

SUPPLEMENT TO THE 8600 WILSHIRE MIXED-USE PROJECT FINAL ENVIRONMENTAL IMPACT REPORT



**Prepared for
CITY OF BEVERLY HILLS**

**Prepared by
TERRY A. HAYES ASSOCIATES LLC**

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8600 WILSHIRE MIXED-USE PROJECT
FINAL ENVIRONMENTAL IMPACT REPORT**

Prepared for

CITY OF BEVERLY HILLS

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1.0 INTRODUCTION

This Supplement to the 8600 Wilshire Mixed-Use Project Final Environmental Impact Report (Final EIR) has been prepared to obtain environmental clearance for the necessary and minor changes to the proposed Project. Proposed changes include two levels of subterranean parking instead of one, increased parking capacity and retail square footage, a reduced number of vehicular driveways from two (Stanley Drive and Charleville Boulevard) to one (Stanley Drive), the movement of the Stanley Drive driveway north of its original location, reduced townhome building height, increased setback lengths of the proposed townhomes, and three townhomes instead of four. Several of the proposed changes to the Project would result in new significant impacts for which three new mitigation measures are provided. The analysis presented in this document will ultimately demonstrate that the implementation of the revised proposed Project would not result in new significant adverse impacts that cannot be mitigated to less-than significant levels.

1.1 PROJECT BACKGROUND

The 8600 Wilshire Mixed-Use Project Draft EIR was circulated for public review and comment between April 17, 2006 and June 1, 2006. During this period, one written comment on the Draft EIR was received. In addition, the City Beverly Hills Planning Commission held a public hearing on April 27, 2006 to receive testimony regarding the proposed Project and the Draft EIR. No public comments pertaining to the Draft EIR were received during the public hearing. However, comments on the Draft EIR were received from the Planning Commission. The Final EIR, completed in August of 2006, included responses to all comments received on the Draft EIR as required by Section 15088 of the *CEQA Guidelines*. Responses to comments on the Draft EIR included issues raised in public comments and the Planning Commission that warranted clarification or correction of certain statements in the Draft EIR.

After deliberation, the Final EIR was not certified by the Planning Commission, nor was the proposed Project adopted. The Planning Commission requested that the Project site plans be revised to decrease building heights and increase setback lengths to reduce significant aesthetic and land use impacts. The City Council generally agreed with the findings of the Planning Commission and, in addition, stated that a mixed-use development would be feasible on the Project site with the implementation of the Planning Commission's requested changes.

In response to the Planning Commission's requests, the Project Applicant has submitted revised Project site plans to the City's Planning Department. Specific changes to the site plans include two levels of subterranean parking instead of one, increased parking capacity from 86 to 97 parking spaces, increased retail square footage from 4,774 square feet to 6,441 square feet, a reduced number of vehicular access points to the Project site including one exclusive driveway entrance from Stanley Drive instead of two driveway entrances (from Stanley Drive and Charleville Boulevard), the movement of the Stanley Drive driveway approximately 20 feet north of its original location, three townhomes instead of four along Charleville Boulevard, reduced townhome building height from approximately 37 to 30 feet, and increased townhome setback lengths up to nine feet along Charleville Boulevard and Stanley Drive to be visually consistent with the open space character of the surrounding single-family residential neighborhood.

1.2 OVERVIEW OF THIS SUPPLEMENT TO THE FINAL EIR

This Supplement to the Final EIR is deemed necessary due to the above referenced changes to the proposed Project, which were requested by City’s Planning Commission and City Council. This Supplement to the Final EIR includes descriptions of both the original proposed Project and the revised proposed Project, a summary of the impacts and mitigation measures associated with the revised proposed Project, and analysis of the revised proposed Project with regards to *CEQA Guidelines* Section 15088.5 “Recirculation of an EIR Prior to Certification.”

2.0 PROJECT DESCRIPTION

This section presents a discussion of the Project site, location, general description of the original proposed Project evaluated in the Final EIR, a detailed description of the revised proposed Project, and the anticipated construction schedule. Brief comparative discussions are provided where elements of the revised proposed Project differ from the original proposed Project.

2.1 PROJECT SITE AND LOCATION

The Project site is located in the City of Beverly Hills which encompasses an estimated area of 5.69 square miles and is situated in the north-central section of Los Angeles County in the heart of the “westside” of Los Angeles. Beverly Hills is approximately 5.8 miles west-northwest of Downtown Los Angeles, 1.6 miles north of the Santa Monica Freeway (I-10), and 2.5 miles east of the San Diego Freeway (I-405). The City of Beverly Hills shares boundaries with the City of West Hollywood on the northeast and the City of Los Angeles on the north, west, south, and southeast.

The Project site is located in the southeastern section of Beverly Hills near the border of the City of Los Angeles. Located on the southwest corner of Wilshire Boulevard and Stanley Drive, the Project site is bounded by Wilshire Boulevard on the north, Stanley Drive on the east, Charleville Boulevard on the south, and commercial/residential uses on the west.

The Project site generally consists of four adjacent lots. Lot 689 is currently occupied with a retail use and fronts Wilshire Boulevard. The remaining three lots (Lots 686, 687 and 688) are currently vacant. Lots 687 and 688 also front Wilshire Boulevard. Lot 686 fronts Charleville Boulevard. Further details and illustrations identifying the Project site and location can be found in Section 3.0 Project Description of the Final EIR.

2.2 ORIGINAL PROJECT EVALUATED IN THE FINAL EIR

The Final EIR evaluated the 8600 Wilshire Mixed-Use Project (original proposed Project), which included a new, 50,241-square-foot commercial and residential complex to be located on the southwest corner of Wilshire Boulevard and Stanley Drive in Beverly Hills. This 25,920-square-foot site has a current commercial use on the west side and is vacant on the east. The existing 2,500-square-foot commercial building (Reefseekers) would be demolished as a part of the proposed Project. Twenty-one condominium units were proposed to be situated above the 4,774 square feet of ground floor retail fronting Wilshire Boulevard. Four townhomes would be located at-grade on the southern portion of the site, fronting onto Charleville Boulevard. A 61-space, subterranean parking garage exclusively provided for Project residents would encompass the entire Project site and be accessible from a driveway and ramp on Charleville Boulevard. A 25-space at-grade parking garage provided for retail users and residential guests would be accessed from a driveway on Stanley Drive. The at-grade parking garage would not be connected to the private residential subterranean parking garage. Existing on-street parking located along the west side of Stanley Drive, adjacent to the Project site, would be removed. It was anticipated that the proposed Project would begin construction late in 2006 and would continue for a 15-month period. A detailed description of the original proposed Project can be found in Section 3.0 Project Description of the Final EIR.

2.3 REVISED PROJECT DESCRIPTION

Revised Project Overview

The revised 8600 Wilshire Mixed-Use Project (revised proposed Project) includes a new, approximately 49,107-square-foot commercial and residential complex to be constructed on the same 25,920-square-foot Project site as was proposed in the Final EIR. The revised proposed Project, as with the original proposed Project, will demolish the existing 2,500-square-foot commercial building (Reefseekers) on the west side of the Project site.

The revised proposed Project will construct a three- to five-story commercial and residential complex including approximately 49,107 square feet of new building space or floor area. The mixed-use portion (retail and residential) of the revised proposed Project will front Wilshire Boulevard and include approximately 6,441 square feet of ground floor retail space and an at-grade parking level below four levels containing 21 condominium units. Three, three-story townhomes will be located at-grade on the southern portion of the Project site, fronting Charleville Boulevard. Setbacks lengths and the amount of landscaped areas adjacent to the proposed townhomes, along the Charleville Boulevard frontage, have been increased from those of the original proposed Project to further conform to the existing single-family residential, open-space visual character of the street.

