
The Beverly Hills Gateway Project
Supplemental Analysis to the Final
Environmental Impact Report

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1.0 INTRODUCTION

The Final EIR for the Beverly Hills Gateway Project was printed and distributed to the City of Beverly Hills Planning Commission in March of 2011. At their hearing of March 24, 2011, the Planning Commission directed staff to develop an Overlay Zone for the Gateway site rather than recommending that the City Council certify the EIR or approve the project, as then contemplated.

This supplemental analysis has been prepared to consider the effects of applying the proposed Overlay Zone and its objectives and development standards to the three parcels previously proposed for development as analyzed in the Beverly Hills Gateway Project EIR (SCH #2008011066) and all immediately adjacent parcels currently zoned C-3. This document describes the revised project and evaluates the associated potential environmental impacts. The revised project and its potential impacts are compared to the project evaluated in the March 2011 Final EIR.

In contrast to the project previously analyzed in the March 2011 Final EIR, no specific development proposals are being considered as part of this supplemental analysis. Rather, a reasonable buildout scenario has been developed for the entire Overlay Zone project area consistent with the proposed Overlay Zone objectives and development standards.

2.0 PROJECT DESCRIPTION

2.1 Existing Conditions

This supplemental analysis assumes development of the original project area described in the March 2011 Final EIR plus development of the immediately adjacent parcels in the C-3 Zone. The approximately 4.46-acre flat, long and narrow (varying from approximately 60 to 100 feet in width) site consists of 26 assessor's parcels as listed in Table S-1. Table S-1 also summarizes the existing characteristics and land use classifications of the project area. Figure 1 illustrates the physical boundaries of the proposed Overlay Zone as well as the boundaries of the individual parcels within the project area.

**Table S-1
Existing Conditions**

Project Area Size	Approximately 4.46 acres / 194,319 sf*
Existing Building Square Footage	Approximately 73,000 sf of commercial office, retail, and restaurant
Parcel 1 and Adjacent C-3 Zoned Parcels	
Site Size	Approximately 91,073 sf (2.09 acres)
Assessor's Parcel Numbers	4328-001-023,021, 020, 019, 018, 017,014,013,010, and 009
General Plan Land Use Designations	Railroad and Commercial – Low Density General
Zoning Designations	T-1 (Transportation Zone) and C-3 (Commercial Zone)

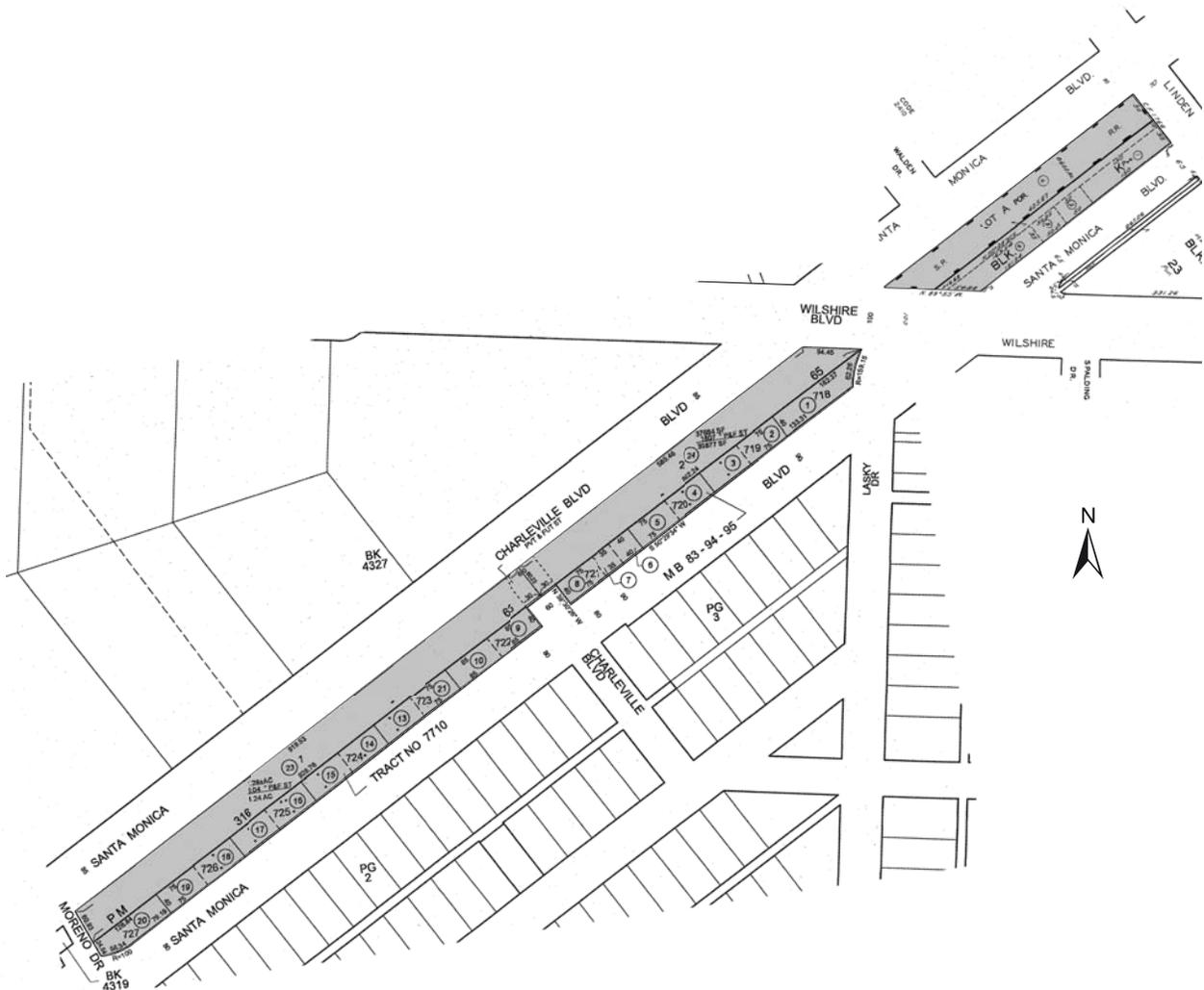


**Table S-1
Existing Conditions**

Current Use and Development	Vacant land and one- to three-story commercial retail (eight structures)
Surrounding Land Use/Zoning Designations	North: 9900 Wilshire specific plan, Hilton Specific Plan and C-3. South: C-3A (Commercial Zone) East: T-1 (Transportation Zone) and C-3 (Commercial Zone) West: PF (City of Los Angeles - Public Facilities Zone)
Parcel 2 and Adjacent C-3 Zoned Parcels	
Site Size	Approximately 62,130 sf (1.43 acres)
Assessor's Parcel Numbers	4328-001-024, 008, 007, 006, 005, 004, 003, 002, and 001
General Plan Land Use Designations	Railroad and Commercial – Low Density General
Zoning Designations	T-1 (Transportation Zone) C-3 (Commercial Zone)
Current Use and Development	Vacant land and one/two-story retail development (seven structures) and associated surface parking
Surrounding Land Use/Zoning Designations	North: 9900 Wilshire Specific Plan, Hilton Specific Plan and C-3 Commercial C-3 (Commercial Zone) South: T-1 (Transportation Zone) and C-3 (Commercial Zone) East: T-1 (Transportation Zone) and C-3 (Commercial Zone) West: T-1 (Transportation Zone) and C-3 (Commercial Zone)
Parcel 3 and Adjacent C-3 Zoned Parcels	
Site Size	Approximately 41,116 sf (0.94 acres)
Assessor's Parcel Numbers	4343-027-006, 004, 003, 002, and 001
General Plan Land Use Designation	Railroad and Commercial – Low Density General
Zoning Designations	T-1 (Transportation Zone) and C-3 (Commercial Zone)
Current Use and Development	Surface parking / rental car storage associated with adjacent rental car operation and two retail uses (two structures)
Surrounding Land Use/Zoning Designations	North: R-1 (One-Family Residential Zone) Beverly Gardens Park South: C-3 (Commercial Zone) East: T-1 (Transportation Zone) C-3 (Commercial Zone) West: T-1 (Transportation Zone) C-3 (Commercial Zone)

* sf = Square Feet **Sources: City of Beverly Hills, January 2008; L.A. County Assessor





Source: County of Los Angeles County Assessor Map, 2004.

Aera Potentially Eligible for Overlay Zone

Figure 1
City of Beverly Hills

Parcel 1 and Adjacent Commercial Properties. The 2.09-acre Parcel 1 property comprises twelve assessor's parcels and is the westernmost of the three properties; its western edge is adjacent to the boundary between the cities of Beverly Hills and Los Angeles. The areas zoned T-1 are vacant and undeveloped. The groundcover consists mostly of gravel with sparse weedy vegetation. The areas zoned C-3 contain an existing three-story commercial building, single-story retail uses, and paved surface parking lots. Primary access to the existing commercial uses is currently taken from South Santa Monica Boulevard. The parcel has approximately 905 feet of frontage on Santa Monica Boulevard.

Parcel 2 and Adjacent Commercial Properties. The 1.43-acre Parcel 2 property comprises nine assessor's parcels and is located just south of Wilshire Boulevard, between Charleville and Wilshire Boulevard. The largest of the parcels, which is aligned in a linear fashion with the other two properties, is zoned T-1, and the smaller parcels, which front on South Santa Monica Boulevard as well as Wilshire Boulevard, are zoned C-3. The T-1 area is vacant and undeveloped, although the northeastern portion is currently used for surface parking. The C-3 area is developed with three one-story commercial buildings totaling approximately 9,633 square feet. Primary access to the existing commercial uses is currently taken from South Santa Monica Boulevard. The property has approximately 590 feet of frontage on Santa Monica Boulevard, 95 feet of frontage on Wilshire Boulevard and about 283 feet of frontage on South Santa Monica Boulevard.

Parcel 3 and Adjacent Commercial Properties. The 0.94-acre Parcel 3 property comprises five assessor's parcels and is entirely paved and is currently used for surface parking and rental car office/storage associated with the adjacent car rental operation, and commercial retail. The parcel is the easternmost of the three properties, and has approximately 487 feet of frontage on Santa Monica Boulevard, and 141 feet of frontage on Wilshire Boulevard.

2.2 Revised Project Characteristics

Development under the proposed Overlay Zone (the "revised project") represents an estimate of potential development that would be consistent with the objectives and development standards associated with the proposed overlay zone. The primary objective of the proposed Overlay Zone and the corresponding development standards are intended to allow design flexibility for each future development project proposed within the project area. The draft Overlay Zone objectives that would guide future development in the project area are as follows:

- 1. Development shall be consistent with the purpose and intent of the proposed Overlay Zone and the General Plan.*
- 2. Development within the overlay zone shall promote the garden quality of the City.*
- 3. Lot consolidation and coordinated development of underlying T-1 zoned properties and adjacent underlying C-3 properties fronting on South Santa Monica Boulevard is encouraged and shall be required for the reviewing authority's approval of maximum height and density allowances.*



4. *Project design shall be internally and externally consistent and promote pedestrian, bicycle, and vehicular access and connectivity within and between proposed Overlay Zone properties, the adjacent C-3 properties, and residential and hotel development built or planned across North Santa Monica Boulevard. Connectivity at or above grade and within underground parking structures shall be achieved to the extent feasible. The reviewing authority shall consider the appropriateness of proposed ingress/egress for developments within the C-PD-G Overlay Zone to ensure that traffic will not adversely impact the adjacent residential area and the high school area.*
5. *Parking shall be located below-grade and located on properties subject to proposed Overlay Zone; vehicle and pedestrian access to parking shall be convenient. Minimal at grade parking may be considered by the reviewing authority. Parking in excess of the minimum required parking set forth in Section 10-3-2730 of the zoning code shall be incorporated into any development and be made available to the public. The excess public parking incorporated into any development on Parcel 1 (9900 Santa Monica Boulevard) and Parcel 2 (9848 Wilshire Boulevard) shall on a collective basis substantially offset the parking deficiency in the neighborhood along South Santa Monica Boulevard between the intersection with Wilshire Boulevard and the City's western boundaries .*
6. *Development shall take advantage of design flexibility incorporated into the proposed Overlay Zone to create iconic architecture that promotes the image of the City and that respects the scale, mass and character of surrounding development in the immediate vicinity. Building facades visible from public streets shall exhibit innovative design, distinctive architectural merit, or a combination of both.*
7. *Project design and site planning shall incorporate substantial area dedicated to green space, public open space, and pedestrian amenities. Building height shall be balanced with appropriate setbacks and landscaping adjacent to public streets to promote the appearance of a green belt and minimize the appearance of a canyon effect along North Santa Monica Boulevard. Buildings shall be well modulated.*
8. *Development shall be designed with pedestrian-oriented amenities and uses at the ground floor that encourage pedestrian activity during daytime and nighttime hours such as restaurants, outdoor dining and retail.*
9. *Development on Parcels 2 and 3 (9817 Wilshire Boulevard) shall provide significant setbacks from the intersections of Wilshire Boulevard and North and South Santa Monica Boulevard to aesthetically complement Beverly Gardens Park and fountain plaza, and the planned open space at the northwest corner of Wilshire Boulevard and North Santa Monica Boulevard. The setback area at the intersections shall include pedestrian amenities, green space, significant public art, or other elements determined to be appropriate by the reviewing authority. The size and shape of the setbacks on Parcel 2 shall be a primary consideration for any approval by the reviewing authority of maximum height allowances on that Parcel.*
10. *Development shall incorporate adequate land dedications or easements that may be needed for future roadway and transportation improvements, including possible bicycle facilities, pedestrian mobility elements, bus shelters, pedestrian bridges or similar improvements.*



11. *Development shall not result in detrimental impacts to existing or planned development in the vicinity with regard to traffic levels, traffic safety, pedestrian-vehicle conflicts, pedestrian safety hazards, parking demand, parking design, loading or manner of operation, unless the reviewing authority finds the development benefits outweigh the detrimental impacts.*
12. *Development shall include additional public benefits that the reviewing authority determines to be appropriate.*
13. *The reviewing authority may grant additional height for projects that preserve reasonable expectations of privacy and provide substantial green space that visually connects North and South Santa Monica Boulevards. Projects approved for additional height must have an exceptional design and must distribute building form and mass in such a way as to minimize the perception of continuous uninterrupted wall of development as viewed from public streets and provides corridors in which to view other iconic architecture in the neighborhood. Any additional height granted may not exceed sixty feet (60'), not including permitted projections.*
14. *Development on the underlying T-1 zoned parcel shall not preclude future development opportunities on adjacent C3 zoned parcels. Projects designed to meet the open space requirements of this article on portions of the T-1 parcel immediately adjacent to C3 zoned parcels not included in the Overlay, or designed with structures immediately adjacent to C3 zoned parcels not included in the Overlay, may be determined by the reviewing authority as having precluded future development opportunities on the adjacent C3 zoned parcels*

The City has compiled a revised development scenario representing a maximum building size, allowed uses, parking requirements and other basic elements of conceptual buildout of the project area under the proposed Overlay Zone. To specifically ensure consistency with proposed Overlay Zone Objective No. 3 listed above, the revised development scenario assumes that any future development proposal on Parcels 1 through 3 would include both the currently zoned T-1 properties along with the adjacent C-3 designated properties. It is important to note that the overlay zone would allow a 0.50 floor area ratio (FAR) and one-story, 18-foot high development on T-1 properties developed alone, with the potential for greater development allowance if C-3 property is incorporated into the project. Additionally, if a future project applicant only controls a small C-3 zoned property next to the T-1 zoned property, only that small proportional percentage of the T-1 property would be allowed to develop a commercial use consistent with the underlying C-3 development standards and any applicable standards contained within the proposed Overlay Zone. Therefore, the revised development scenario assumes the consolidation of a substantial number of lots and the coordinated development of properties with an underlying T-1 zoning designation and the adjacent properties with an underlying C-3 zoning designation fronting on South Santa Monica Boulevard. The maximum FAR averages the maximum permitted FAR of 2.0 for properties currently zoned C-3 and the maximum Overlay Zone permitted FAR of 1.5 for properties currently zoned T-1 if it is immediately adjacent to a C-3 zoned-property controlled by the overlay zone and incorporated into the project. The maximum height allowed for a development on a T-1 zoned property would be one-story/18 feet. The height restriction for combined developments (T-1 property and C-3 property) would be a maximum of 3-stories or 45 feet; however, a building with a maximum height of 60 feet may be considered if the proposed project design incorporates substantial green space, setbacks, excess parking, public open space, iconic architecture, and pedestrian amenities.



