhouse effect," which is a natural occurrence that helps regulate the temperature of the planet. The majority of radiation from the Sun hits the Earth's surface and warms it. The surface in turn radiates heat back towards the atmosphere, known as infrared radiation. Gases and clouds in the atmosphere trap and prevent some of this heat from escaping back into space and re-radiate it in all directions. This process is essential to supporting life on Earth because it warms the planet by approximately 60° Fahrenheit. Emissions from human activities since the beginning of the industrial revolution (approximately 250 years ago) are adding to the natural greenhouse effect by increasing the gases in the atmosphere that trap heat, thereby contributing to an average increase in the Earth's temperature.

GHGs occur naturally and from human activities. Human activities that produce GHGs are the burning of fossil fuels (coal, oil and natural gas for heating and electricity, gasoline and diesel for transportation); methane from landfill wastes and raising livestock, deforestation activities; and some agricultural practices. Greenhouse gases produced by human activities include carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6). Since 1750, it is estimated that the concentrations of carbon dioxide, methane, and nitrous oxide in the atmosphere have increased over by 36%, 148%, and 18% respectively, primarily due to human activity. Emissions of GHGs affect the atmosphere directly by changing its chemical composition while changes to the land surface indirectly affect the atmosphere by changing the way in which the Earth absorbs gases from the atmosphere. Potential impacts in California of global warming may include loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years (CEC, March 2009).

The adopted CEQA Guidelines provide regulatory guidance on the analysis and mitigation of GHG emissions in CEQA documents, while giving lead agencies the discretion to set quantitative or qualitative thresholds for the assessment and mitigation of GHGs and climate change impacts. The 2008 SCAQMD threshold considers emissions of over 10,000 metric tons carbon dioxide equivalent (CO_2e) per year to be significant. However, the SCAQMD's threshold applies only to stationary sources and is expressly intended to apply only when the SCAQMD is the CEQA lead agency. Although not yet adopted, the SCAQMD has a recommended tiered GHG significance threshold (SCAQMD, 2010). Under Tier 2, proposed projects would be less than significant if the project is consistent with an approved GHG reduction plan. Tier 3 includes screening level quantitative thresholds. As the City of Beverly Hills does not have an adopted GHG reduction plan or Climate Action Plan, the proposed project was compared to Tier 3 quantitative thresholds. SCAQMD has a recommended Tier 3 screening level quantitative threshold for all land use types of 3,000 metric tons CO_2e / year.

Proposed Project GHG Emissions. GHG emissions associated with the proposed project were estimated using CalEEMod. The analysis focuses on CO_2, N_2O, and CH_4 as these are the GHG emissions that onsite development would generate in the largest quantities. Emissions of fluorinated gases, such as HFCs, PFCs, and SF_6 would not be significant since fluorinated gases are primarily associated with industrial processes. Complete CalEEMod results and assumptions can be viewed in Appendix B.

Construction Emissions. Based on the CalEEMod results, construction activity for the project would generate an estimated 144 metric tons CO_2e(as shown in Table 13) during construction. Amortized over a 30-year period (the assumed life of the project), construction of the proposed project would generate an estimated 4.8 metric tons CO_2e per year. Emissions from construction are amortized for the purpose of comparison with annual operational emissions over the estimated 30-year life of the project.

Table 13
Estimated Construction Emissions of Greenhouse Gases

	Construction Emissions (CO_2e)
Total Emissions	144 metric tons
Amortized over 30 years	4.8 metric tons per year

Source: CalEEMod, 2013.2.2. See Appendix C for GHG emission worksheets and assumptions.

Operational Indirect, Stationary Direct, and Mobile Emissions. Long-term emissions relate to area sources, energy use, solid waste, water use, and transportation. Each of these sources is discussed below.

Area Source Emissions. Area emissions include consumer product use, the reapplication of architectural coatings, and landscape maintenance equipment. As shown in Table 14, area emissions are estimated at less than one metric ton CO_2e per year.

Energy Use. Operation of the proposed project would consume both electricity and natural gas. Project operation would consume an estimated 641,521 kilowatt-hours [kWh] of electricity and 177,108 kBTU of natural gas per year (refer to Appendix C). The generation of electricity used by the project would occur at offsite power plants, much of which would be generated by the combustion of fossil fuels that yields CO_2, and to a smaller extent N_2O and CH_4. As discussed above, annual electricity and natural gas emissions was calculated using CalEEMod, which has developed emission factors, based on the mix of fossil-fueled generation plants, hydroelectric power generation, nuclear power generation, and alternative energy sources associated with the regional grid. Electricity consumption associated with the project would generate approximately 184 metric tons CO_2e per year. Natural gas use would generate approximately 10 metric tons CO_2e per year. Thus, overall energy use from the proposed project would generate an estimated 194 metric tons CO_2e per year.

Solid Waste. The CalEEMod output for greenhouse gas emissions from solid waste relies on current commercial waste disposal rates provided by CalRecycle. The project is assumed to have a waste diversion rate of 78 percent, which is standard in the City of Beverly Hills. Solid waste associated with the project would generate an estimated 2 metric tons of CO_2e per year.

Water Use. Based on the amount of electricity generated in order to supply and convey water for the proposed project, the project would generate an estimated 22 metric tons of CO_2e per year.

Transportation. Mobile source GHG emissions were estimated using the average daily trips for the proposed project (see the Traffic section above) and based on the total vehicle miles traveled (VMT) estimated in CalEEMod. The proposed project would generate about 1,402,802 annual VMT. The project would emit an estimated 590 metric tons of CO_2e per year from CO_2 and CH_4. CalEEMod does not calculate N_2O emissions related to mobile sources. As such, N_2O emissions were calculated based on the proposed project's VMT using calculation methods provided by the California Climate Action Registry General Reporting Protocol (January 2009). The proposed project would emit an estimated 31 metric tons of CO_2e per year from N_2O. Thus, the total mobile emissions would be 621 metric tons of CO_2e per year.

Combined Construction, Stationary and Mobile Source Emissions. Table 14 combines the construction, operational, and mobile GHG emissions associated with development of the proposed project, and subtracts operational and mobile emissions associated with existing development on the project site.

For the proposed project, the combined annual gross emissions are estimated at 844 metric tons CO_2e per year. As there would be an offset of emissions from the elimination of the existing surface parking use, the net emissions of the proposed project would be an estimated 841 metric tons CO_2e per year. Thus, GHG emissions associated with the proposed project would not exceed the 3,000 metric tons CO_2e per year threshold of significance, and impacts on climate change from GHG emissions would be less than significant.

Table 14
Combined Annual Emissions of Greenhouse Gases

Emission Source	Annual Emissions (Metric Tons CO_2e)
Proposed Project	
Project Construction	4.8
Project Operational	
Area	<0.1
Energy	194
Solid Waste	2
Water	22
Project Mobile	590
Project Mobile N_2O Emissions	31
Project Subtotal	***844***