Vehicular access to the proposed commercial, residential, and parking uses will be provided by one exclusive driveway along Stanley Drive. Omitted with the revised proposed Project is the Charleville Boulevard residential driveway, located adjacent to an existing single-family residence (130 Carson Road), which was proposed in the Final EIR. The Stanley Drive driveway will be located approximately 20 feet north of its proposed location in the Final EIR. The Stanley Drive driveway will provide access to the 97 total parking spaces located within a three-level parking garage including:

- An at-grade parking level with eight parking spaces for retail users and residential guests;
- The first level of subterranean parking including 30 parking spaces for retail users and residential guests, as well as nine private parking spaces (within three private garages) for townhome residents; and
- The second level of subterranean parking (the bottom level) including 50 parking spaces for condominium residents.

Vehicle ramps on the west-central portion of the Project site will provide access between the three parking levels and control gates will separate retail and residential guest parking areas from residential parking areas.

Mixed-Use: Retail Space and Condominium Units

The mixed-use portion of the revised proposed project will front Wilshire Boulevard and consist of an approximately 61-foot tall building (not including the parapet wall and rooftop mechanical equipment), the same height as was previously proposed. Approximately 6,441 square feet of ground floor retail space will be situated below 21 two-story condominium units, fronting onto Wilshire Boulevard. Twenty-one condominium units will include sixteen two-bedroom, four one-bedroom, and one studio unit, each averaging up to approximately 1,778 square feet in area. The condominium units will be arranged around an elevated, landscaped courtyard including a fountain. Each condominium unit will include private landscaped areas and a terrace ranging from 65 to 1,284 square feet.

The revised proposed Project will include an additional 1,667 square feet of retail space as compared to the original proposed Project. The proposed ground floor retail space will extend an additional 19 feet southward from the retail space evaluated in the Final EIR. An approximately 17.5-foot high perimeter wall, similar to the 15+ perimeter wall evaluated in the Final EIR, will be constructed along the western property line adjacent to the proposed mixed-use building.

Townhomes

The townhome portion of the revised proposed Project will include three townhome units located at-grade on the southern portion of the Project site, fronting Charleville Boulevard. The townhome building will be approximately 30 feet in height (not including the parapet wall and rooftop mechanical equipment). Each of the three townhomes will be four-bedroom units averaging approximately 2,753 square feet per unit. Townhomes A, B, and C (from west to east) will each include a private garden area ranging from 232 to 1805 square feet on the ground floor and a pedestrian entryway from Charleville Boulevard. A private storage unit and private garage will be provided for each townhome on the first level of subterranean parking. Each private garage will include three parking spaces and overhead garage doors. Landscaped areas ranging from 220 to 446 square feet will be provided adjacent to the townhome building along Charleville Boulevard and Stanley Drive.

The townhome building in the revised proposed project will include a reduced building height and increased building articulation as compared to the proposed Project evaluated in the Final EIR. The revised townhome building will be approximately 30 feet in height compared to the approximately 37-foot tall townhome building evaluated in the Final EIR (**Figure 2-1**). The square footages and floorplan configurations of Townhomes A and C are nearly identical to those of the original proposed Project. However, Townhome B (the middle townhome unit) is revised to be oriented in an east-west direction, resulting in an increased setback length for Townhome B and increase townhome building articulation as compared to the proposed Project evaluated in the Final EIR (**Figure 2-2**). The revised proposed Project will not include the previously proposed elevator which was to be located within the Charleville Boulevard entryway of each townhome unit, nor will roof terrace space for each townhome be provided.

Setbacks and Articulation

Setback lengths for the mixed-use portion of the revised proposed Project are minimal. Along Wilshire Boulevard and Stanley Drive, the mixed-use building will abut the property line. The ground floor of the mixed-use building, fronting onto Wilshire Boulevard, will abut the western property line, directly adjacent to existing commercial uses. The upper four levels of the mixed-use building will be articulated and slightly stepped-back from the plane of the western and northern property lines to avoid exhibiting a contrast with existing commercial buildings along Wilshire Boulevard. These setback and articulation characteristics are similar to those of the mixed-use building evaluated in the Final EIR.

The townhome portion of the revised proposed Project will have increased setback lengths as compared to the original proposed townhomes (**Figure 2-2**). Townhomes A, B, and C will be set back approximately 11.5, 16.5, and 10.3 feet from the Charleville Boulevard property line, respectively. In addition, Townhome A, located near the corner of Charleville Boulevard and Stanley Drive, will be set back from Stanley Drive nearly ten feet. The southeast corner of Townhome A will be set back nearly nine feet from the property line. Townhome building setback lengths evaluated in the Final EIR totaled eight feet along Charleville Boulevard and three feet along Stanley Drive. The setback length from the proposed townhome building to the adjacent

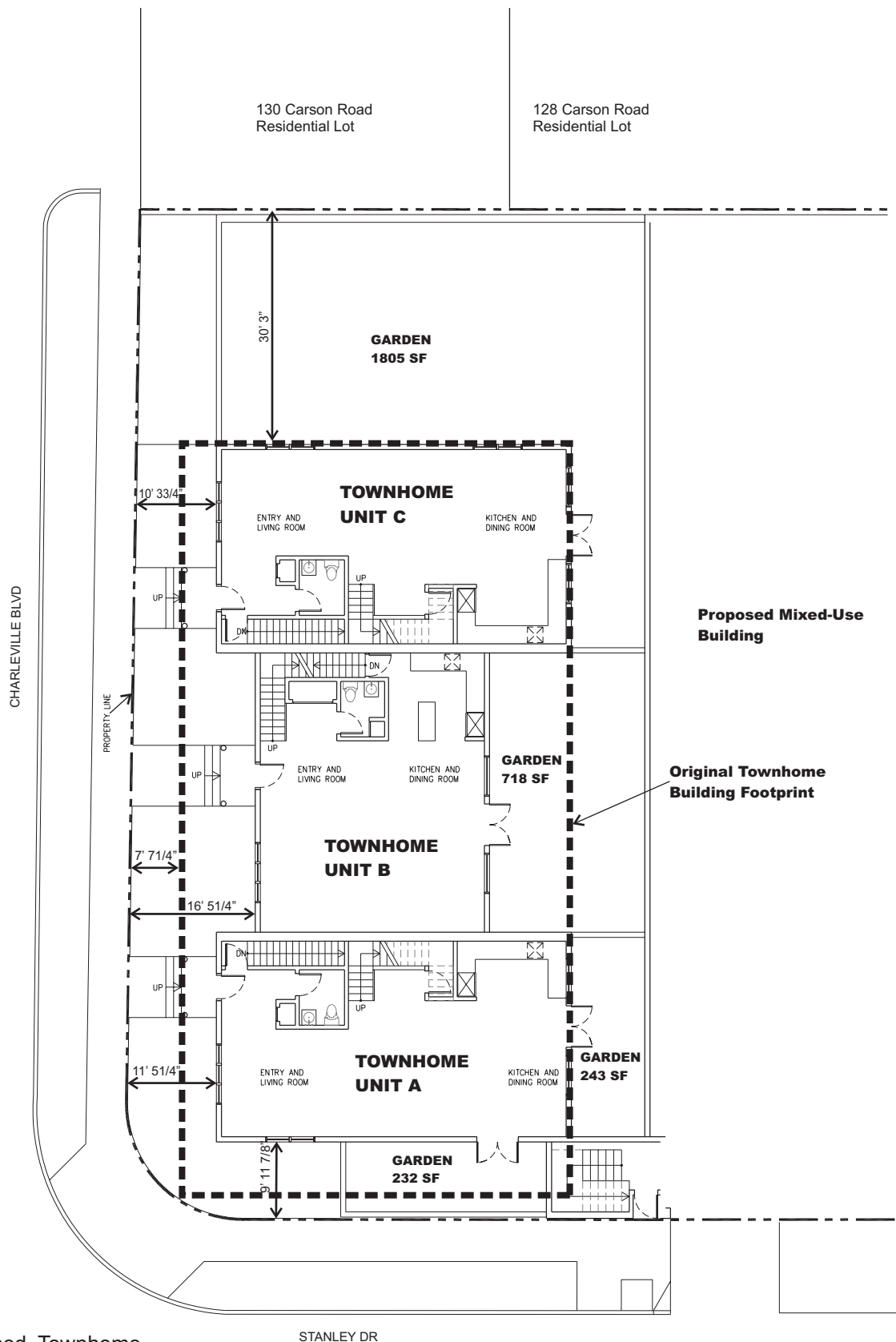


EAST ELEVATION (STANLEY DRIVE FRONTAGE) - ORIGINAL PROPOSED PROJECT



EAST ELEVATION (STANLEY DRIVE FRONTAGE) - REVISED PROPOSED PROJECT

SOURCE: Levin-Morris Architects LLP, 2007



LEGEND:

Original Proposed Townhome Building Footprint

SOURCE: Levin-Morris Architects LLP, 2007



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FIGURE 2-2

ORIGINAL & REVISED TOWNHOME
BUILDING FOOTPRINT

to the 130 Carson Road residential lot, as with the original proposed Project, is approximately 30 feet. However, instead of accommodating the subterranean parking garage entrance structure and a portion of the fourth townhome previously proposed, this setback area will contain the 1,805-square-foot private garden area for Townhome C.