It should be noted that the maximum allowed FAR on the C-3 zoned parcels under current regulatory conditions is 2.0, which is the same that could be potentially approved for the C-3 parcels under the proposed Overlay Zone. However, when combined C-3 and T-1 properties are developed, the FAR would be likely be somewhere between the 1.5 allowed on the T-1 properties and the 2.0 allowed on the C-3 properties. This is less than the 2.0 FAR used for buildout of the combined C-3 and T-1 properties analyzed in the March 2011 Final EIR. Table S-2 below compares the notable attributes of the Overlay Zone scenario and the original project analyzed in the March 2011 Final EIR.

**Table S-2
 Development Scenario Comparison**

March 2011 Final EIR Project Summary		Overlay Zone Project Summary	
<i>Total Area:</i>	~3.0 acres	<i>Total Area:</i>	4.46 acres
<i>Max Building Height:</i>	45 feet	<i>Max Building Height:</i>	60 feet
<i>Proposed Uses:</i>	Retail, Office	<i>Proposed Uses:</i>	Retail, Office, Restaurant, , Museum, Boutique Hotels, Residential uses above ground floor (rental) & other permitted uses in C-3 zone
<i>FAR for C-3 Properties:</i>	2.0	<i>Max FAR for C-3 Properties:</i>	2.0
<i>FAR for T-1 Properties:</i>	2.0	<i>Max FAR for T-1 Properties:</i>	1.5

The proposed Overlay Zone prohibits uses such as medical office, nightclubs and any uses that are not allowed in C-3 zone. Each parcel’s conceptual development characteristics that could be potentially allowed under the Overlay Zone are described below. To provide a conservative impact analysis, the potential mix of uses allowable under the proposed Overlay Zone that would result in the greatest vehicle trip generation – a combination of office and retail/restaurant - are used, rather than other allowable uses such as hotel, residential or museum that would have lower trip generation. The site preparation characteristics described in the Final Gateway Project EIR were used as a basis for each of the revised development areas.

Parcel 1 Development Characteristics. Development of Parcel 1 would consist of one-story development if proposed only on T-1 property. Development of combined T-1 and C-3 properties would be a maximum of four stories, with retail on the ground floor and offices on upper floors. Parking would be provided in a subterranean parking garage. The Parcel 1 development scenario allocates ground floor retail and restaurant within the majority of C-3 zoned parcels. However, the development would include appropriate setbacks, building modulation, green spaces, and pedestrian amenities, as envisioned by the Overlay Zone objectives. Ground floor retail spaces along with pedestrian and open space amenities would front on South Santa Monica Boulevard, connecting to the associated T-1 zoned parcel via the adjacent existing C-3 zoned parcels.

Future development would include a subterranean parking garage to support on-site uses. This assumes that the parking provided pursuant to BHMC 10-3-2730 for office/retail/restaurant would be provided on site and include additional parking spaces for public parking uses.



Vehicles would potentially enter the parking areas from Charleville Boulevard where it ends at the northern end on Parcel 1, and would potentially exit at the other end of the parcel onto Moreno Drive. The building's loading area would be located adjacent to the ground floor retail space and would be accessed from South Santa Monica Boulevard.

Parcel 2 Development Characteristics. Development of Parcel 2 would consist of one-story buildings if the development is only proposed on T-1 property. Development of combined T-1 and C-3 properties would be up to a maximum of four stories with retail on the ground floor and office spaces on the upper floors. Parking would be provided in a subterranean parking garage. The Parcel 2 development scenario allocates ground floor retail within the majority of C-3 zoned parcels. The development would include the appropriate allocation of setbacks, modulation and building step backs, green spaces and pedestrian amenities, as envisioned by the Overlay District objectives. The Parcel 2 development scenario would provide significant setbacks from the intersection of Wilshire Boulevard and North and South Santa Monica Boulevard to aesthetically complement Beverly Gardens Park and the fountain plaza, and planned open space at the northwest corner of Wilshire Boulevard and North Santa Monica Boulevard. The setback area at the intersections and along North Santa Monica Boulevard would provide pedestrian amenities, green space, significant public art, or other elements determined to be appropriate by the reviewing authority.

The project would include a subterranean parking garage to support on-site development. The development will provide the required parking pursuant to BHMC 10-3-2730 on-site for office/retail/restaurant and would include additional parking spaces for excess public parking. Access to the proposed parking garage may be provided mid-block on South Santa Monica Boulevard or Charleville Boulevard.

Parcel 3 Development Characteristics. Development of Parcel 3 would consist of one-story buildings if the development is only proposed on T-1 property. Development of combined T-1 and C-3 properties would be a maximum of four stories with retail on the ground floor and office spaces on upper floors. Parking would be provided in a subterranean parking garage. This development scenario assumes the allocation of ground floor retail within the majority of C-3 zoned parcels. The development would include appropriate setbacks, modulation, green spaces and pedestrian amenities, as envisioned by the Overlay Zone objectives. Ground floor retail/restaurant space would front on South Santa Monica Boulevard, connecting to the T-1 zoned parcel via the adjacent existing C-3 zoned parcels. All office space would be on the upper floors.

The project would include a subterranean parking garage to support on-site development. This assumes that the required parking would be provided on-site pursuant to BHMC 10-3-2730 for office/retail/restaurant and would include additional spaces for excess public parking. Vehicular access to the parking garage would be taken from South Santa Monica Boulevard just west of its intersection with North Linden Drive. The parking garage ingress and egress would be restricted to right-turn in and right-turn out only.

To consider a worst case scenario, this supplemental EIR analysis has studied a development within the overlay zone having a maximum height of 60 feet.



2.3 Required Approvals

Subsequent to City Council adoption of the proposed Overlay Zone, any future applicant for development on T-1 zoned parcels located within overlay zone boundaries would need to submit a formal development application and an application to apply the proposed Overlay Zone to the subject property for review and approval by the City of Beverly Hills. The City would then review each development application on a case-by-case basis in order to determine its consistency with the applicable overlay zone objectives and/or development standards. The City Council would first have to apply the Overlay Zone to the subject property, after which related development proposals could be approved or take effect. Additional analysis under CEQA may also be required for future development proposals on the T-1 zoned parcels, depending on the specific project components contained within the development application.

3.0 SUPPLEMENTAL ENVIRONMENTAL IMPACT ANALYSIS

3.1 Aesthetics

As described in the March 2011 Final EIR, the project area is relatively flat, and views through the site consist primarily of local commercial development and hotels, as well as high-rise buildings to the south and west. An urban setting dominates the surrounding views and busy streets surround the project site and the vicinity. The trees, landscaping, hardscape and fountains of Beverly Gardens Park are visible from the project site and some surrounding properties.

Similar to the project analyzed in the March 2011 Final EIR, the revised project would allow for development of three adjacent T-1 zoned properties formerly used as railroad right-of-way, and also the immediately adjacent C-3 zoned properties that are currently either developed with commercial uses or used for vehicle parking. As discussed in Section 2.0, *Project Description*, in order to develop the project area to the extent assumed in this analysis, certain adjacent parcels that front on South Santa Monica Boulevard would be incorporated into the development scenario for Parcels 1, 2, and 3. Furthermore, the buildout scenario assumes that the development within any property or properties within the project area would meet the objectives and development standards contained within the proposed Overlay Zone. In addition to the proposed Overlay Zone development objectives, the primary development standards applicable to the revised project area include an overall floor area ratio (FAR) of 2.0:1 on C-3 zoned properties (the same as currently allowed) and up to 1.5 on T-1 zoned properties, along with a building height of up to 60 feet.

Views. Similar to the March 2011 Final EIR, both obstructed and unobstructed views are available through the proposed Overlay Zone project area, depending on the vantage point. From South Santa Monica Boulevard looking north through Parcel 1, portions of the parking facilities for the Robinsons-May property and the Beverly Hilton Hotel are visible between existing one to four-story structures directly adjacent to Parcel 1 along South Santa Monica Boulevard. From Santa Monica Boulevard looking south, two and three-story commercial



development and the towers of Century City are visible through and over the entire project area.

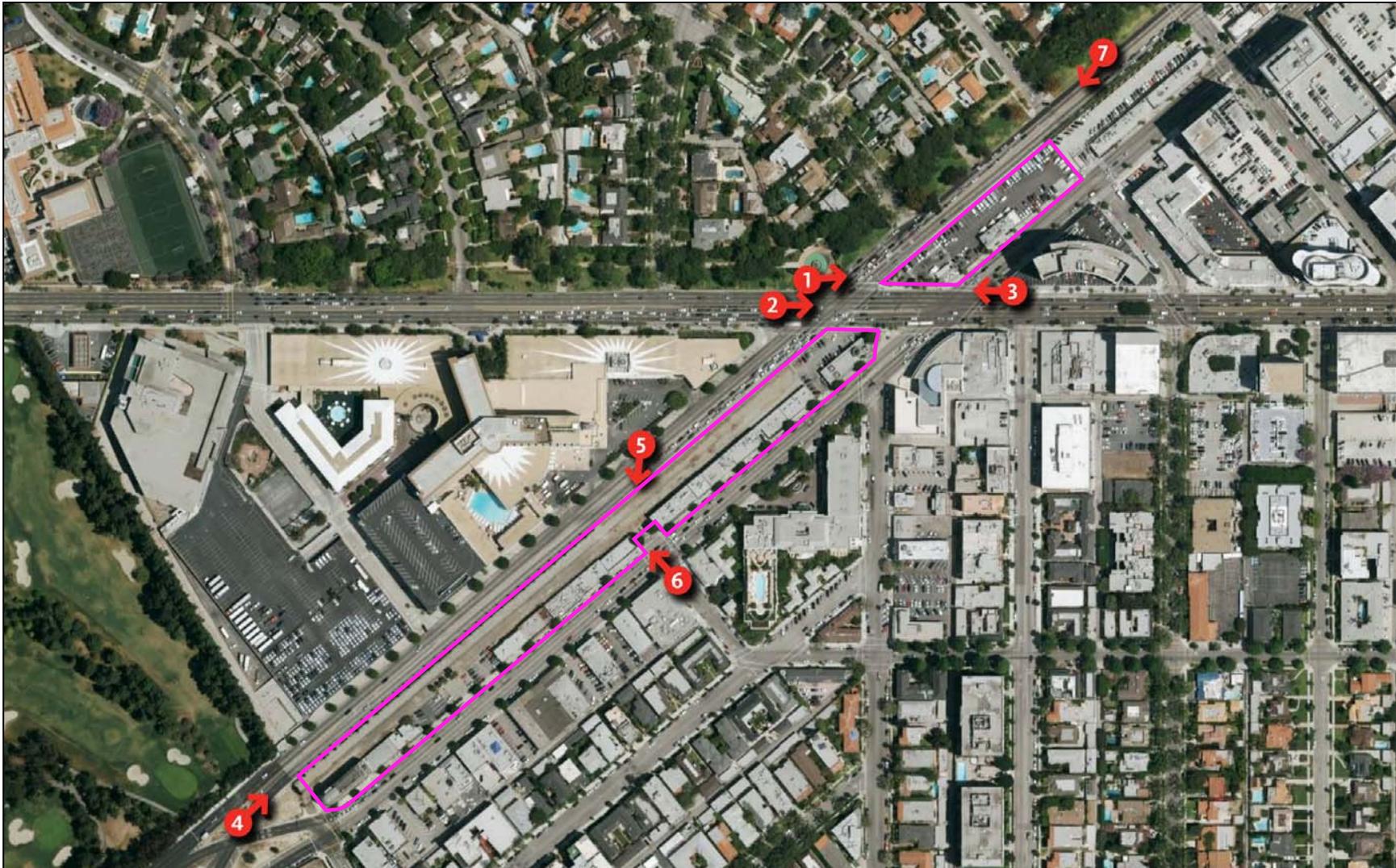
From South Santa Monica Boulevard looking west through Parcel 2, portions of the Beverly Hilton Hotel and glimpses of Beverly Gardens Park are visible between the existing commercial buildings fronting South Santa Monica Boulevard and the properties zoned T-1 fronting North Santa Monica Boulevard. From Santa Monica Boulevard looking south, commercial development of varying heights, the towers of Century City, and a small portion of the Peninsula Hotel may be visible.

Parcel 3 includes properties developed primarily as a vehicle storage parking lot for Budget Rent-a-Car and relatively sparse commercial retail development. Consequently, more views are available through Parcel 3, including views of the commercial development on the south and Beverly Gardens Park to the west.

Figures 2 through 9 below show a conceptual massing model of development on the project site up to 60 feet in height. However, these figures were prepared to illustrate the entire potential area within which buildings could be built, rather than a realistic potential development scenario. In reality, the combination of the design components of the proposed objectives and the existing (C-3 zone) and proposed (T-1 zone) FAR limitations would not allow buildout to this volume. The figures include potential development up to 2.0 FAR on the C-3 zoned parcels, a scenario which is currently allowed by right under existing zoning and would continue to be under the proposed revised project, with or without combining with adjacent T-1 zoned properties.

Considering the potential development scenario described in Section 2.0, *Project Description*, most of the above described views would be at least partially blocked by potential development on Parcels 1, 2 and 3, despite conformance with the proposed Overlay Zone objectives and standards, as development was assumed to be constructed utilizing an FAR varying from 1.5 to 2.0 and a maximum building height of 60 feet. As noted above, figures 2 through 9 were prepared to illustrate the entire potential area within which buildings could be built, rather than a realistic potential development scenario. In reality, the combination of the design components of the proposed objectives (particularly numbers 2, 7 and 9) and the existing (C-3 zone) and proposed (T-1 zone) FAR limitations would not allow buildout to this volume. The size of setbacks and the amount of open space in the project area would be partially dependent on the height of buildings constructed under the overlay program, as the FAR would be limited. As shown in figures 7 and 8, the upper floors of the towers forming the Century City skyline would still be expected to be visible over or between potential developments proposed on parcels 1 through 3. Although this change may be considered adverse by some viewers, it would be less than significant because the views that would be obstructed are not of scenic vistas or of visual resources that the City has identified as subject to preservation. The impact would be similar to that identified in the March 2011 Final EIR.





Note: These figures illustrate the entire potential area within which buildings could be built; however, the combination of the proposed overlay design standards and the existing and proposed FAR limitations would not allow buildout to this volume.



Photo A - View of project site looking east from the Santa Monica Boulevard/Moreno Drive intersection (Viewpoint 4).