Access

Vehicular access to the revised proposed Project will be provided via one driveway along Stanley Drive. This driveway will be configured to accommodate both inbound and outbound trips and will provide access to all retail, residential, and parking uses on the Project site. The proposed driveway is approximately two feet wider (24 feet) than the Stanley Drive driveway evaluated in the Final EIR (22 feet). In addition, the Stanley Drive driveway is physically located approximately 20 feet north of the original driveway location. A second driveway will be located on Stanley Drive for exclusive truck access to the commercial loading area within the at-grade parking level.

Approximately ten total pedestrian access points will be provided from the ground floor of the revised proposed Project:

- One at the northwest corner of the Project site, adjacent to the retail space, providing access to the at-grade parking level
- Approximately three along the Wilshire Boulevard retail frontage;
- One along Stanley Drive, providing access to the resident elevator, condominium lobby, and stairwell
- One along Stanley Drive, providing direct access to the at-grade parking level and parking elevator
- One along Stanley Drive, providing access to the stairwell leading to the first and second levels of subterranean parking
- Three private pedestrian entryways, one into each of the three townhome units, along Charleville Boulevard

Parking

The revised proposed Project will include a total of 97 parking spaces within a three-level parking garage. The at-grade parking will be located on the central portion of the Project site, adjacent to the retail spaces, and below four levels of condominium units. Eight parking spaces will be provided within the at-grade parking level for retail users and residential guests, 39 parking spaces within the first level of subterranean parking for townhome residents and retail users, and 50 parking spaces within the second level of subterranean parking for condominium residents. A vehicular ramp will be constructed on the west-central section of the Project site, connecting the at-grade parking level to the two subterranean parking levels below. Existing on-street parking located along the west side of Stanley Drive, adjacent to the Project site, will be removed.

The at-grade parking level will be located adjacent to the proposed ground floor retail. Eight parking spaces will be provided for retail users and residential guests within this parking level. Two Americans with Disabilities Act (ADA) accessible parking spaces will be located directly adjacent to the Stanley Drive driveway entrance to the at-grade parking level. Two vehicle lanes, totaling approximately 26 feet in width, will provide circulation from the Stanley Drive driveway, through the at-grade parking level to the vehicle ramp leading to the subterranean parking levels.

Two subterranean parking levels are located below the entire Project site. The first level of subterranean parking will include nine parking spaces (three, three-car garages) for townhome residents and 30 parking spaces for retail users. Each townhome unit will be provided with a private garage and storage unit accessed by private stairwells. In addition, each of the three private garages will have overhead garage doors. A

control gate will separate the private townhome parking garage portion of the first level of subterranean parking from the retail parking area. Within the retail parking area, one ADA accessible parking space will be provided adjacent to the mechanical room and resident elevator on the northeast portion of the Project site. The resident elevator will take condominium residents from the residential parking on the second level of subterranean parking to the ground through fourth floors above. A second elevator will be provided on the eastern portion of the revised proposed Project, taking retail users from the first level of subterranean parking to the ground floor.

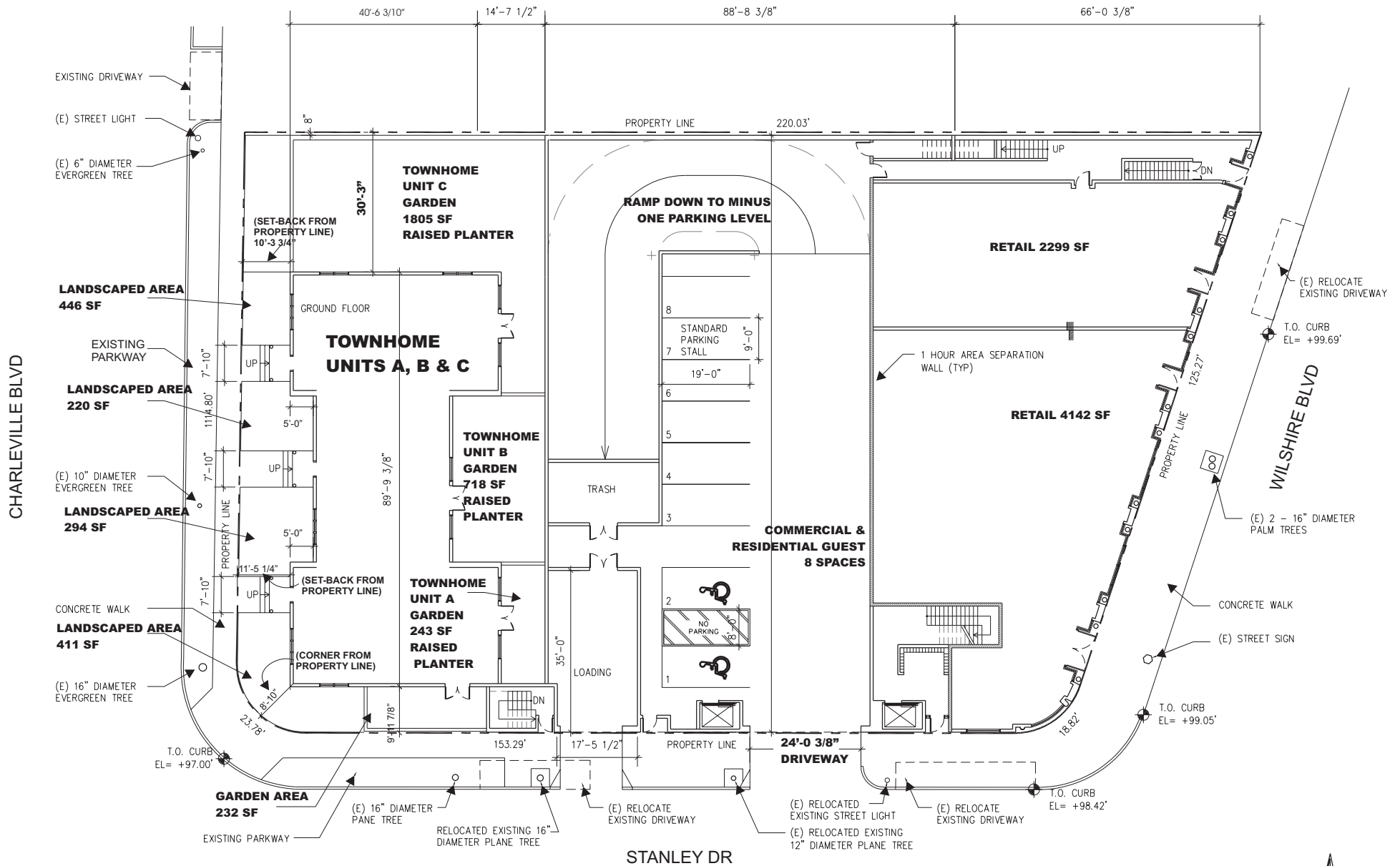
The second level of subterranean parking will provide a total of 50 parking spaces for condominium residents. These spaces will be assigned to each of the 21 condominium units. A control gate will be installed to prevent retail users from traveling down to the second level of subterranean parking. This level of parking will include seven compact/tandem parking spaces, as well as two ADA accessible parking spaces adjacent to the resident elevator and mechanical room on the northeast portion of the Project site.

Several of the changes to the proposed Project evaluated in the Final EIR relate to the parking component. The revised proposed Project will include two levels of subterranean parking, whereas only one level of subterranean parking was previously proposed. In addition, the revised proposed Project will provide 11 more parking spaces than the original proposed Project. Although the revised proposed Project increases the total number of parking spaces provided, the number of retail user parking spaces is less in the at-grade parking level than with the original proposed Project (8 parking spaces compared to 25 parking spaces). An additional 20 retail user parking spaces are located on the subterranean parking levels as compared to the original proposed Project.

Figures 2-3 through 2-13 show the revised site plans for the proposed Project including floor plans for each level, as well as elevations showing the facades and heights of the revised proposed Project.

2.4 ANTICIPATED CONSTRUCTION SCHEDULE

The anticipated construction schedule for the revised proposed Project will be longer in duration than the construction schedule previously evaluated in the Final EIR. The revised proposed Project is expected to be accomplished in a single phase over an approximately 16-month period. Construction phasing would be structured as follows: demolition of the existing building on west lot of the site, site clearing, excavation, construction of the subterranean parking garage, and construction of the three- and five-story building. The additional level of subterranean parking proposed with the revised Project has increased the anticipated construction schedule by approximately 22 days from the schedule evaluated in the Final EIR. The additional days will accommodate the construction of the second level of subterranean parking, as well as the excavation and hauling of approximately 9,250 cubic yards of additional earth to an off-site location.



SOURCE: Levin-Morris Architects LLP, 2007



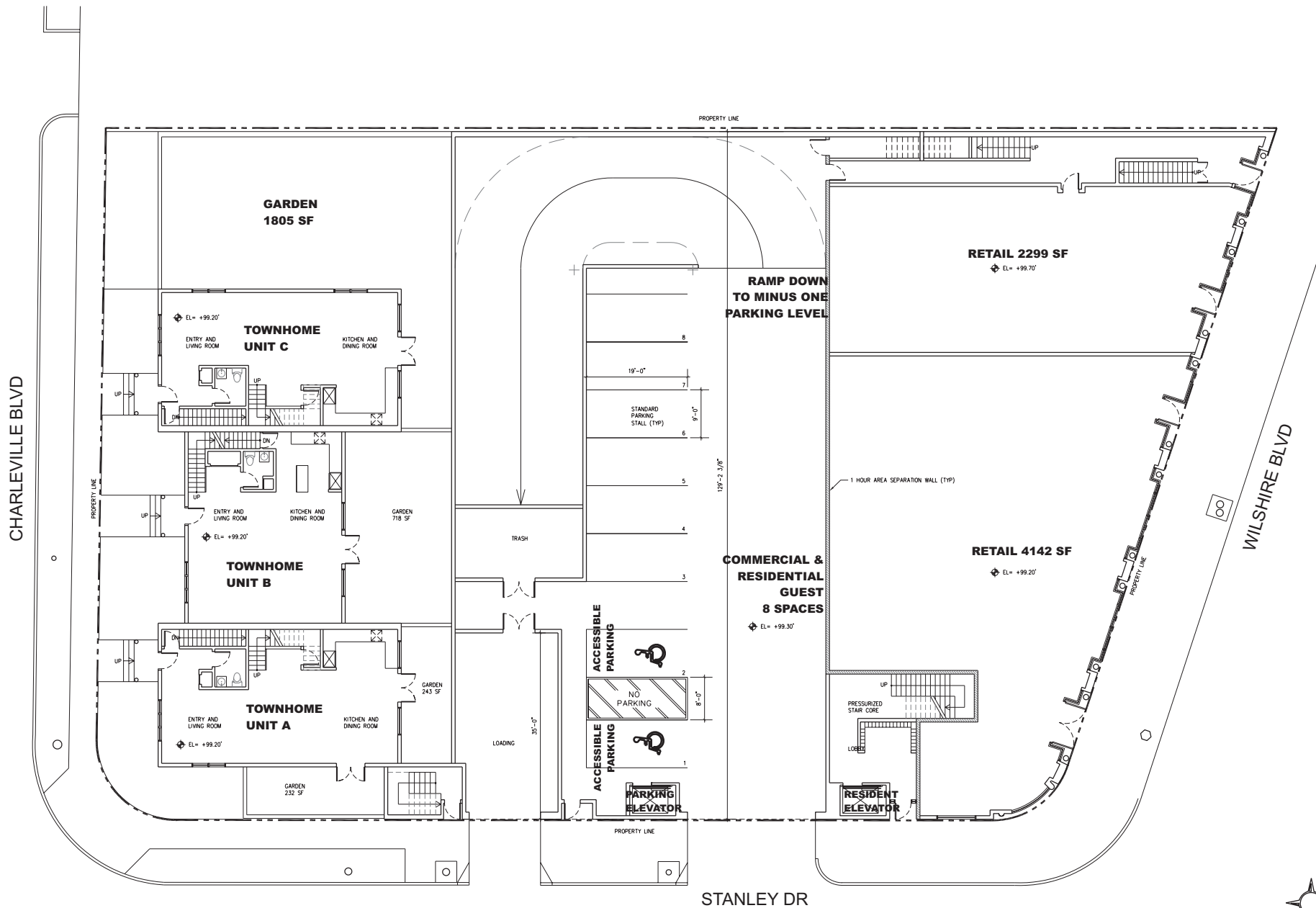
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FIGURE 2-3

REVISED SITE PLAN



SOURCE: Levin-Morris Architects LLP, 2007



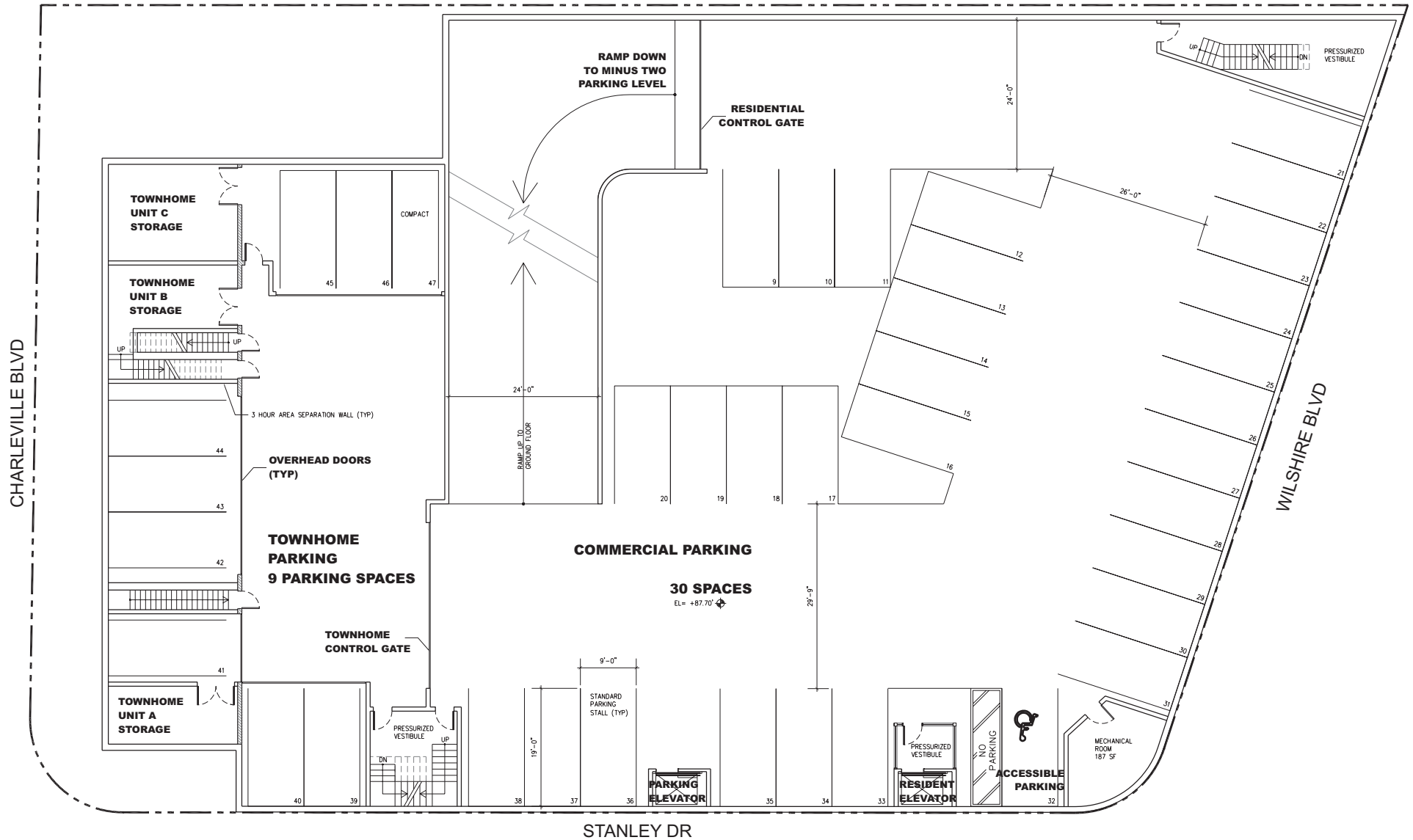
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FIGURE 2-4