Photo B - Same view with project + cumulative development. General massing of proposed Beverly Hilton and 9900 Wilshire projects are shown at left.

Note: These figures illustrate the entire potential area within which buildings could be built; however, the combination of the proposed overlay design standards and the existing and proposed FAR limitations would not allow buildout to this volume.

Cumulative Massing Model Photosimulation (Including Potential 60-Foot Heights)





Photo A - View of project site looking east on Wilshire Boulevard approaching Santa Monica Boulevard/Wilshire Boulevard intersection (Viewpoint 2). A portion of Parcel 3 is visible in the left side of the frame, and a portion of Parcel 2 in the right side of the frame.



Photo B - Same view with approximate potential building mass for Parcel 3 shown on the left and proposed building mass for Parcel 2 on the right.

Note: These figures illustrate the entire potential area within which buildings could be built; however, the combination of the proposed overlay design standards and the existing and proposed FAR limitations would not allow buildout to this volume.

Massing Model Photosimulation (Including Potential 60-Foot Heights)

Figure 4
City of Beverly Hills





Photo A - View looking east at Parcel 3 from the fountain at the northern corner of the Wilshire Boulevard/Santa Monica Boulevard intersection (Viewpoint 1).



Photo B - Same view with potential building mass for Parcel 3 shown.

Note: These figures illustrate the entire potential area within which buildings could be built; however, the combination of the proposed overlay design standards and the existing and proposed FAR limitations would not allow buildout to this volume.

Massing Model Photosimulation (Including Potential 60-Foot Heights)





Photo A - View of project site looking north on Charleville Boulevard towards the project site (Viewpoint 6).



Photo B - Same view with potential overlay massing plus cumulative development showing potential development up to 60 feet.

Note: These figures illustrate the entire potential area within which buildings could be built; however, the combination of the proposed overlay design standards and the existing and proposed FAR limitations would not allow buildout to this volume.

Cumulative Massing Model Photosimulation (Including Potential 60-Foot Heights)

Figure 6
City of Beverly Hills





Photo A - View of project site looking west on Santa Monica Boulevard from just west of the Wilshire Boulevard/Santa Monica Boulevard intersection (Viewpoint 5). Parcel 1 and the western portion of Parcel 2 are visible.

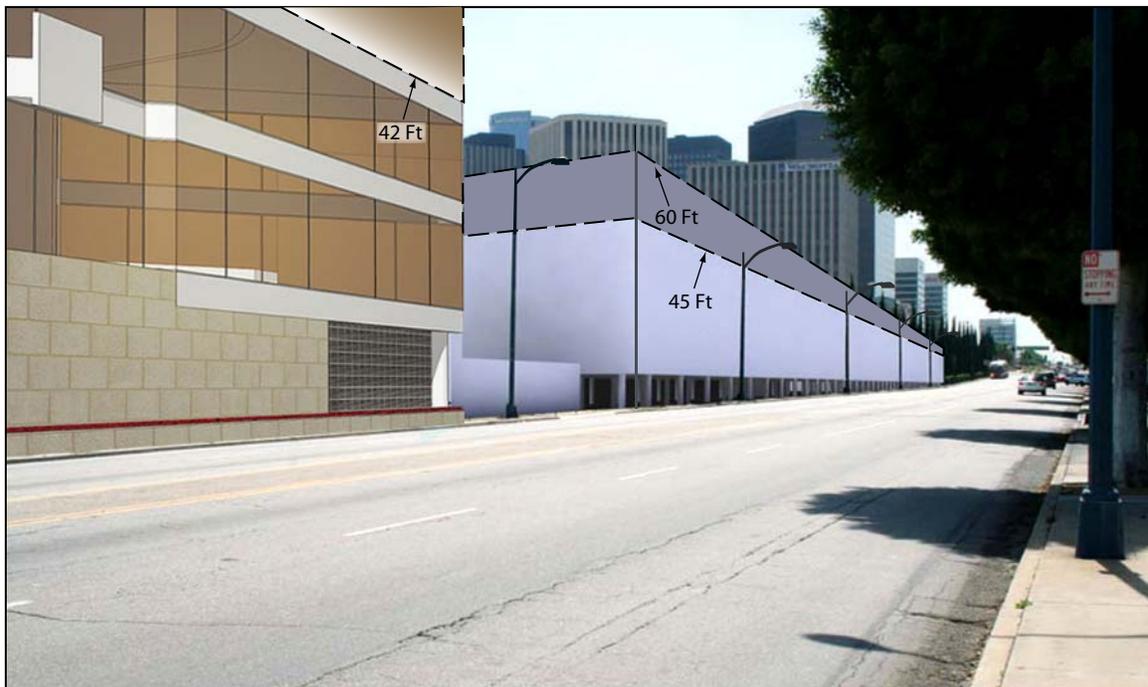


Photo B - Same view with potential building mass for Parcel 2 shown on the left and potential building mass for Parcel 1 on the right.

Note: These figures illustrate the entire potential area within which buildings could be built; however, the combination of the proposed overlay design standards and the existing and proposed FAR limitations would not allow buildout to this volume.

Massing Model Photosimulation (Including Potential 60-Foot Heights)





Photo A - View of project site looking west on Santa Monica Boulevard from east of the Wilshire Boulevard/Santa Monica Boulevard intersection (Viewpoint 7). Parcel 3 is in the foreground, and parcels 2 and 1 are visible in the distance.

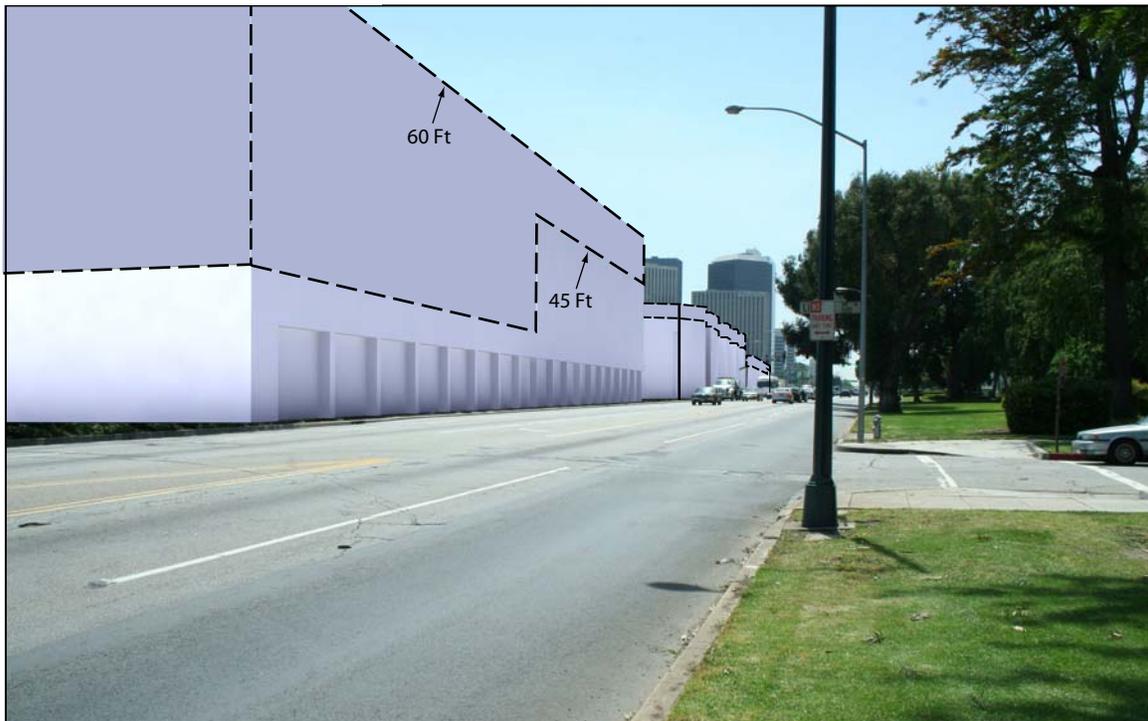


Photo B - Same view with approximate potential building mass for Parcel 3 in the foreground, and Parcel 2 and Parcel 1 in the distance.

Note: These figures illustrate the entire potential area within which buildings could be built; however, the combination of the proposed overlay design standards and the existing and proposed FAR limitations would not allow buildout to this volume.

Massing Model Photosimulation (Including Potential 60-Foot Heights)



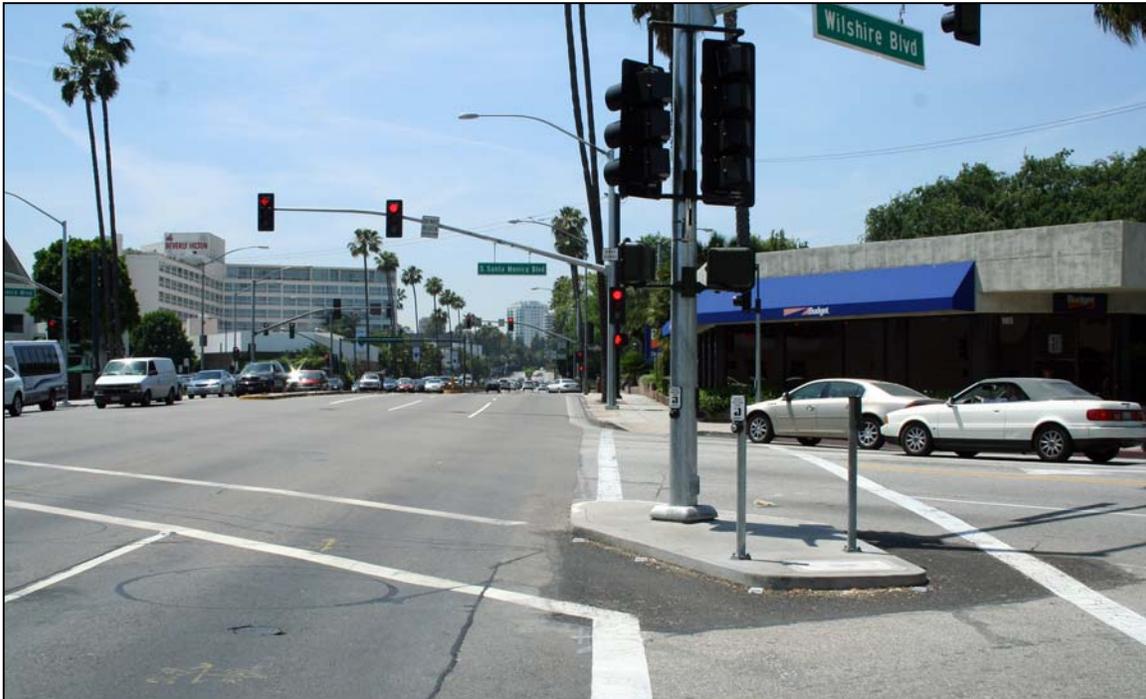


Photo A - View of project site looking west on Wilshire Boulevard from the Wilshire Boulevard/Santa Monica Boulevard intersection (Viewpoint 3). A portion of Parcel 3 is visible in the right side of the frame, and a portion of Parcel 2 in the left side of the frame.

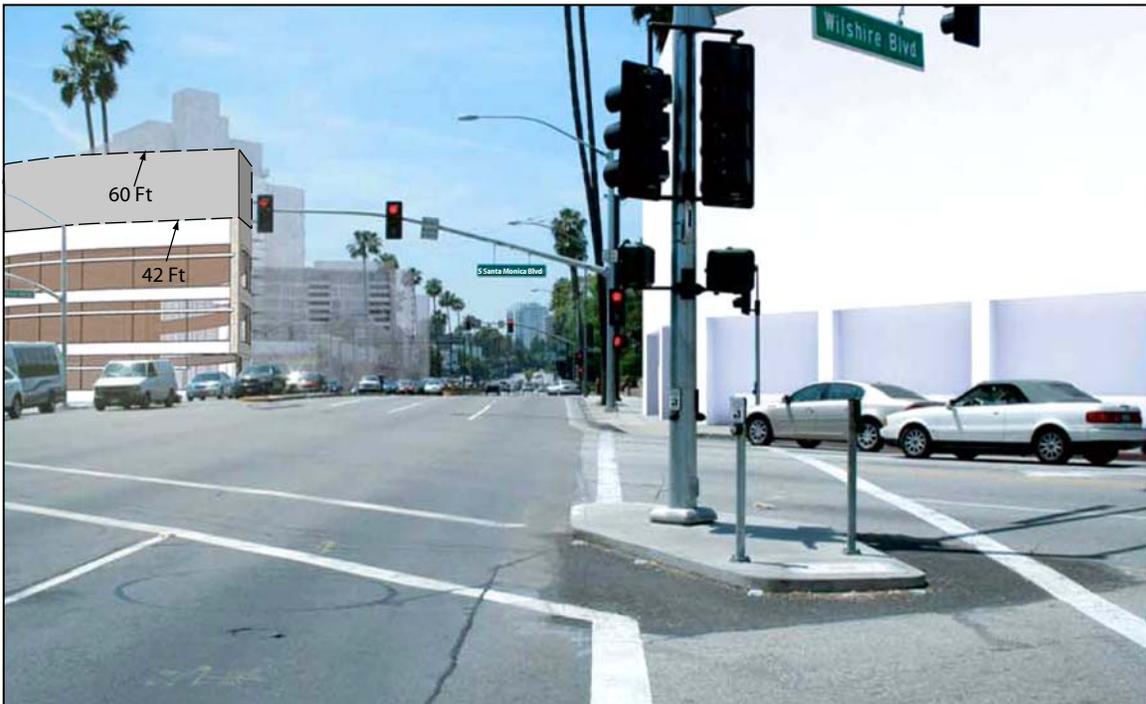


Photo B - Same view with potential overlay plus cumulative development. General massing of proposed Beverly Hilton and 9900 Wilshire projects are shown at left.

Note: These figures illustrate the entire potential area within which buildings could be built; however, the combination of the proposed overlay design standards and the existing and proposed FAR limitations would not allow buildout to this volume.

Cumulative Massing Model Photosimulation (Including Potential 60-ft Heights)

Similar to the original project analyzed in the March 2011 Final EIR, the revised project would not obstruct views of Beverly Gardens Park from Santa Monica Boulevard, the City's only designated scenic highway. The revised project would not block valued views from adjacent hotels, as most of the high quality views from existing guest rooms, particularly those in the Beverly Hilton, are higher than the potential structures that could be built on the project site. Buildout of the project area, in conformance within the proposed Overlay Zone objectives, would therefore not result in a substantial adverse effect on scenic vistas from important view corridors, or significantly reduce views of important visual resources. After applying the same thresholds of significance discussed in Section 4.1.2(a) of the March 2011 Final EIR, the proposed Overlay Zone project impacts would be less than significant and no mitigation is required.

Visual Character. The visual character of the project area is currently of low-to moderate quality. Low quality areas primarily include the properties currently zoned T-1 and fronting directly onto Santa Monica Boulevard. The land uses of moderate visual quality include the existing commercial retail uses fronting directly onto South Santa Monica Boulevard. The revised development scenario would limit building heights to 60 feet, in contrast with the maximum 45-foot height limits of the original project, and assumes a buildout FAR of less than 2.0 (combination of 2.0 and 1.5) over the project area, slightly less than the original project. Although the building heights could exceed the 45-foot building height maximum analyzed in the original Gateway Project EIR in some locations, the proposed Overlay Zone objectives require the integration of ample setback areas and building modulation at each project area intersection, along with pedestrian amenities, green space, significant public art, iconic architecture or other elements determined to be appropriate (See Section 2.0 *Project Description* for additional requirements).

Future construction of buildings with a maximum height of 60 feet, designed in conformance with the overlay zone objectives, would be compatible with the surrounding commercial and hotel development, because, among other things, the Beverly Hilton Hotel, Peninsula Hotel, and assorted commercial buildings are similar in height. Although, as shown in the figures above, higher building heights could potentially increase the perception of massing in the project area, required consistency with the proposed objectives and greater FAR limitations would result in a higher-quality development scenario that would have greater compatibility with the surrounding area and a more nuanced and appropriate massing. It should be noted that the project studied in the EIR contemplated a rezone to C-3 for the T-1 parcels, which would have allowed a by-right 2.0 FAR project on those properties. In contrast, the revised project would allow for design and consistency review of projects before the overlay could be applied, and at a lower FAR as well. The single-family residential neighborhoods located across Santa Monica Boulevard and north of Parcel 3 would not be significantly impacted by the proposed project, as they are buffered by Beverly Gardens Park and the busy four lane roadway. After applying the same thresholds of significance discussed in Section 4.1.2(a) of the March 2011 Final EIR, the proposed Overlay Zone project would not create a visual "transitional conflict" or an abrupt change of scale compared to surrounding development.

Finally, it should be noted that adoption of the proposed Overlay Zone would require each future development application submitted within the project area to undergo review and



approval by the City's Planning Commission and Architectural Commission. The Commission's review process would assess the quality of each project's design, the compatibility of the materials and colors with existing development, and would also determine a project's overall consistency with the proposed Overlay Zone objectives and development standards. The extent to which each specific development project within the proposed Overlay Zone integrates appropriate setbacks, building modulation, pedestrian amenities, green spaces, and iconic architecture (especially on Parcels 2 and 3, pursuant to Overlay Zone Objective No. 9 listed above in Section 2.0 *Project Description*) would be a particular point of emphasis during Planning Commission and Architectural Commission reviews.

Buildout of the revised project would not degrade the aesthetic quality of the project area or result in incompatible development. In addition, compliance with applicable proposed Overlay Zone development objectives and standards would be required in order to allow any property owner or project developer to request development within the project area in accordance with the proposed Overlay Zone development standards (e.g., a project with a FAR of between 1.5 and 2.0 FAR and buildings up to 60 feet in height). Without a formal determination of overlay zone consistency, any project development would be held to the underlying zoning standards. To ensure continuity of pedestrian realm functionality and design, Mitigation measure AES-2 from the March 2011 Final EIR would apply. After applying the same thresholds of significance discussed in Section 4.1.2(a) of the March 2011 Final EIR, the Overlay Zone project impacts on visual character would be less than significant with mitigation. March 2011 Final EIR. Because of the design flexibility and design objectives introduced by the proposed overlay, aesthetic impacts would likely be reduced overall compared with the project studied in the EIR.

Light and Glare. Development of the proposed Overlay Zone project would eliminate some existing light and glare sources and introduce new ones. Potential new sources of lighting would include the windows of the commercial office and retail space, which would allow spillover of light onto the street and towards neighboring land uses, and from the illumination of exterior building lights. Parking garage ingress and egress points would also be lighted, and headlights of vehicles entering and exiting the structure at night would cast light onto roadways and surrounding properties. In addition, building signs, including those used to identify the ground floor uses, could result in light and glare impacts. The revised project development scenario described in Section 2.0 and the project analyzed in the March 2011 Final EIR would be similar in this regard. After applying the same thresholds of significance discussed in Section 4.1.2(a) of the March 2011 Final EIR, impacts would be less than significant after implementation of Mitigation Measure AES-3 included in the March 2011 Final EIR.

Shade and Shadow. Maximum building heights under the revised project would be 60 feet, as opposed to 45 feet for the project studied in the Final EIR. This could increase the length of shadows at some locations in comparison to the original project. The projected summer solstice (June 21) shadows for the Overlay Zone project are shown on Figure 10. (Please note that similar to the visual simulations above, the entire project area was modeled at a 60-foot height, even though based on the proposed overlay limitations only portions could actually be built to that height.) During the summer months, shadows would fall primarily on the site and surrounding streets and sidewalks. In the late afternoon, after 5:00 p.m., a small portion of the eastern wing of the Peninsula Hotel would be shaded by the revised development scenario. However, the duration of shading would be under four hours, would be at the very end of the



day, and would shade only a small portion of the hotel. After applying the same thresholds of significance discussed in Section 4.1.2(a) of the March 2011 Final EIR, March 2011 Final EIR shade and shadow impacts would be less than significant during the summer months.

The estimated winter solstice (December 21) shadows for revised project maximum building heights are illustrated on Figure 11. During winter mornings, two shadow-sensitive uses, the Beverly Hilton Hotel and Beverly Gardens Park, would be shaded by the Overlay Zone development scenario. Shadow-sensitive portions of the hotel and park would be free of project generated shadows shortly after 10:00 a.m., or after approximately three hours. New structures would shade only the western portions of the hotel and only one relatively small area of Beverly Gardens Park. After applying the same thresholds of significance discussed in Section 4.1.2(a) of the March 2011 Final EIR, March 2011 Final EIR shade and shadow impacts would be less than significant during the winter months.

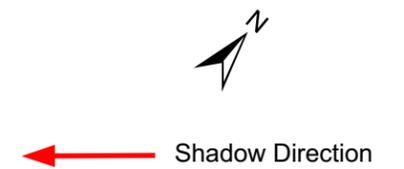
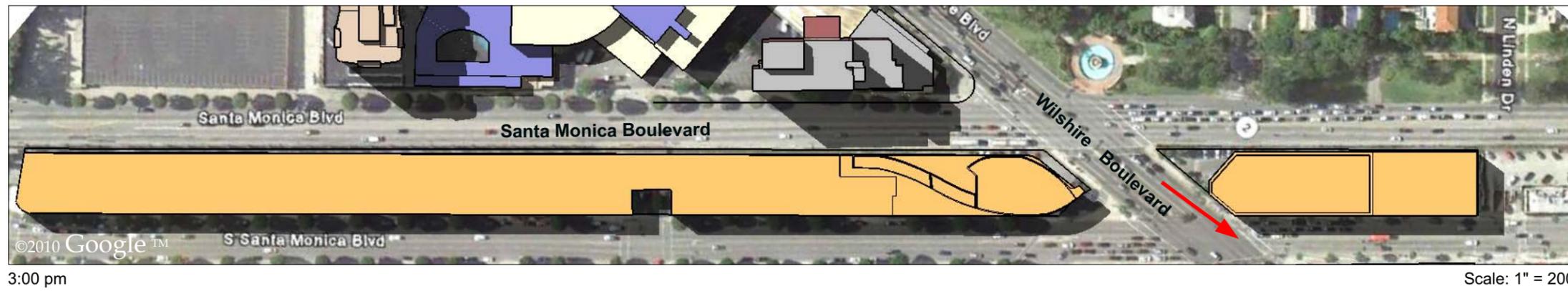
3.2 Air Quality

Two categories of air quality impacts were evaluated: construction emissions and operational emissions. Construction-related emissions are associated with construction activities such as demolition, earthmoving, use of construction equipment, and application of coatings to surfaces. Operational emissions are primarily associated with mobile sources (e.g. vehicle trips generated by the project).

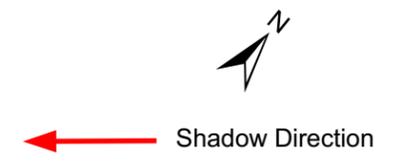
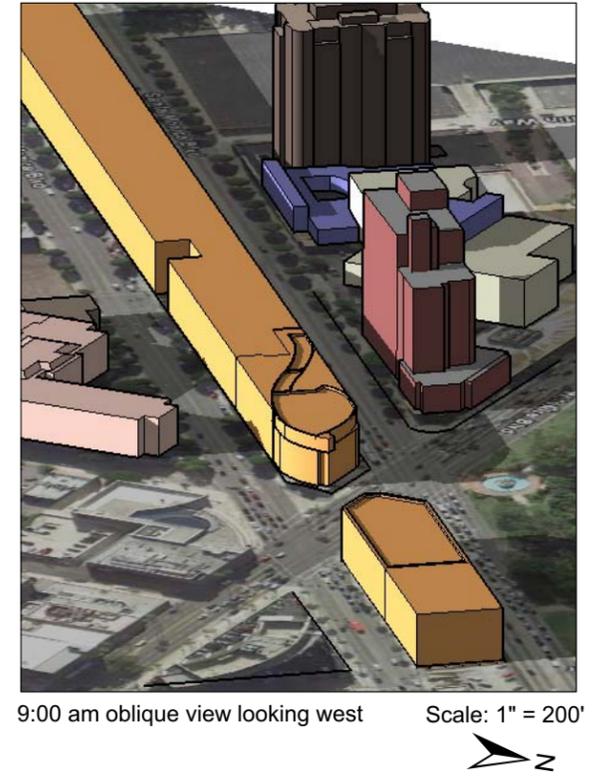
Construction. Temporary air pollutant emissions generated by construction activities associated with buildout of the revised project would be slightly reduced compared to the estimated maximum daily construction emissions for the March 2011 Final EIR development scenario. Although the proposed Overlay Zone project assumes the potential for demolition of all commercial retail structures located along South Santa Monica Boulevard, this does not represent a change from the existing zoning and land use designations, which already allow re-development on these properties up to 2.0 FAR. The revised project buildout FAR of less than 2.0 (combination of 2.0 and 1.5) could generate a slightly larger volume of soil material during the excavation phase when compared to the original project. However, this would be offset by a reduction in total on-site parking requirements related to the reduction in FAR, increased setbacks and landscaping, and improved access to alternative modes of transportation. Similar to the project analyzed in the March 2011 Final EIR, concurrent development within the revised project area is assumed to last approximately 20 months.

As with the original project, estimated temporary construction emissions for the revised project would likely exceed SCAQMD thresholds for ROG, NO_x, PM₁₀ and PM_{2.5} (assuming concurrent buildout). Therefore, similar to the original project, impacts from construction generated emissions would be potentially significant. Mitigation Measures AQ-1(a) and AQ-1(b), as included in the March 2011 Final EIR would be required of the revised project to reduce construction related PM₁₀ and PM_{2.5} emissions below SCAQMD thresholds. However, temporary construction-related NO_x emissions would still exceed the SCAQMD thresholds even after implementation of mitigation measures AQ-1(a) and AQ-1(b). However, the additional potential emissions would be only incrementally higher than those analyzed for the





Note: These figures illustrate the entire potential area within which buildings could be built; however, the combination of the proposed overlay design standards and the existing and proposed FAR limitations would not allow buildout to this volume.



Note: These figures illustrate the entire potential area within which buildings could be built; however, the combination of the proposed overlay design standards and the existing and proposed FAR limitations would not allow buildout to this volume.

Winter Solstice Shadow - December 21st

Aerial Source: Google 2010,
 Rincon Consultants, Inc., April, 2012.

original project, which itself were based on a maximum (and therefore unlikely) scenario in which all potential development would occur at once. Thus the increase would not be expected to be substantial. After applying the same thresholds of significance discussed in Section 4.2.2(a) of the March 2011 Final EIR, NO_x impacts would remain significant and unavoidable assuming a simultaneous buildout scenario. If concurrent buildout of all three parcels did not occur, NO_x impacts would likely be reduced to less than significant levels after incorporation of Mitigation Measures AQ-1 (a) and AQ-1(b), as included in the March 2011 Final EIR.

Operation. Operation of the revised project would generate air pollutant emissions that are incrementally reduced compared to the emissions estimated for the project analyzed in the March 2011 Final EIR (See EIR Table 4.2-12). The incremental decrease would be a result of the reduction in permitted FAR from 2.0 to an average of 2.0 and 1.5. Although the reduced FAR would reduce the number of vehicle trips attributed to the revised project area when compared to the original project, the emission sources would still be similar (e.g. vehicle trips and the use of electricity, natural gas heating and landscaping maintenance equipment). The incremental decrease in ROC, NO_x, CO, PM₁₀ and PM_{2.5} emissions associated with the revised project would not exceed the SCAQMD thresholds discussed in Section 4.2.2(a) of the March 2011 Final EIR. Impacts would remain less than significant.

CO Hotspot Analysis. The cumulative traffic plus project traffic was used to screen for potential CO impacts. Similar to the original project analyzed in the March 2011 Final EIR, the revised development scenario would have a significant and unavoidable traffic impact at the intersection of South Santa Monica Boulevard/Wilshire Boulevard. This intersection is forecast to operate at LOS F during the weekday a.m., mid-day, and p.m. peak hours under cumulative plus project conditions. The highest estimated one-hour CO concentrations (2.8 ppm) would occur at this intersection. This would not exceed the California one-hour standard of 20 ppm or the federal one-hour standard of 35 ppm. The project would also not exceed the California and federal 8-hour CO standard of 9.0 ppm. After applying the same thresholds of significance discussed in Section 4.2.2(a) of the March 2011 Final EIR, CO impacts would remain less than significant.

3.3 Cultural Resources

San Buenaventura Research Associates (SBRA) prepared a historic resources report in July 2008 for the original Beverly Hills Gateway project. Of the eight properties evaluated in the 2008 Historic Resources Report, only one was found to be eligible for listing on the National Register of Historic Places (NRHP) and California Register of Historical Resources (CRHR) and for designation as a City of Beverly Hills landmark. The building located at 9949 Santa Monica Boulevard was considered a very good example of the Streamline Moderne architectural style and was identified in the *City of Beverly Hills Historic Resources Survey Report, Survey Area 5: Commercial Properties* survey update as a potential contributor to a multiple-resource (noncontiguous) CRHR-eligible historic district composed of six Art Deco/Moderne buildings (Jones & Stokes, 2006).

SBRA prepared an addendum to the original 2008 report to analyze 11 additional buildings present within the expanded project area boundaries (1.46 acres) (Attachment 1 to this



memorandum). Although the revised project does not change the development potential on the C-3 zoned properties where these buildings are located (other than potential building height), the City wished to disclose the potential for historic resources to be affected by future development on those properties. The buildings present in the expanded project area (as shown in Figure 2 of the Historic Resources Report Addendum) were evaluated for their potential eligibility for the National Register of Historic Places (NRHP), California Register of Historical Resources (CRHR) or for designation as City of Beverly Hills landmarks, based primarily upon visual evidence, documentation in previous investigations, and the historical contextual themes developed by Jones & Stokes, 2006. Limited property-specific research was conducted, primarily utilizing building permits.

Based on the addendum to the original historic resources report, eight additional buildings within the project area are considered potentially historic resources. Six properties are considered potentially historic based upon their age and integrity. Two are considered notable examples of the Streamline Moderne architectural style of the late 1930s and “Post World War II Commercial Building” context described by Jones and Stokes (2006), respectively. Table S-3 summarizes these findings.