GROUND FLOOR PLAN



SOURCE: Levin-Morris Architects LLP, 2007



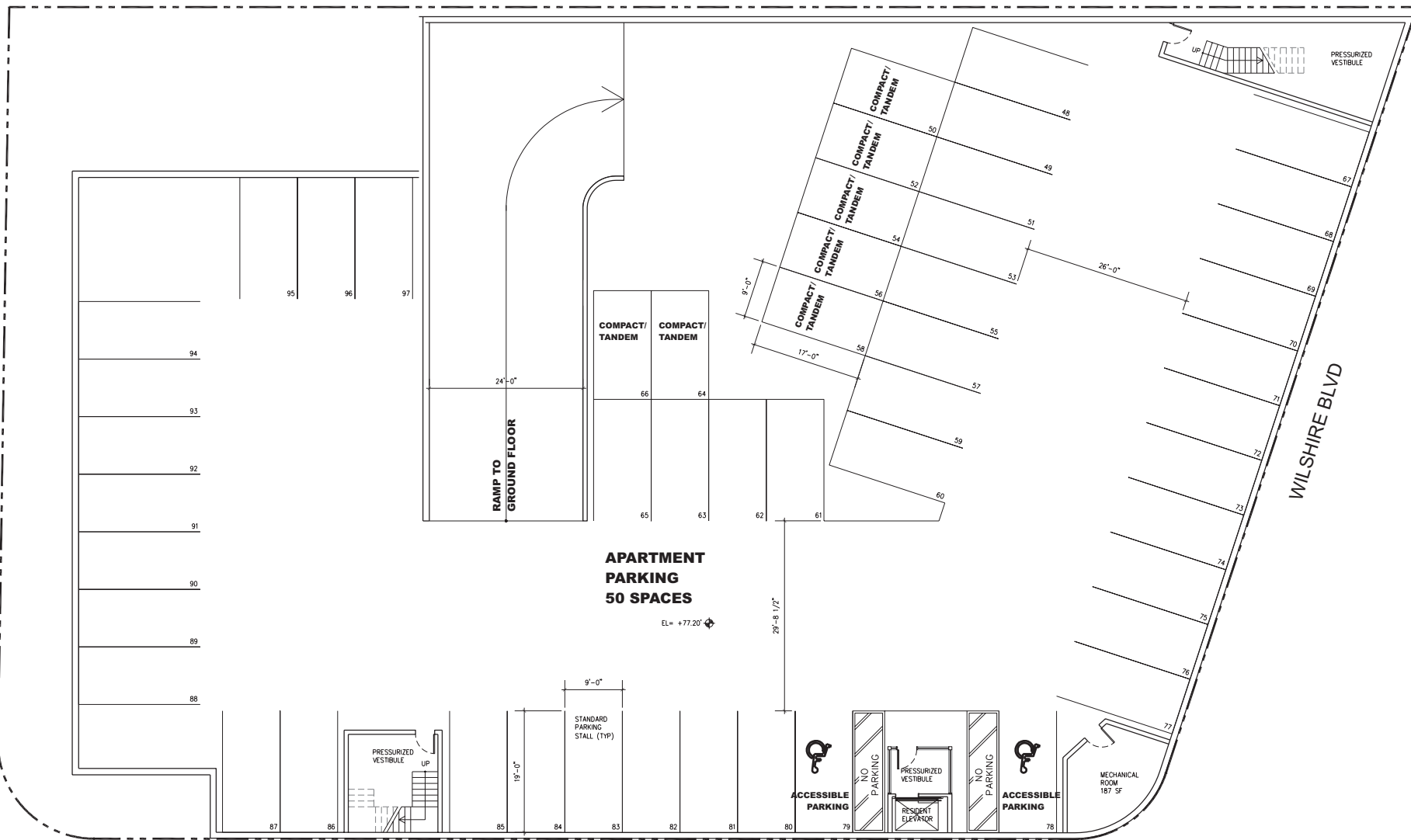
FIGURE 2-5

SUBTERRANEAN PARKING LEVEL ONE

CHARLEVILLE BLVD

WILSHIRE BLVD

STANLEY DR



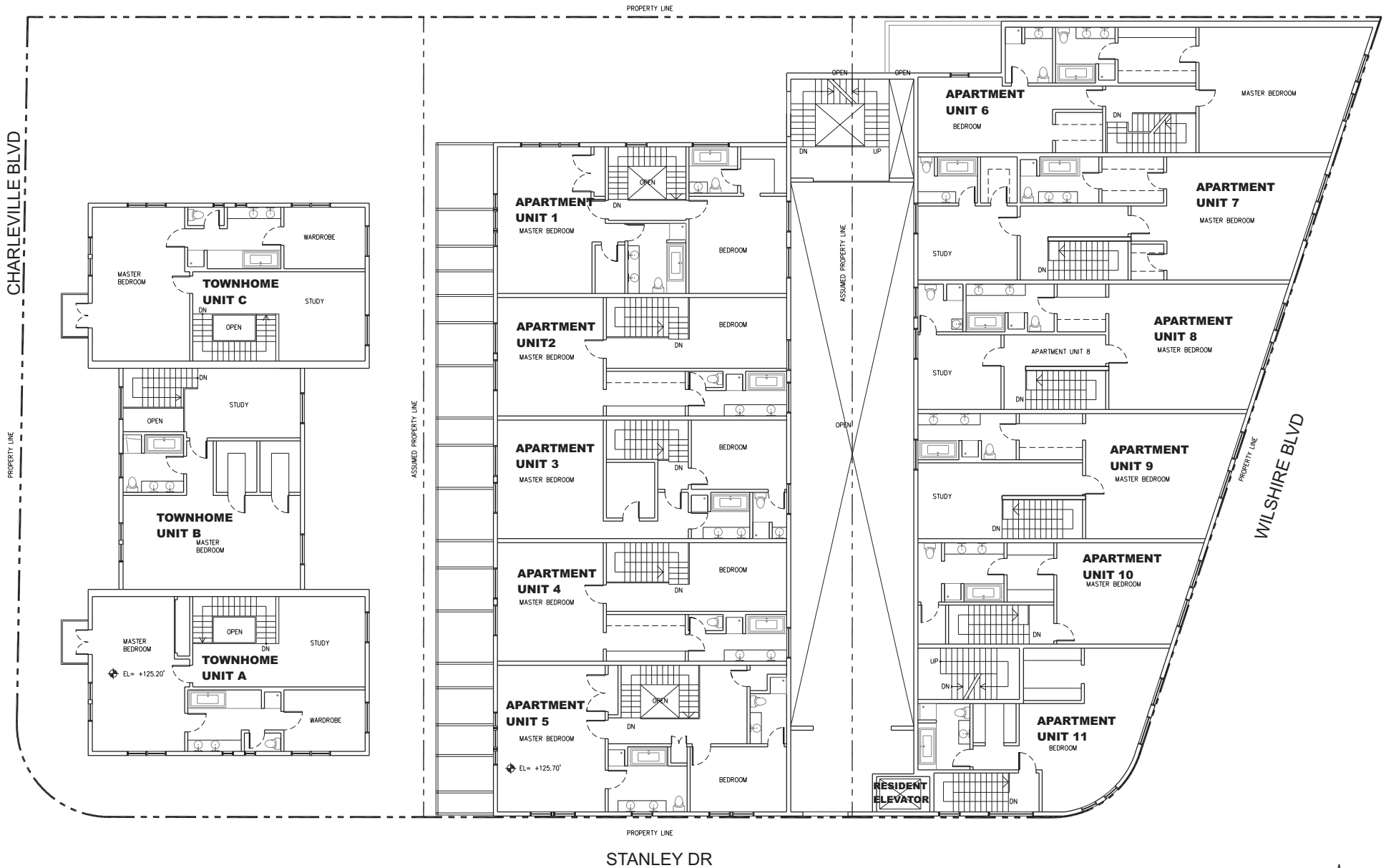
SOURCE: Levin-Morris Architects LLP, 2007