**Table S-3
 Summary of Historic Resources Present
 Within the Revised Project Area**

Property Address	Historic Determination	Qualifying Historic Criteria
9869-77 Santa Monica Boulevard	Potentially Eligible	Sufficient Age and Integrity
9879 Santa Monica Boulevard	Potentially Eligible	Sufficient Age and Integrity
9985-87 Santa Monica Boulevard	Potentially Eligible	Sufficient Age and Integrity
9901-05 Santa Monica Boulevard	Potentially Eligible	Sufficient Age and Integrity
9935 Santa Monica Boulevard	Potentially Eligible	Sufficient Age and Integrity
9953 Santa Monica Boulevard	Potentially Eligible	Sufficient Age and Integrity
9889-99 Santa Monica Boulevard	Appears Eligible	Typifies the Streamline Moderne architectural style of the late 1930s.
9915 Santa Monica Boulevard.	Appears Eligible	Typifies the “Post World War II Commercial Buildings”

Source: San Buenaventura Research Associates, Historic Resources Report Addendum, April 2012.

Although no specific development is proposed as part of the revised project, it would establish a zoning overlay that could involve future development of the entire project area. Future applicants requesting development on the above referenced properties in conformance with the proposed Overlay Zone could result in impacts to the design integrity of the CRHR-eligible historic district composed of six Art Deco/Moderne buildings as defined and identified in the *City of Beverly Hills Historic Resources Survey Report, Survey Area 5: Commercial Properties* survey update. In addition, future development would likely impact individual structures potentially



eligible under the National Register of Historic Places (NRHP), California Register of Historical Resources (CRHR) or City of Beverly Hills landmark criteria. After applying the same thresholds of significance discussed in Section 4.4.2(a) of the March 2011 Final EIR, the impacts associated with the proposed Overlay Zone project are considered potentially significant and adverse, but mitigable to a less than significant level. Mitigation measures CR-1(a) and CR-1 (b) required in the March 2011 Final EIR would apply to the revised project. In addition, the following additional mitigation measure would be required as part of any future project-specific environmental analysis prepared for any specific project proposed within the revised project area.

CRS-1 Prior to the application of the overlay zone to individual parcels within the revised project area, or to buildings defined in the Historic Resources Report Addendum as Previously Found to be Eligible, Potentially Eligible, or Appears to be Eligible, the City of Beverly Hills shall require the preparation of a Historic Resources Report for the affected property by a qualified historian or architectural historian. This report shall determine if the property is eligible for listing or designation in the NRHP, CRHR or as a City of Beverly Hills landmark. For properties that are found to be eligible the findings of the Historic Resources Report shall be included in the project specific environmental document prepared for the development project.

This additional mitigation measure would be adopted as part of the mitigation monitoring and reporting program.

Similar to the original project analyzed in the March 2011 Final EIR, the surface of the project site has been previously disturbed and developed and no archeological or paleontological resources are known to have been discovered. However, excavation required for building foundations and the subterranean parking structure has the potential to disturb previously unknown archaeological or paleontological resources and/or human remains. Similar to the original project studied in the March 2011 Final EIR, this represents a potentially significant impact unless mitigated. After applying the same thresholds of significance discussed in Section 4.4.2(a) of the March 2011 Final EIR, the proposed Overlay Zone project impacts on cultural resources would be less than significant with mitigation, similar to the project analyzed in the March 2011 Final EIR.

3.4 Hazards and Hazardous Materials

Based on the age of the buildings within revised project area, it is possible that asbestos is present in the existing structures on the C-3 properties. Future development within the project area could include demolition of the existing buildings and structures, which could contain asbestos. Demolition could potentially create a significant hazard to the public or the environment through the release of this hazardous material. Asbestos Containing Material (ACM) would require abatement prior to demolition or renovation of any existing building within the project area. Adherence to existing regulations, including SCAQMD Rule 1403, requires that the owner or operator of any demolition or renovation activity have an asbestos survey performed prior to demolition. After applying the same thresholds of significance discussed in Section 4.5.2(a) of the March 2011 Final EIR, impacts related to the release of ACM would be less than significant after compliance with Mitigation Measure HAZ-1, as outlined in



the March 2011 Final EIR. Similar to the original project analyzed in the March 2011 Final EIR, impacts would be less than significant with mitigation.

Construction on each of the parcels may involve the demolition of all or portions of the existing buildings. Due to their age, they may contain lead-based paint. If present, lead-based paint requires abatement prior to demolition or renovation of any existing building. After applying the same thresholds of significance discussed in Section 4.5.2(a) of the March 2011 Final EIR, impacts related to lead-based paint exposure would be less than significant after compliance with Mitigation Measure HAZ-2(a), as outlined in the March 2011 Final EIR. Similar to the original project analyzed in the March 2011 Final EIR, impacts would be less than significant with mitigation.

Phase 1 and Phase II Environmental Site Assessment reports prepared by Rincon Consultants, Inc. indicate that historic activities on-site have introduced contaminants to the soil, including arsenic. Groundwater contamination may have also occurred due to the historic and ongoing activities. After applying the same thresholds of significance discussed in Section 4.5.2(a) of the March 2011 Final EIR, impacts related to contaminated soil or groundwater exposure would be less than significant after compliance with Mitigation Measures HAZ-3(a) through HAZ-3(d), as outlined in the March 2011 Final EIR. Similar to the original project analyzed in the March 2011 Final EIR, impacts would be less than significant after mitigation.

3.5 Land Use and Planning

The project area has underlying land use designations of Railroad and Commercial – Low Density General, with corresponding zoning designations of T-1 (Transportation) and C-3 (Commercial). Pursuant to Section 10-3-2302 of the City Code, the T-1 District allows railway transportation, stations, depots and related uses. The T-1 zoned areas within the revised project area currently allow surface parking and associated accessory structures (kiosks) to support the nearby commercial businesses in the area through the Transportation Overlay zone process. No commercial uses are currently present or allowed on the T-1 zoned properties. Pursuant to Section 10-3-1601, properties with a zoning designation of C-3 are allowed a wide range of commercial uses, including, but not limited to: café, cinema or theater, exercise club, library, lunchroom, office, parking garage, shop for the conducting of wholesale or retail business, store, studio, tailor, upholsterer or any similar use. Current development standards within the C-3 zone limit building heights to 45 feet and limit the floor area ratio (FAR) to 2.0:1.

The original project analyzed in the March 2011 Final EIR included a formal request for a General Plan Amendment and Zone Change on parcels 1, 2, and 3 from T-1 to C-3. Approval of the requested Zone Change and Land Use Designation as described in the March 2011 Final EIR would essentially allow future development to occur on Parcels 1, 2, and 3, as both the proposed Parcel 2 project and the potential buildout analyzed in the Final EIR for Parcels 1 and 3 would be made consistent with the underlying land and zoning designations of the subject properties. When compared to the original project, the revised development scenario would potentially increase maximum building heights from 45 feet to 60 feet and decrease the maximum F.A.R from 2.0 to a level between 1.5 and 2.0, depending on the relative portions of T-1 and C-3 properties in the specific development project. However, the revised project would not result in any legislative change to the underlying General Plan land use designation or the



zoning designation. Any requested change to the underlying land use or zoning designation would be considered by the City on a case-by-case basis as part of specific future development applications within the Overlay project area.

Under the revised project scenario, the fundamental change to the City's zoning ordinance would be adoption of the Overlay Zone, including objectives listed in Section 1.0 *Introduction*. These objectives most notably encourage: (1) a coordinated approach to the development of parcels zoned C-3 and T-1; (2) the establishment of pedestrian, bicycle, and vehicular access and connectivity within and between Overlay Zone properties, the adjacent C-3 properties, and residential and hotel development built or planned across North Santa Monica Boulevard, and (3) the use of iconic architecture and incorporation substantial area dedicated to green space, public open space, and pedestrian amenities to promote the garden characteristics of the City. The Overlay Project's compliance with these, and other applicable development guidelines listed in Section 2.0 would help ensure that the project would be compatible in scale with any adjacent (existing or planned) land uses. After applying the same thresholds of significance discussed in Section 4.1.2(a) of the March 2011 Final EIR, land use impacts associated with the processing of a General Plan Amendment and Zone Change would be incrementally reduced when compared to the original project analyzed in the March 2011 Final EIR, and would remain less than significant.

The proposed Overlay Zone Project would be consistent with the adopted Beverly Hills General Plan's objectives and recommendations. The proposed Overlay Zone objectives and standards are listed above in Section 2.0. Specifically, the proposed Overlay zone objectives require that development be consistent with the purpose and intent of the proposed Overlay Zone and the General Plan. After reviewing the applicable General Plan policies contained within Table 4.3-2 of the March 2011 Final EIR, the proposed Overlay Zone project would be consistent with the General Plan objectives and recommendations that relate to avoiding or mitigating environmental impacts. The primary objective of the proposed Overlay Zone and the corresponding development standards is to allow broad design flexibility for each future development project proposed within the project area. In addition, the revised project would allow a step-up in building height from 45 feet to 60 feet, but only if a specific development proposal maximizes building setbacks, spaces for pedestrian amenities and landscaping, and includes innovative urban design and building architecture. In this regard, the revised project would further enhance consistency with the General Plan policies, as it would require future project development applications to comply with the following Overlay Zone design objectives:

- *Development shall take advantage of design flexibility incorporated into the Overlay Zone to create iconic architecture that promotes the image of the City and that respects the scale, mass and character of surrounding development in the immediate vicinity. Building facades visible from public streets shall exhibit innovative design and/or distinctive architectural merit.*
- *Project design and site planning shall incorporate substantial area dedicated to green space, public open space, and pedestrian amenities, and balance building height with consideration of step backs and landscaping adjacent to public streets to promote the appearance of a green belt and to minimize the appearance of a canyon effect along North Santa Monica Boulevard; buildings shall be well modulated, with appropriate setbacks on higher floors.*



- *Development shall be designed with pedestrian-oriented amenities and uses at the ground floor that encourage pedestrian activity during daytime and nighttime hours and to promote pedestrian friendly developments that provide essential services to the City's residents.*
- *Development on Parcels 2 and 3 shall provide significant setbacks from the intersection of Wilshire Boulevard and North and South Santa Monica Boulevard to aesthetically complement Beverly Gardens Park and the fountain plaza, and planned open space at the northwest corner of Wilshire Boulevard and North Santa Monica Boulevard. The setback area at the intersections shall include pedestrian amenities, green space, significant public art, or other elements determined to be appropriate by the reviewing authority. The size and shape of the setbacks on Parcel 2 shall be a primary consideration for any approval by the reviewing authority of maximum height allowances on that Parcel.*

Future development proposals would be required comply with all of overlay zone objectives and standards, which would ensure consistency with all General Plan policies. When compared to the original project analyzed in the March 2011 Final EIR, impacts would be incrementally reduced and would remain less than significant.

3.6 Noise

Noise impacts are evaluated in two categories: construction noise sources and operational noise sources. Construction related noise sources are associated with construction activities such as demolition, earthmoving and the use of construction equipment. Operational noise is primarily associated with stationary sources, including rooftop mechanical equipment and mobile sources such as vehicles traveling to and from the project area.

Construction. Similar to the original project analyzed in the March 2011 Final EIR, construction of the revised project would generate temporary noise levels that could affect sensitive receptors near the project site, particularly the residences and hotels across North Santa Monica Boulevard and South Santa Monica Boulevard. Assuming concurrent buildout of projects on parcels 1, 2, and 3 within the proposed Overlay Zone, construction activities could generate noise levels exceeding thresholds for noise and groundborne vibration. Construction noise impacts would be incrementally reduced when compared to the original project analyzed in the March 2011 Final EIR. The primary factor contributing to the potential decrease in construction noise would be the reduction in the permitted project area FAR from 2.0 (as proposed in the original project) to an average between 2.0 and 1.5, which would incrementally reduce parking requirements on-site and would thus reduce the need to excavate beneath the project site for the construction of subterranean parking structures to accommodate future development. Although this reduction would be offset by the proposed overlay zone's requirement that additional public parking be required, the resulting amount of excavation would be generally similar. Similar to the original project, the construction of foundations for these parking structures could require pile-driving activities, which could result in noise levels that exceed thresholds for off-site sensitive uses located northwest and southeast of the project area. All construction activities associated with buildout of the revised project would only be permitted during the hours of 8:00 AM and 6:00 PM in accordance with Beverly Hills Municipal Code Section 5-1-206. After applying the same thresholds of significance discussed in Section 4.6.2(a) of the March 2011 Final EIR, construction noise impacts would be less than significant after compliance with Mitigation Measures N-1(a) through N-1(g) included in the March 2011



Final EIR. Similar to the original project analyzed in the March 2011 Final EIR, impacts would remain less than significant after mitigation.

Operation. Operation of the revised project would increase the number of vehicle trips to and from the project area, which would in turn increase traffic noise on area roadways. As discussed in Section 3.8 *Traffic and Circulation*, traffic related impacts would be similar to the original project analyzed in the March 2011 Final EIR, although slightly reduced. Therefore, the proposed Overlay Zone project would be expected to generate no more than a 1dBA increase in traffic noise along area roadways. Impacts would remain less than significant.

Stationary noise sources associated with the revised project would include light machinery, rooftop ventilation and heating systems, delivery trucks, trash hauling, conversations, door slamming, etc. Existing noise levels measured along Santa Monica Boulevard currently exceed 70 dBA. These elevated levels are due to high activity on the boulevards, including retail and restaurant uses, and consistent traffic along busy streets. Therefore, the revised project's estimated operational noise is not expected to significantly affect nearby sensitive receptors, due to the relatively low frequency and the lower noise sensitivity of receptors during normal business hours (where operational activity would be the most intense and thus operational noise would be the most noticeable). After applying the same thresholds of significance discussed in Section 4.6.2(a) of the March 2011 Final EIR, operational noise related to commercial deliveries or trash pick-up outside of normal business hours was considered a less than significant impact after compliance with mitigation measures N-3(a) and N-3(b) included in the March 2011 Final EIR. Similar to the original project analyzed in the March 2011 Final EIR, impacts would remain less than significant after mitigation.

3.7 Public Services and Utilities

Fire Protection. The revised project could increase the maximum permitted building to 60 feet and would increase the total area available for urban development when compared to the original project. Despite the potential increase in building height, and development area, the BHFD presently responds to emergency calls throughout the City with adequate service and within the response time targets (John Karns, 2008). Three fire stations are between one and two miles from the project site and the project site is within an existing response area. Therefore, fires and medical emergency incidents expected to occur within the project area could be addressed with existing staffing and equipment typically found at City fire stations. The BHFD would complete a specific fire safety review of specific development plans before any development could proceed within the proposed Overlay Zone. After applying the same thresholds of significance discussed in Section 4.7.2(a) of the March 2011 Final EIR, impacts to fire and emergency services would be less than significant. . However, if the BHFD identifies specific fire flow deficiencies during plan review, any proposed project would be required to pay its "fair share" of the cost to upgrade. Therefore, Mitigation Measure PSU-1 included in the March 2011 Final EIR would apply to the revised project. Impacts would remain less than significant after mitigation.

Police Protection. New development facilitated by adoption of the Overlay Zone project would incrementally reduce the overall development potential within the project area. The primary factor contributing to the potential decrease in total building square footage would be



the reduction in the permitted project area FAR from 2.0 (as proposed in the original project) to a level between 1.5 and 2.0. This would in turn incrementally decrease the demand for police protection services. The City is well equipped to handle new development and has adequate levels of protection (Sgt. Perez, 2008). Therefore, development within the Overlay Zone project area would not significantly diminish the ability of the BHPD to provide police services. After applying the same thresholds of significance discussed in Section 4.7.2(a) of the March 2011 Final EIR, impacts would remain less than significant without mitigation.