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FIGURE 2-6

SUBTERRANEAN PARKING LEVEL TWO



SOURCE: Levin-Morris Architects LLP, 2007



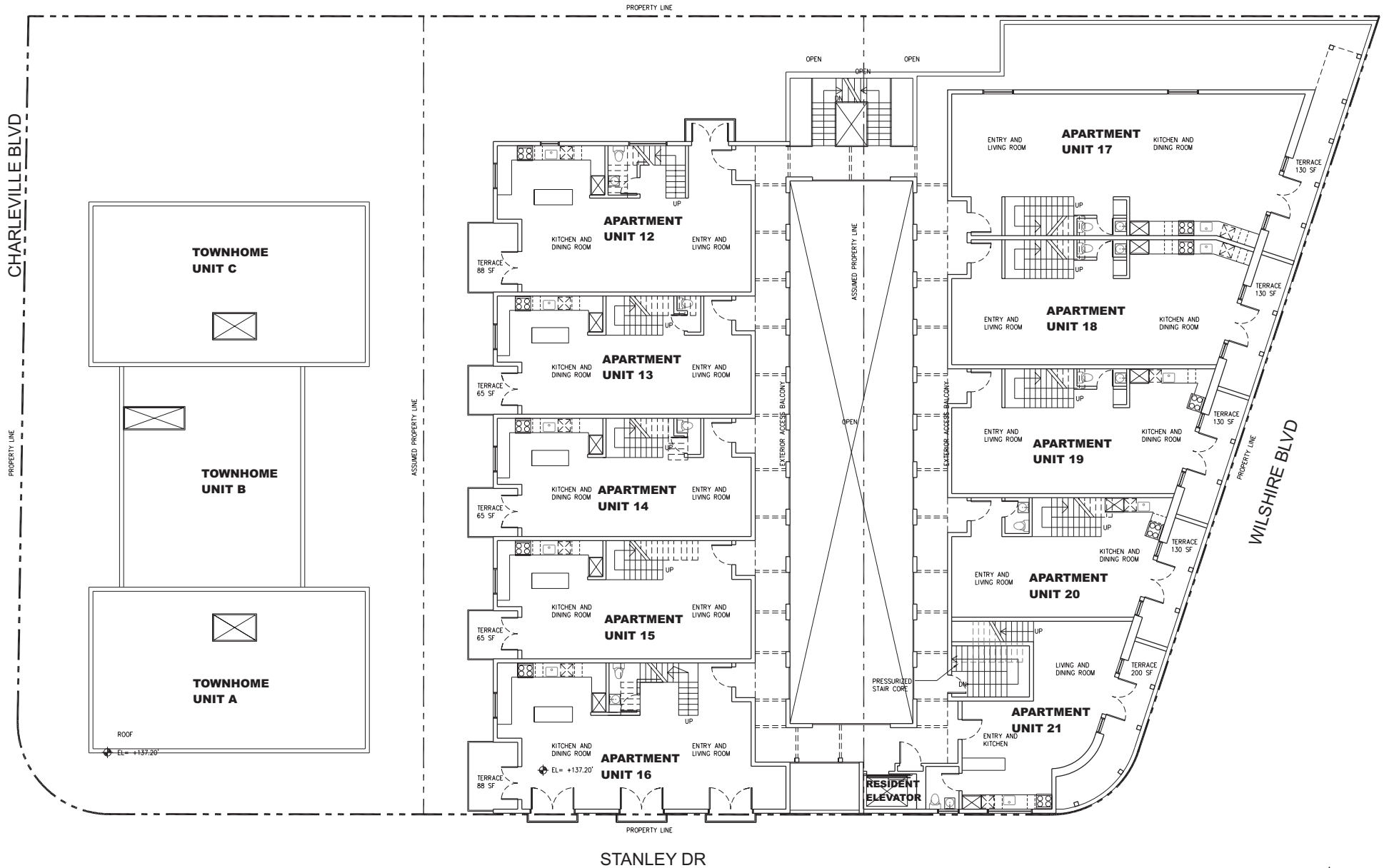
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FIGURE 2-8

THIRD FLOOR PLAN



SOURCE: Levin-Morris Architects LLP, 2007



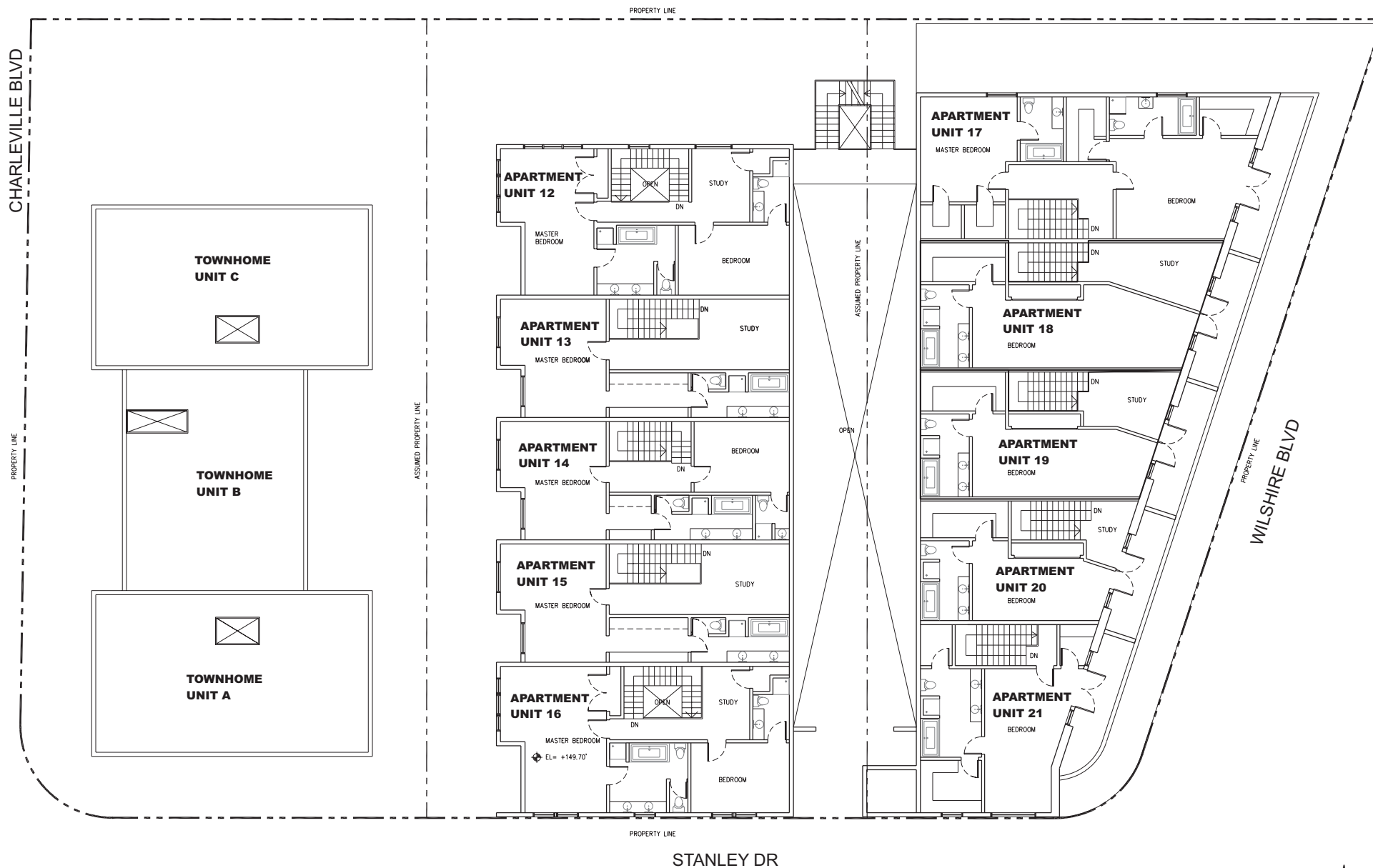
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FIGURE 2-9

FOURTH FLOOR PLAN



SOURCE: Levin-Morris Architects LLP, 2007



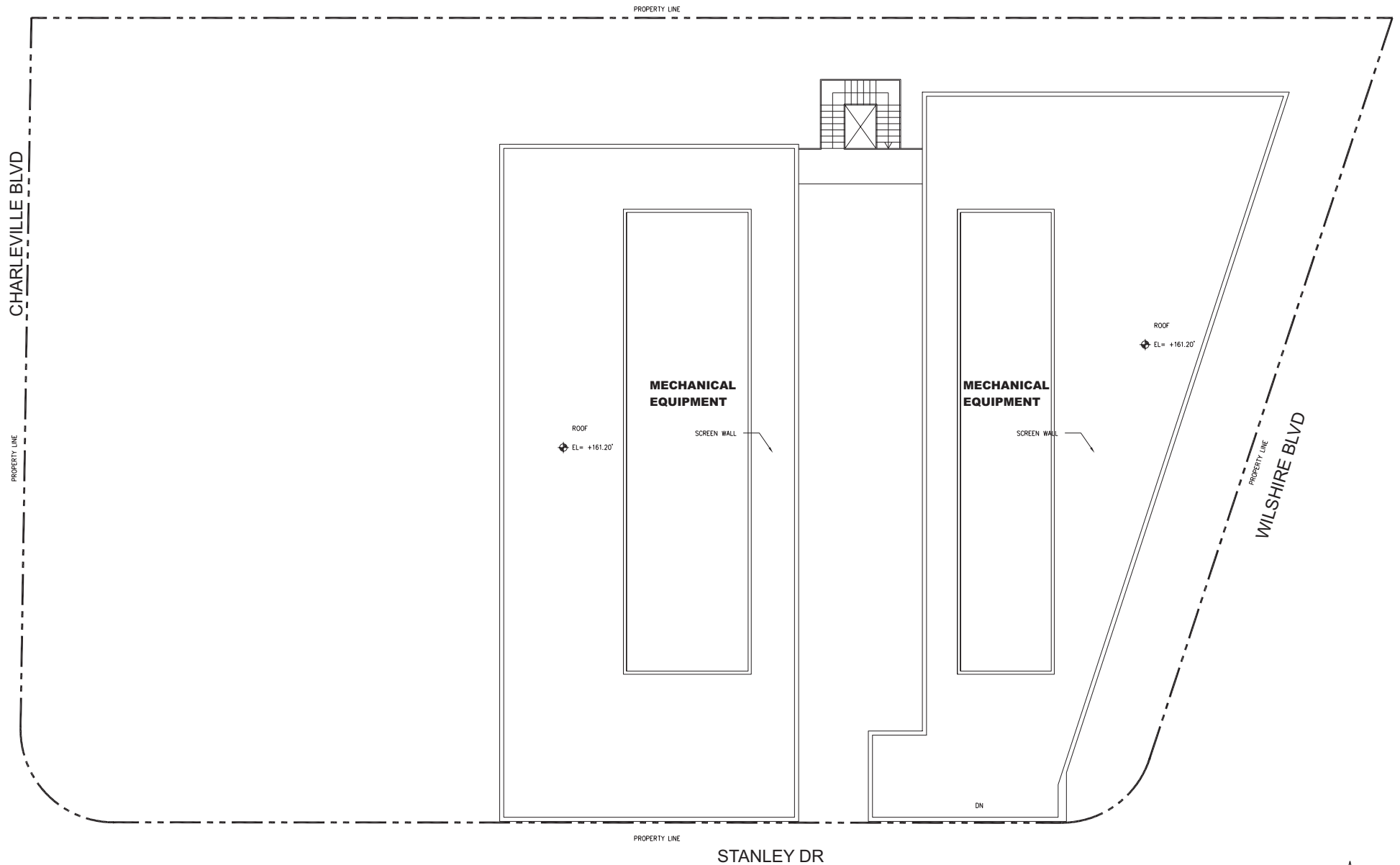
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FIGURE 2-10

FIFTH FLOOR PLAN



SOURCE: Levin-Morris Architects LLP, 2007



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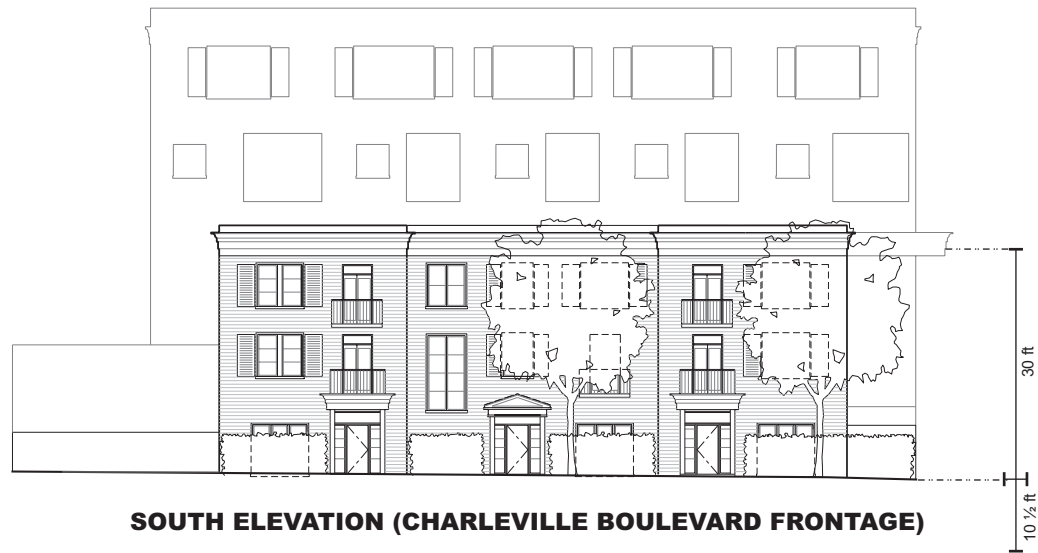
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FIGURE 2-11

ROOF PLAN



SOURCE: Levin-Morris Architects LLP, 2007



SOURCE: Levin-Morris Architects LLP, 2007



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FIGURE 2-13

SOUTH AND WEST ELEVATIONS

3.0 IMPACTS

3.1 OVERVIEW OF IMPACTS IDENTIFIED IN THE FINAL EIR

The Final EIR was prepared to analyze the potential significant environmental impacts associated with the construction and long-term operation of the original proposed Project and to identify mitigation measures capable of avoiding or substantially reducing adverse impacts of the original proposed Project. To satisfy the requirements of CEQA and to assist the City of Beverly Hills, interested citizens and community organizations in understanding the findings of the EIR, potential impacts of the original proposed Project were divided into three categories: unavoidable significant adverse impacts, significant adverse impacts that can be mitigated to less-than-significant levels, and adverse impacts which are less than significant or nonexistent when compared to the environmental impact thresholds identified in this report. The criteria for the determination of a significant impact in each environmental topic area are discussed in Section 4.0 (subsection 4.1 through 4.8) of the Final EIR.