Water Demand. New development facilitated by adoption of the Overlay Zone project would incrementally reduce the overall development potential within the project area. This would in turn incrementally decrease water demand, when compared to the original project analyzed in the March 2011 Final EIR. Water demand would be slightly below the 218 Acre-Feet per year (AFY) surplus identified in the Water Supply Assessment through the year 2030. After applying the same thresholds of significance discussed in Section 4.7.2(a) of the March 2011 Final EIR, impacts on water demand would remain less than significant without mitigation.

Wastewater Demand. New development facilitated by adoption of the Overlay Zone project would incrementally reduce the overall development potential within the project area. This would in turn incrementally decrease wastewater generation when compared to the original project analyzed in the March 2011 Final EIR. The on-site sewage collection and conveyance system has been designed to handle the expected flows from within project area. As part of standard building plan check, the City of Beverly Hills Engineering staff would review any formal development plans to ensure compliance with all design standards. Furthermore, the Hyperion Treatment Plant, which ultimately treats the City's wastewater, is operating below capacity. The Overlay Zone project could be expected to represent slightly less than the 0.039 percent of excess capacity estimated for the original Gateway Project analyzed in the March 2011 Final EIR. After applying the same thresholds of significance discussed in Section 4.7.2(a) of the March 2011 Final EIR, impacts on wastewater demand would remain less than significant after compliance with Mitigation Measure PSU-4 included in the March 2011 Final EIR.

Stormwater Runoff. The revised project would replace partially permeable surfaces on portions of parcels 1 and 2 with paving, commercial structures, and landscaping.. The revised project's proposed development of additional properties zoned C-3 would incrementally reduce stormwater runoff within parcels 1, 2, and 3. The revised project objectives require the dedication of substantial green space and public open space adjacent to public streets, which would convert these areas developed almost entirely with impervious surfaces into urban spaces capable of capturing and treating stormwater runoff prior to off-site discharge into the City's storm drain system . The additional open space development requirements combined with the City's Storm Water and Urban Runoff Pollution Control regulations (BHMC Article 5) would incrementally reduce impacts to the City's stormwater infrastructure. After applying the same thresholds of significance discussed in Section 4.7.2(a) of the March 2011 Final EIR, impacts would remain less than significant after compliance with Mitigation Measure PSU-5 included in the March 2011 Final EIR.



Solid Waste. The revised project would incrementally decrease construction related solid-waste impacts when compared to the original project, due to the slight reduction in development potential in the project area compared to that studied in the EIR. Similar to the original project, building demolition would be required. However, the handling of demolition waste would be subject to AB 939 requirements for salvaging, recycling, and reuse of materials from demolition and construction activity occurring within the project area. Disposal and demolition would be a one-time activity and project development would be required to divert at least 50 percent of its waste from landfills. Furthermore, the four landfills serving the City of Beverly Hills have adequate capacity to accommodate the anticipated demolition debris. Similar to the original project analyzed in the Gateway Project EIR, construction related solid waste impacts would be less than significant as long as the applicable ordinances are followed.

Despite the increased land area available for development under the revised project area, it is reasonable to assume that the operational solid waste generation would be similar or incrementally less than the 0.042 percent of the daily solid waste tonnage (after source reduction and recycling programs) estimated for the original project. The decrease in the revised project FAR from 2.0 to a level between 1.5 and 2.0 would reduce the total permitted building square footage within the project area. Moreover, the integration of additional building setbacks and open space areas would be required for any future project proposing buildout up to the allowed maximum FARs. After applying the same thresholds of significance discussed in Section 4.7.2(a) of the March 2011 Final EIR, impacts would remain less than significant, as the Overlay Zone project would be required to comply with the City's solid waste diversion targets and would include spaces for recycling pursuant to SB 1405.

Energy. The revised project could potentially require alterations to existing energy distribution systems or installation of new facilities or equipment, such as transformers, natural gas pipelines or connections. Each specific development application filed within the revised project area would be responsible for paying the applicable connection fees, which would address any potential impacts. The City Engineer, SCE and the Gas Company would review formal development plans prior to issuance of any building permits. After applying the same thresholds of significance discussed in Section 4.7.2(a) of the March 2011 Final EIR, impacts would remain less than significant without mitigation.

3.8 Transportation and Circulation

No specific development proposal has been submitted for consideration within the Overlay Zone project area. As discussed in Section 2.0 *Project Description*, the revised project represents an estimate of potential development that would be consistent with the objectives and development standards associated with the proposed Overlay Zone. To provide a conservative impact analysis, the proposed Overlay Zone scenario assumes an average buildout FAR of between 1.5 and 2.0 for the combined C-3 and T-1 properties along with a potential mix of uses resulting in the greatest vehicle trip generation – a combination of office and retail/restaurant, rather than other allowable uses such as hotel or museum that would have lower trip generation. The following impact assessment is based upon supplemental transportation and circulation analysis memorandum prepared by Fehr and Peers dated April 30, 2012 (Attachment 2 to this supplemental analysis).



Summary of Impacts.

The March 2011 Final EIR was prepared for a specific development project with a combination of retail and office land uses. As such, it was assessed for impacts directly related to the size and land use mix of the project. Section 4.8, *Transportation and Circulation*, of the March 2011 Final EIR identified significant impacts at three intersections under cumulative conditions:

- Olympic Boulevard & Spalding Drive
- South Santa Monica Boulevard & Moreno Drive
- South Santa Monica Boulevard & Wilshire Boulevard

A summary of the impacted locations and proposed mitigation measures is provided below:

- *Olympic Boulevard & Spalding Drive.* The impact at Olympic Boulevard & Spalding Drive was identified as less than significant with traffic mitigation. The prescribed mitigation was restriping the southbound approach to provide a right turn lane with a separate through/left turn lane. Since the EIR was published, the City of Beverly Hills extended the red curb at the west side of the southbound approach to 180 feet from the intersection. As such, the southbound approach currently operates as a right turn lane with a shared through/left turn lane. With the updated lane configuration, there is no longer a significant impact at the intersection of Spalding Drive & Olympic Boulevard.
- *South Santa Monica Boulevard & Moreno Drive.* The intersection of South Santa Monica Boulevard & Moreno Drive would operate at a sufficient level of service (LOS) of D or better both with and without the addition of the Beverly Hills Gateway project. However, the project-related increase at this intersection exceeded the City's threshold of significance. The southern approach to this intersection would be a driveway for Parcel 1 of the Beverly Hills Gateway project. Mitigation Measure T-2 in the Final EIR was to reconfigure the future project driveway for Parcel 1 to provide two outbound vehicle lanes (to separate vehicles turning left from those traveling through the intersection or making a right turn). With this mitigation in place, the impact at this intersection would be less than significant.
- *South Santa Monica Boulevard & Wilshire Boulevard.* The intersection of South Santa Monica Boulevard & Wilshire Boulevard had an impact that was significant and unavoidable. This intersection was already assumed to be widened to reflect the improvements identified in the William Morris EIR; with implementation of this improvement, the intersection would be built out so no additional improvements would be feasible within the intersection's right of way.

In summary, if the proposed project were assessed under current conditions, there would be two impacts. There would no longer be an impact at Spalding Drive & Olympic Boulevard, there would be an impact that could be mitigated at South Santa Monica Boulevard & Moreno Drive, and there would be a significant and unavoidable impact at South Santa Monica Boulevard & Wilshire Drive. As such, the latter two locations are relevant to assessing potential impacts for the proposed Overlay Zone.



Review of the Proposed Overlay Zone.

Since the Overlay Zone is a program-level plan as opposed to project-level, there is not a direct comparison of square footage available between the Beverly Hills Gateway Project assessed in the EIR and the proposed Overlay Zone. Rather, the zoning allows for individual development projects that would be subject to independent traffic studies as the projects develop. With ultimate buildout of the Overlay Zone, however, the project area would have less intense development and a lower overall FAR than the Gateway Project studied in the March 2011 Final EIR. For C-3 commercial properties, the 2.0 FAR assumed in the Gateway Project would remain, but the FAR for T-1 properties would be reduced from 2.0 to 1.5. Furthermore, the T-1 FAR of 1.5 would only be allowed if a C-3 property were incorporated into the project. Otherwise the T-1 FAR would be limited to 0.5.

The land use proposed in the March 2011 Final EIR was a combination of office and retail space. The Overlay Zone would include the aforementioned land uses, but could also include restaurant, theatre, museum and hotel land uses which as a whole would generate fewer trips than the office and retail land uses. Since the overall development of the Overlay Zone would be less intense and the land use mix would generate (on average) fewer trips per square foot of development, the ultimate buildout of the Overlay Zone is anticipated to generate fewer trips than what was identified in the Beverly Hills Gateway Project EIR. Table S-4 identifies the trip generation rates per square feet of development for proposed land uses in the Beverly Hills Gateway Project and proposed Overlay Zone.

**Table S-4
 Trip Generation Comparison**

Land Use	Trip Generation (per thousand square feet)	
	AM Trip Rate	PM Trip Rate
Beverly Hills Gateway Project		
Office [a]	1.55	1.49
Retail [a]	1.00	3.73
Proposed Overlay Zone		
Office [a]	1.55	1.49
Retail [a]	1.00	3.73
Boutique Hotel [b][c]	0.66	0.72
Museum [b]	0.40	0.39
Movie Theater [a][d]	N/A	0.15
Quality Restaurant [a]	0.81	7.49

Notes:

[a] Trip Generation derived from Trip Generation (7th ed.) [Institute of Transportation Engineers]

[b] Trip Generation derived from local empirical traffic studies

[c] Hotel room rate assumes 500 square feet per room

[d] Movie theater peak hour of adjacent street traffic interpolated from peak hour of generator.

Source: Fehr & Peers, April 2012

As previously noted, there are two potentially significant traffic impacts associated with the



Gateway area, as identified in the March 2011 Final EIR. These impacts are at the intersections of South Santa Monica Boulevard & Moreno Drive and South Santa Monica Boulevard & Wilshire Boulevard.

Mitigation Measure T-2 from the March 2011 Final EIR required reconfiguration of the southbound approach at South Santa Monica Boulevard & Moreno Drive, which is incidentally a project driveway for Parcel 1. This impact and subsequent mitigation would therefore be dependent on how the access point for Parcel 1 would be developed as part of the Overlay Zone. The project description notes that the egress point for Parcel 1 would be Moreno Drive. After applying the same thresholds of significance discussed in Section 4.8.2(a) of the March 2011 Final EIR, providing two outbound lanes at the Moreno Drive project driveway is expected to eliminate the significant impact at this intersection.

The March 2011 Final EIR also identified that the impact at South Santa Monica Boulevard & Wilshire Boulevard would be significant and unavoidable as roadway improvements connected to other development projects would yield a buildout intersection with no additional right of way for further improvements. After applying the same thresholds of significance discussed in Section 4.8.2(a) of the March 2011 Final EIR, the less intense development proposed as part of the Overlay Zone project would reduce the impact. However, it would likely still be significant and unavoidable.

In summary, while the Overlay Zone is a development program that allows land use and design flexibility, the ultimate buildout of the Overlay Zone would be less intense in both density and overall trip generation than the land uses contained in the March 2011 Final EIR.

Furthermore, it is important to note that the overlay zone objectives require specific development projects to comply with the following transportation-related objectives:

- *Parking shall be located below-grade, shall be located on properties subject to the Overlay Zone, and vehicle and pedestrian access to parking shall be convenient. Minimal at grade parking may be considered by the reviewing authority. Parking in excess of the minimum required parking set forth in Section 10-3-2730 of the zoning code shall be incorporated into any development and be made available to the public. The excess public parking incorporated into any development on Parcels 1 and 2 shall on a collective basis significantly offset the parking deficiency in the neighborhood.*
- *Development shall incorporate adequate land dedications or easements that may be needed for future transportation and roadway improvements, including possible bike paths, bus shelters, pedestrian bridges or similar improvements; and*
- *Development shall not result in detrimental impacts to existing or planned development in the vicinity with regard to traffic levels, traffic safety, pedestrian-vehicle conflicts, pedestrian safety hazards, parking demand, parking design, loading or manner of operation, unless the reviewing authority finds the development benefits outweigh the detrimental impacts.*

Compliance with these transportation system design objectives could further reduce (but not eliminate) transportation impacts at the study area intersections, as they would promote the use of non-motorized forms of transportation in and around the project area, and promote the use



of mass-transit. The requirement to provide additional parking for the general public within the proposed Overlay Zone could also reduce the number of vehicle trips generated within and adjacent to the project area that are directly associated with vehicles searching for parking spaces (especially during peak hours of operation).

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

Delivery trucks could cause temporary traffic interruptions, as they could lead to temporary lane closures when material is unloaded. Given the layout of the revised project, it is possible that lane closures would be needed, especially during delivery of construction material and equipment.

Construction worker traffic and the lack of adequate construction parking would add vehicles to the roadway infrastructure. Similar to the previous project analyzed under the March 2011 Final EIR, the number of workers required for development of all three parcels would likely be less than the 400-500 peak hour trips generated during the various study traffic study periods. During the majority of any anticipated construction period, worker parking would likely be accommodated on site. However, during the excavation phase, a high number of off-site parking spaces could be required due to the additional area potentially available for development under the revised project.

After applying the same thresholds of significance discussed in Section 4.8.2(a) of the March 2011 Final EIR, impacts would be less than significant after compliance with Mitigation Measures T-4 and T-5(a) through T-5(c). These measures would still be required for future development proposed within the proposed Overlay Zone in order to reduce temporary construction-related traffic impacts to a less than significant level.

Roadway Safety and Design Impacts. The revised project would require the construction of multiple driveways along South Santa Monica Boulevard, primarily to access multi-story parking garages beneath the site or to access surface parking areas. Similar to the original project analyzed in the March 2011 Final EIR, five driveways were assumed to provide entry into or exit from the subterranean parking garages beneath the three parcels. The Final EIR goal is to minimize the number of direct vehicular access points along South Santa Monica Boulevard, however; the five assumed access points are analyzed as a worst case scenario. As long as adequate driveway widths, and turning and curb radii were integrated into the design of each garage entrance/exit and visually obstructive landscaping, signage, and other items were prohibited, roadway safety and design impacts would remain less than significant.



Residential Street Traffic Impacts. The Overlay Zone project would generate a similar volume of traffic when compared to the original project analyzed in the March 2011 Final EIR. As a result, this project would generate an incremental increase in traffic on neighboring residential streets. This incremental increase in residential trips would likely not exceed the City's significance thresholds. Impacts would remain less than significant.

3.9 Greenhouse Gasses

Greenhouse gas emissions from the proposed Overlay Zone project would be similar to the quantity estimated for the original project analyzed in the March 2011 Final EIR. Emission projections for the original project indicated that the majority of the GHG emissions were associated with vehicle travel. As discussed in the Transportation and Circulation analysis of this alternative, vehicle trips associated with buildout of proposed Overlay zone project could be incrementally decreased. Therefore, greenhouse gas emissions could be incrementally decreased. The revised project would require the integration of pedestrian-friendly urban design concepts, such as expanded setbacks for the creation of green spaces, pedestrian friendly sidewalks and adequate land dedications or easements that may be needed for future transportation and roadway improvements, including possible bike paths, bus shelters, pedestrian bridges or similar improvements, into any parcel specific development proposal. The integration of expanded mass-transit infrastructure, pedestrian friendly spaces, a mix of commercial uses, and adequate vehicle parking into each specific development proposal could further reduce project-related vehicle traffic and greenhouse gas emissions. Impacts would remain less than significant.

4.0 Conclusion

Provided below is a summary of the environmental impacts associated with the proposed Overlay Zone project in comparison with those of the project studied in the March 2011 Final EIR:

- **Aesthetics and Views:** Buildout of the revised project, in conformance with the proposed Overlay Zone objectives would alter the visual character of the project site. However, the design and scale would be generally compatible with surrounding development. Because of the design flexibility and design objectives introduced by the proposed overlay, aesthetic impacts would likely be reduced overall compared with the project studied in the March 2011 Final EIR.
- **Air Quality:** Construction-related air quality impacts would remain significant and unavoidable, even after incorporation of the recommended mitigation measures. Mitigation would reduce impacts from PM₁₀ and PM_{2.5}, but NO_x emissions would continue to exceed thresholds, assuming concurrent buildout of all parcels. Operational emissions and CO hotspot impacts would remain less than significant.
- **Cultural Resources:** Buildout of the revised project in conformance with the proposed Overlay Zone objectives could impact up to eight properties potentially considered historic resources. Similar to the previous project analyzed in the March 2011 Final EIR, the impacts associated with the proposed Overlay Zone project are considered potentially significant



and adverse, but mitigable to a less than significant level. Mitigation measures CR-1(a), CR-1 (b), as required in the March 2011 Final EIR, and CRS-1 required as part of this supplemental analysis would apply to the revised project.

- **Hazards and Hazardous Materials:** Development of the three parcels within the proposed Overlay Zone would require demolition of buildings and structures that could contain asbestos and lead-based paint. Groundwater underneath the three parcels also has the potential to be contaminated as a result of historic activity on adjacent parcels. Implementation of the mitigation measures included in the original March 2011 Final EIR would reduce impacts to a less than significant level.
- **Land Use and Planning:** Overall impacts to land use and planning impacts would be reduced when compared to the original project analyzed in the March 2011 Final EIR. Impacts would be less than significant and no mitigation is required for the revised project, due to the fact that no parcel specific General Plan Amendment or Zone change is proposed. In contrast to the project analyzed in the March 2011 Final EIR (which if approved, would permit the proposed commercial development by right within the original project area) each future parcel specific development proposal would be required to submit a development application, which would undergo discretionary review to ensure consistency with the Overlay Zone design objectives. The design objectives would require substantial building setbacks, pedestrian friendly green spaces and amenities, iconic building architecture, and other design elements as described in Section 2.0 *Project Description*.
- **Noise:** Construction and Operational activities would generate noise that would be audible to existing uses near the project area. Noise sources would primarily include excavation, grading, mobile construction traffic, rooftop ventilation and heating systems, trash hauling, and commercial retail activities. Noise impacts would be incrementally reduced when compared to the original project. Implementation of the mitigation measures included in the original March 2011 Final EIR would reduce impacts to a less than significant level.
- **Public Services:** Impacts on BHFD services, BHPD services, water, wastewater, stormwater and energy would be incrementally reduced when compared to the original project analyzed in the March 2011 Final EIR. Implementation of the mitigation measures included in the original March 2011 Final EIR would reduce impacts to a less than significant level.
- **Traffic and Circulation:** Traffic impacts for the revised project would be incrementally reduced when compared to the impacts identified for the original project analyzed in the March 2011 Final EIR. Even after implementation of mitigation measures, impacts at the South Santa Monica Boulevard/Wilshire Boulevard would remain significant and unavoidable, thus requiring the adoption of a Statement of Overriding Considerations should the Overlay Zone proposal be approved.
- **Greenhouse Gasses:** Greenhouse gas emissions from the proposed Overlay Zone project could be incrementally reduced compared to original project analyzed in the March 2011 Final EIR. Impacts would remain less than significant.



Attachment 1

Historic Resources Report Addendum



SAN BUENAVENTURA RESEARCH ASSOCIATES

MEMORANDUM

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sbra@historicrosources.com
www.historicrosources.com

To: Abe Leider, Rincon Consultants, Inc.
From: Mitch Stone, San Buenaventura Research Associates
Date: 24 April 2012
Re: Beverly Hills Gateway Overlay Zone Project, Historic Resources Report Addendum

San Buenaventura Research Associates (SBRA) prepared a historic resources report in July 2008 for the Beverly Hills Gateway project. Since that time, this project has been redefined as an overlay zone with no immediately anticipated development proposals. The original project site consisted of eight parcels located on the north side of Santa Monica Boulevard South between Linden Avenue on the east and Moreno Avenue on the west. Also included was the vacant parcels on the south side of Santa Monica Boulevard North between Linden and Moreno avenues. The current project site was expanded to include all of the parcels on the north side of Santa Monica Boulevard South. [Figure 1]

This report summarizes the relevant findings of the previous evaluation and addresses the redefined project area and project description.

1. Findings of Previous Evaluation

Of the eight properties evaluated in the 2008 Historic Resources Report, only one was found to be eligible for listing on the NRHP and CRHR and for designation as a City of Beverly Hills landmark. Construction of a medical office building on the property addressed at 9949 Santa Monica Boulevard was begun in late 1941 but apparently remained uncompleted until 1945. This building is a very good example of the Streamline Moderne architectural style and was identified in the *City of Beverly Hills Historic Resources Survey Report, Survey Area 5: Commercial Properties* survey update as a potential contributor to a multiple-resource (noncontiguous) CRHR-eligible historic district composed of six Art Deco/Moderne buildings. (Jones & Stokes, 2006)

This property was found to be a historic resource for purposes of CEQA. The remaining seven properties evaluated were found to be ineligible for listing or designation due to insufficient age, lack of significance, or a lack of integrity. The properties found to be ineligible were:

- 9775 Santa Monica Boulevard
- 9785 Santa Monica Boulevard
- 9815 Wilshire Boulevard
- 9844 Wilshire Boulevard/9811 Santa Monica Boulevard
- 9843-45-49 Santa Monica Boulevard
- 9855-57 Santa Monica Boulevard
- 9859-61-65-67 Santa Monica Boulevard

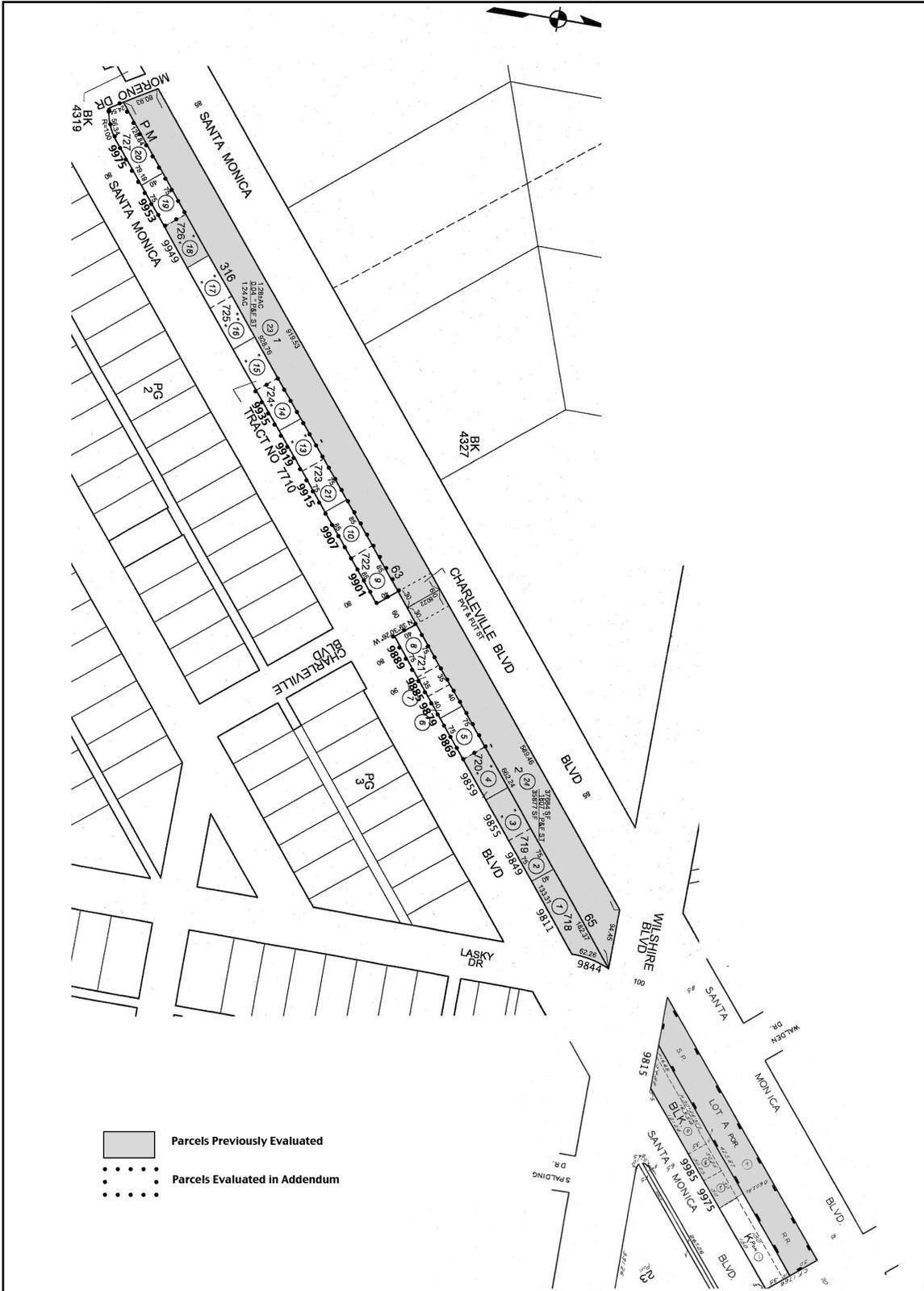


Figure 1. Project Location [Source: Los Angeles County Assessor, San Buenaventura Research Associates]

The remainder of the project site consisted of vacant land, paved parking lots, and the former right-of-way of the Pacific Electric Railroad line.

2. Additional Properties Evaluated

The expanded project site encompasses eleven additional improved parcels.

9869-77 Santa Monica Boulevard. This two-story concrete block commercial building was constructed in 1946. The designer was the architectural firm of Joseph, Fletcher and Joseph of Los Angeles. The building features four storefront bays on the ground floor and six bays of tripartite steel windows on the second floor elevation. At least three of the storefronts appear to be altered; otherwise the building appears to be essentially unaltered. [Photo 1]

9879 Santa Monica Boulevard. No original building permits were located for this two-story Roman brick commercial building, which, according to the Los Angeles County Assessor, was constructed in 1955. The building consists of two ground floor storefront bays and a separate entry. The second floor elevation features a band of four tripartite windows. The building's state of integrity is difficult to assess fully but at least one of the second floor windows has apparently been altered. [Photo 2]

9985-87 Santa Monica Boulevard. No original building permits were located for this two-story Roman brick commercial building, which, according to the Los Angeles County Assessor, was constructed in 1947. The building features two ground-floor storefronts and two, tripartite window bays on the second floor. The upper facade is terminated with a pedimented parapet. The general similarity of building materials and upper floor window treatment suggest that it was constructed at the same time as 9879 Santa Monica Boulevard. The building's state of integrity is difficult to assess, but it appears that the storefronts are substantially altered. [Photo 3]

9989-99 Santa Monica Boulevard. This two-story brick commercial building was constructed in 1939. The designer was architect Sonke E. Sonnichsen of Los Angeles. The building features four, ground-floor storefronts and seven bays of steel casement windows on the second floor. The building addresses the intersection of Santa Monica and Charleville boulevards with a radius corner. The building appears to be essentially unaltered. [Photo 4]

9901-05 Santa Monica Boulevard. This one-story commercial building was constructed in 1948 of brick and concrete clad in plaster. The designer is architect Kenneth R. Swift of Los Angeles. The building features four storefronts and a tall, featureless upper facade. A wing-like, angular open-framed device projecting from the corner of the building addresses the intersection of Santa Monica and Charleville boulevards. The building appears to be essentially unaltered. [Photo 5]

9907-11 Santa Monica Boulevard. This one-story plastered concrete and brick commercial building was constructed in 1946. The designer was the architectural firm of Joseph, Fletcher and Joseph of Los Angeles. The building consists of five storefronts. This building appears to be substantially altered. [Photos 6, 7]

9915 Santa Monica Boulevard. This single-story medical office building was constructed in 1951. The asymmetrical street elevation features masses of brick or concrete on the east and west framing four, tall windows separated by projecting steel or aluminum mullions. A projecting pylon that extends above the roof line defines the inset entry. According to building permits, this building was constructed by California Structures, Inc. of Woodland Hills. No architect is credited. It appears to be unaltered. [Photo 8]

9919-25 Santa Monica Boulevard. According to Los Angeles County Assessor records, this one-story commercial building was constructed in 1948, but building permits indicate that construction was begun in 1946. This single-story commercial building was designed by the architectural firm of Oscar Joseph and Graeme Joseph. It features four storefront bays separated by Roman brick pilasters and a featureless upper facade. At least three of the storefronts appear to be altered. [Photo 9]

9935 Santa Monica Boulevard. No original building permits were located for this two-story commercial/office building, but according to Los Angeles County Assessor records, it was constructed in 1953. The building features a brick-faced ground floor elevation with a band of six residential-style tripartite windows flanked by faux slatted shutters. A centered double-door entry is set back from the building plane. The stucco-clad second floor is set back slight from the ground floor and features four similar windows. This building appears to be unaltered. [Photo 10]

9953 Santa Monica Boulevard. This one-story brick commercial building was constructed in 1942 as a garage. The building features two garage door openings separated by three large plate glass windows, and one smaller window on the eastern end of the street elevation. The large windows may have originally been multi-pane but otherwise the building appears to be unaltered. [Photo 11]

9975 Santa Monica Boulevard. This three and four-story commercial building was constructed in 1991. [Photo 12]

3. Preliminary Evaluation of Significance

The properties included in the expanded project area were evaluated for their potential eligibility for the National Register of Historic Places (NRHP), California Register of Historical Resources (CRHR) or for designation as City of Beverly Hills landmarks, based primarily upon visual evidence, documentation in previous investigations, and the historical contextual themes developed by Jones & Stokes, 2006. Limited property-specific research was conducted, primarily utilizing building permits. [Figure 2]

Previously Found to be Eligible. As described in Section 1, above.

- 9949 Santa Monica Boulevard.

Ineligible (Insufficient Age). Of the eleven properties included in the expanded project area, one is of insufficient age to be considered potentially eligible. It should not be considered to be a historic resource on this basis.

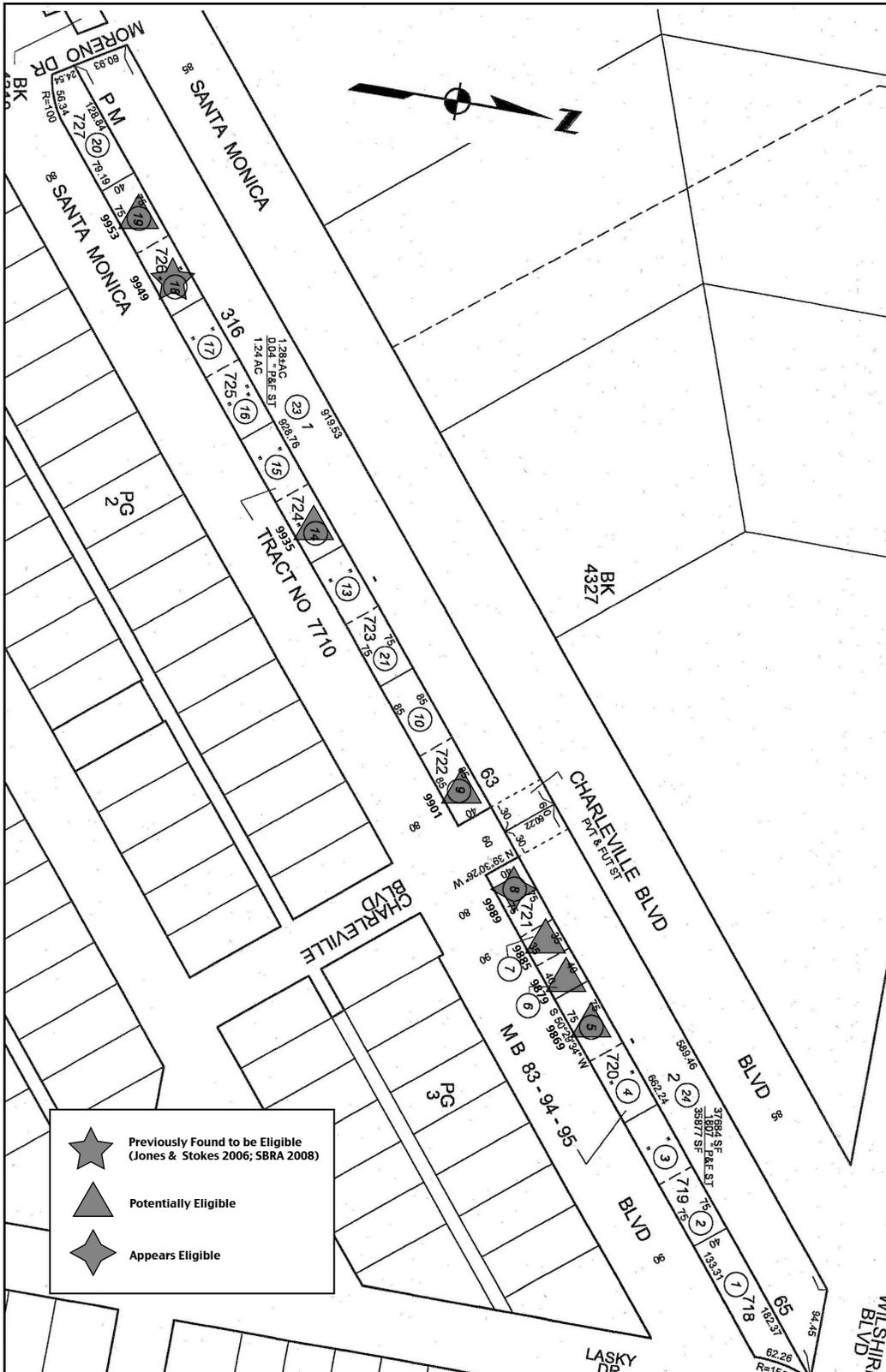


Figure 2. Potential Historic Resources [Source: Los Angeles County Assessor, San Buenaventura Research Associates]

Beverly Hills Gateway Overlay Zone Project Historic Resources Report Addendum

- 9975 Santa Monica Boulevard [Photo 12]

Ineligible (Lack of Integrity). Of the ten remaining properties, two appear to lack sufficient integrity to be considered potentially eligible. They should not be considered to be potential historic resources on this basis.

- 9907-11 Santa Monica Boulevard [Photo 7]
- 9919-25 Santa Monica Boulevard [Photo 9]

Potentially Eligible. Of the eight remaining properties, six appear to be of sufficient age and to exhibit sufficient integrity to warrant additional property-specific research. They should be considered to be potential historic resources on this basis.

- 9869-77 Santa Monica Boulevard [Photo 1]
- 9879 Santa Monica Boulevard [Photo 2]
- 9985-87 Santa Monica Boulevard [Photo 3]
- 9901-05 Santa Monica Boulevard [Photo 5]
- 9935 Santa Monica Boulevard [Photo 10]
- 9953 Santa Monica Boulevard [Photo 11]

Appears Eligible. One property typifies the Streamline Moderne architectural style of the late 1930s. Consequently it should be regarded as a potential contributor to an expanded multiple-resource (non-contiguous) CRHR-eligible historic district composed of six Art Deco/Moderne buildings as defined and identified in the *City of Beverly Hills Historic Resources Survey Report, Survey Area 5: Commercial Properties* survey update. (Jones & Stokes, 2006) It should be considered to be a potential historic resource on this basis.

- 9889-99 Santa Monica Boulevard [Photo 4]

One property typifies the “Post World War II Commercial Buildings” context described in Jones & Stokes, 2006. This context includes buildings “predominantly architect designed by practitioners offering a wide range of modernistic interpretations. Buildings include modest examples, mostly 4 to 5 stories in height, constructed after World War II.” While this context concentrates on architect-designed mid-rise buildings, this property is of sufficient architectural interest to warrant additional evaluation, and should be considered to be a potential historic resource on this basis.

- 9915 Santa Monica Boulevard. [Photo 8]

4. Evaluation of Impacts

Although no specific development proposals are included in the project description, the revised project would allow for the potential application of a zoning overlay that could facilitate development within

Beverly Hills Gateway Overlay Zone Project Historic Resources Report Addendum

the area covered by the overlay zone. The overlay zone encourages the consolidation of parcels, new construction, and construction of underground parking garages. This activity can be assumed to potentially result in the demolition of historic resources located within the area covered by the project. This impact should be considered significant and adverse.

5. Mitigation of Adverse Impacts

Prior to the application of the overlay zone to individual parcels for the properties defined in the report as Previously Found to be Eligible, Potentially Eligible, or Appears to be Eligible, the City of Beverly Hills shall require the preparation of a Historic Resources Report for the involved property by a qualified historian or architectural historian. This report shall determine if the property is eligible for listing or designation in the NRHP, CRHR or as a City of Beverly Hills landmark. For properties that are found to be eligible the findings of the Historic Resources Report shall be included in the environmental document for the project.



Photo 1. 9869-77 Santa Monica Boulevard. [4-17-2012]



Photo 2. 9879 Santa Monica Boulevard. [4-17-2012]



Photo 3. 9885-87 Santa Monica Boulevard. [4-17-2012]



Photo 4. 9889-99 Santa Monica Boulevard. [4-17-2012]



Photo 5. 9901-05 Santa Monica Boulevard. [4-17-2012]



Photo 6. 9907-11 Santa Monica Boulevard. [4-17-2012]



Photo 7. 9907-11 Santa Monica Boulevard. [4-17-2012]



Photo 8. 9915 Santa Monica Boulevard. [4-17-2012]



Photo 9. 9919-25 Santa Monica Boulevard. [4-17-2012]



Photo 10. 9935 Santa Monica Boulevard. [4-17-2012]



Photo 11. 9953 Santa Monica Boulevard. [4-17-2012]



Photo 12. 9975 Santa Monica Boulevard. [4-17-2012]

Attachment 2

Supplemental Traffic Memorandum





MEMORANDUM

Date: April 30, 2012
To: Abe Leider, Rincon
From: Tamar Fuhrer, AICP & Sarah Brandenburg, PE
Subject: *Beverly Hills Gateway Overlay Zone Supplemental Analysis*

SM12-2201.04

This memorandum describes additional transportation services provided for the Beverly Hills Gateway Study. These services include reviewing and comparing the proposed overlay zone to the land use described in the Beverly Hills Gateway Project Draft EIR and comparing impacts between the two scenarios.

PROJECT DESCRIPTION

The City is interested in developing a "Gateway Overlay Zone" at the site of the Beverly Hills Gateway Project. Rather than being a development project in and of itself, the Overlay Zone is a programmatic zoning that would allow design flexibility on parcels within the plan area. The proposed Overlay Zone contains C-3 (general commercial) and T-1 (transportation zone) zoned land uses. With the Overlay Zone, the three parcels analyzed in the Beverly Hills Gateway Project EIR and the immediately adjacent C-3 parcels will be able to have some land use and design flexibility, including consolidating parcels to increase the floor-to-area ratio (FAR) over one parcel or increase the building height and land use. In doing so the design of the zone as a whole is more flexible and has the potential to be more pedestrian-oriented. The entire overlay zone would have a maximum FAR.

TRAFFIC ASSESSMENT

Summary of Beverly Hills Gateway Impacts

The Beverly Hills Gateway EIR was prepared for a specific development project with a combination of retail and office land uses. As such, it was assessed for impacts directly related to the size and land use mix of the project. The Beverly Hills Gateway EIR circulation chapter identified significant impacts at three intersections under cumulative conditions:

- Olympic Boulevard & Spalding Drive
- South Santa Monica Boulevard & Moreno Drive
- South Santa Monica Boulevard & Wilshire Boulevard

A summary of the impacted locations and proposed mitigation measures is provided below:

- **Olympic Boulevard & Spalding Drive:** The impact at Olympic Boulevard & Spalding Drive was identified as *less than significant* with traffic mitigation. The prescribed mitigation was restriping the southbound approach to provide a right-turn lane with a separate through/left-turn lane. Since the EIR was published, the City of Beverly Hills extended the red curb at the west side of the southbound approach to 180 feet from the intersection. As such, the southbound approach currently operates as a right-turn lane with a shared through/left-turn lane. With the updated lane configuration, there is no longer a significant impact at the intersection of Spalding Drive & Olympic Boulevard.
- **South Santa Monica Boulevard & Moreno Drive:** The intersection of South Santa Monica Boulevard & Moreno Drive would operate at a sufficient level of service (LOS) of D or better both with and without the addition of the Beverly Hills Gateway project. However, the project-related increase at this intersection exceeded the City's threshold of significance. The southern approach to this intersection would be a driveway for Parcel 1 of the Beverly Hills Gateway project. The mitigation identified in the EIR was to reconfigure the future project driveway for Parcel 1 to provide two outbound vehicle lanes (to separate vehicles turning left from those traveling through the intersection or making a right-turn). With this mitigation in place, the impact at this intersection would be less than significant.
- **South Santa Monica Boulevard & Wilshire Boulevard:** The intersection of South Santa Monica Boulevard & Wilshire Boulevard had an impact that was significant and unavoidable. This intersection was already assumed to be widened to reflect the improvements identified in the William Morris EIR; with implementation of this improvement, the intersection would be built out so no additional improvements would be feasible within the intersection's right-of-way.

In summary, if the Beverly Hills Gateway project were assessed under current conditions, there would be two impacts. There would no longer be an impact at Spalding Drive & Olympic Boulevard, there would be an impact that could be mitigated at South Santa Monica Boulevard & Moreno Drive, and there would be a significant and unavoidable impact at South Santa Monica Boulevard & Wilshire Drive. As such, the latter two locations are relevant to assessing potential impacts for the Beverly Hills Gateway Overlay Zone.

Review of the Proposed Overlay Zone

Since the Overlay Zone is a program-level plan as opposed to project-level, there is not a direct comparison of square footage available between the Beverly Hills Gateway Project assessed in the EIR and the proposed Overlay Zone. Rather, the zoning allows for individual development projects that would be subject to independent traffic studies as the projects develop. With ultimate buildout of the Overlay Zone, however, the project area would have less intense development and a lower overall FAR than the Gateway Project studied in the EIR. For C-3 commercial properties, the 2.0 FAR assumed in the Gateway Project would remain, but the FAR

for T-1 properties would be reduced from 2.0 to 1.5. Furthermore, the T-1 FAR of 1.5 would only be allowed if a C-3 property were incorporated into the project. Otherwise the T-1 FAR would be limited to 0.5.

The land use proposed in the Beverly Hills Gateway Project EIR was a combination of office and retail space. The Overlay Zone would include the aforementioned land uses, but could also include restaurant, theatre, museum and hotel land uses which as a whole would generate fewer trips than the office and retail land uses. Since the overall development of the Overlay Zone would be less intense and the land use mix would generate (on average) fewer trips per square foot of development, the ultimate buildout of the Overlay Zone is anticipated to generate fewer trips than what was identified in the Beverly Hills Gateway Project EIR. Attachment A identifies the trip generation rates per square feet of development for proposed land uses in the Beverly Hills Gateway Project and Beverly Hills Gateway Overlay Zone.

Assessment of Potential Impacts Associated with the Proposed Overlay Zone

As previously noted, there are two potentially significant traffic impacts associated with the Gateway area, as identified in the Beverly Hills Gateway Project EIR. These impacts are at the intersections of South Santa Monica Boulevard & Moreno Drive and South Santa Monica Boulevard & Wilshire Boulevard.

The EIR identified that the mitigation at South Santa Monica Boulevard & Moreno Drive would be to reconfigure the southbound approach at the intersection, which is incidentally a project driveway for Parcel 1. This impact and subsequent mitigation would therefore be dependent on how the access point for Parcel 1 would be developed as part of the Overlay Zone. The project description notes that the egress point for Parcel 1 would be Moreno Drive; providing two outbound lanes at the project driveway is expected to eliminate the significant impact at this intersection.

The EIR also identified that the impact at South Santa Monica Boulevard & Wilshire Boulevard would be significant and unavoidable as roadway improvements connected to other development projects would yield a built-out intersection with no additional right-of-way for further improvements. While less intense development in the Overlay Zone will lessen the impact, it will likely still be significant and unavoidable.

SUMMARY AND CONCLUSIONS

We have completed a high-level assessment of the potential impacts associated with the proposed Beverly Hills Gateway Overlay Zone as compared to the Beverly Hills Gateway Project EIR. While the Overlay Zone is a development program that allows land use and design flexibility, the ultimate buildout of the Overlay Zone would be less intense in both density and overall trip generation than the land uses contained in the Beverly Hills Gateway Project EIR.

Mr. Abe Leider

April 30, 2012

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Three intersections were identified as having significant impacts in the EIR. Since the EIR was published, the City has modified the intersection of Olympic Boulevard & Spalding Drive such that there would no longer be a significant impact at this location. Of the remaining two intersections, South Santa Monica Boulevard & Moreno Drive would not have a significant impact provided that the development occurring at Parcel 1 of the Overlay Zone provides a two-lane outbound driveway at the southbound approach of this intersection. The second intersection, South Santa Monica Boulevard & Wilshire Boulevard, would likely remain as having a significant and unavoidable impact. Since this intersection is already assumed to be built-out with the mitigation measures identified in the William Morris EIR and further physical mitigations are infeasible, the impact at this location would likely be significant and unavoidable.

We hope that you find this information helpful. Please contact Tamar Fuhrer or Sarah Brandenburg at (310) 458-9916 with any questions or comments pertaining to this memorandum.

ATTACHMENT A
BEVERLY HILLS GATEWAY TRIP GENERATION COMPARISON

Land Use	Trip Generation		
	Unit	AM Trip Rate	PM Trip Rate
Beverly Hills Gateway Project			
Office [a]	ksf	1.55	1.49
Retail [a]	ksf	1.00	3.73
Beverly Hills Gateway Overlay Zone			
Office [a]	ksf	1.55	1.49
Retail [a]	ksf	1.00	3.73
Boutique Hotel [b][c]	ksf	0.66	0.72
Museum [b]	ksf	0.40	0.39
Movie Theater [a][d]	ksf	N/A	0.15
Quality Restaurant [a]	ksf	0.81	7.49

Notes:

[a] Trip Generation derived from *Trip Generation (7th ed.)* [Institute of Transportation Engineers]

[b] Trip Generation derived from local empirical traffic studies

[c] Hotel room rate assumes 500 square feet per room

[d] Movie theater peak hour of adjacent street traffic interpolated from peak hour of generator.