The impacts were evaluated for the construction period as well as for the period of on-going operations. As required by CEQA, mitigation measures were identified in the Final EIR to avoid or substantially reduce the level of all identified significant adverse impacts to the extent feasible. Significant adverse environmental impacts that could not be reduced to a level below significance, even with the implementation of the identified mitigation measures were identified in the Final EIR as “unavoidable significant adverse impacts.”

Unavoidable Significant Adverse Impacts

Section 15382 of the *CEQA Guidelines* defines a significant impact on the environment as “a substantial, or potentially substantial, adverse change in any of the physical conditions within an area affected by the project, including land, air, water, flora, fauna, ambient noise, and objects of historic or aesthetic significance.” In order to approve a project with unavoidable significant adverse impacts, the lead agency, the City of Beverly Hills, must adopt a Statement of Overriding Considerations (in accordance with Section 15093 of the CEQA Guidelines) indicating that the benefits of approving the proposed Project outweigh the negative environmental consequences.

Based on the analysis contained in the Final EIR, the proposed Project would not result in unavoidable significant adverse impacts after the implementation of mitigation measures

Significant Impacts That Can Be Mitigated To A Less-Than-Significant Level

Based on the analysis contained in the Final EIR, the proposed Project would result in the following significant impacts that can be mitigated to less-than-significant levels:

- Aesthetics (shadows, lighting and visual character)
- Geology, Seismicity and Hydrology (geologic materials and soils, liquefaction and groundwater)
- Land Use (General Plan consistency, land use compatibility, zoning)
- Noise (construction-related noise)
- Traffic and Parking (construction-related traffic)

Less-Than-Significant Or No Impact

Based on the analysis contained in the Final EIR, the proposed Project would result in the following less-than-significant impacts or no impacts:

- Aesthetics (views and vistas)
- Air Quality (regional construction emissions, toxic air contaminants (TAC's) operational, mobile CO hot spots, consistency with the AQMP)
- Geology, Seismicity and Hydrology (flooding and inundation)
- Land Use (consistency with SCAG Regional Policies)
- Noise (traffic related operational noise)
- Public Services (fire, emergency, police, public school services, recreation and parks)
- Traffic and Parking (traffic increases at roadway intersections and segments)
- Utilities (water supply, wastewater, solid waste services, stormwater generation)

3.2 SUMMARY OF REVISED IMPACTS AND MITIGATION MEASURES

The analysis of the revised proposed Project discussed in this section will show that a majority of the impacts and mitigation measures identified in the Final EIR are applicable to the revised proposed Project. However, several elements of the revised proposed Project would substantially reduce previously identified aesthetic impacts. These revised elements include the reduced townhome building height and the increased townhome building setbacks which are along Charleville Boulevard and Stanley Drive. As a result, Mitigation Measure **A2**, as provided in the Final EIR, is no longer necessary. Mitigation Measure **A2** would have reduced the townhome building height and increased townhome building setbacks to reduce the contrast with the open space visual character of the existing single-family residential neighborhood.

The traffic analysis of the revised proposed Project will disclose new potentially significant operational traffic impacts relating to access and circulation which must be mitigated. The revised configuration of the at-grade parking level and the exclusive Stanley Drive driveway may impact vehicle queuing conditions and on-street parking demand on adjacent streets. As a result, three new mitigation measures must be implemented to avoid significant impacts: **TP2**, **TP3**, and **TP4**.

Table 3-1 below provides a summary of impacts and mitigation measures applicable to the revised proposed Project. The table shows the changes to impacts and mitigation measures described above.

TABLE 3-1: SUMMARY OF REVISED IMPACTS AND MITIGATION MEASURES

Potential Significant Impacts	Mitigation Measures	Significance After Mitigation
AESTHETICS		
Impacts related to spillover lighting have been determined to be potentially significant.	<p>A1 All exterior lighting shall be shielded in a manner to focus illumination onto entrances, pathways, landscaping, or onto the building itself and not be directed in a manner to cause spillover lighting on adjacent residences.</p> <p>A2 <i>Mitigation Measure is no longer necessary with the revised proposed Project.</i></p>	Implementation of Mitigation Measure A1 will reduce potential spillover lighting impacts on residences to a less-than-significant level.
Impacts related to visual character including design, massing and height have been determined to be significant.	<p>A3 The Project shall incorporate design features to lessen the visual contrast with adjacent one- to three-story commercial buildings on Wilshire Boulevard. These features may include reduced building height, and/or increased step back for the 4th and 5th floors of the building to give the Project's Wilshire Boulevard facade a more pronounced three-story character consistent with adjacent development and existing zoning requirements.</p>	Implementation of Mitigation Measure A3 will reduce the contrast of the proposed Project with existing development reduce impacts to a less-than-significant level.
Impacts related to shade/shadows cast by the proposed Project have been determined to be potentially significant.	<p>A4 The primary source of shadows cast onto the rear yards of adjacent residences is the 15+ feet western perimeter wall, as well as the first floor of the condominium portion of the Project. To reduce shadows these structures shall be set back from the western property line of the proposed Project a minimum of ten feet. The wall may not require setback, and as a substitute, the perimeter wall shall be designed at the minimum height that would block the line-of-sight between the proposed Project town homes and adjacent residences. Other measures shall include wall design features that would allow the passage of light, but maintain screening between the adjacent land uses.</p>	Implementation of Mitigation Measure A4 will reduce shade/shadow impacts to a less-than-significant level.

TABLE 3-1: SUMMARY OF REVISED IMPACTS AND MITIGATION MEASURES

Potential Significant Impacts	Mitigation Measures	Significance After Mitigation
AIR QUALITY		
Construction Emission impacts related to regional construction emissions and Toxic Air Contaminants (TAC's) have been determined to be less than significant.	<p>AQ1 Water shall be applied to exposed surfaces in sufficient quantity to prevent generation of dust plumes.</p> <p>AQ2 Track-out shall not extend 25 feet or more from an active operation and track-out shall be removed at the conclusion of each workday.</p> <p>AQ3 A wheel washing system shall be installed and used to remove bulk material from tires and vehicle undercarriages before vehicles exit the Project site.</p> <p>AQ4 All haul trucks hauling soil, sand and other loose material shall maintain at least six inches of freeboard in accordance with California Vehicle Code Section 23114.</p> <p>AQ5 All haul trucks hauling soil, sand and other loose material shall be covered (e.g., with tarps or other enclosures that would reduce fugitive dust emissions).</p> <p>AQ6 Traffic speeds on unpaved roads shall be limited to 15 miles per hour.</p> <p>AQ7 Operations on unpaved surfaces shall be suspended when winds exceed 25 miles per hour.</p> <p>AQ8 Heavy-equipment operations shall be suspended during first and second stage smog alerts.</p> <p>AQ9 On-site stockpiles of debris, dirt, or rusty material shall be covered or watered at least twice per hour.</p>	Implementation of SCAQMD Rule 403 would reduce fugitive dust emissions by approximately 68 percent. The resulting PM ₁₀ emissions shown in Table 4.2-6 would not exceed the SCAQMD significance threshold of 150 pounds per day. Daily VOC, NO _x , CO, and SO _x emissions would also not exceed the SCAQMD significance thresholds. As such, the regional construction impact would be less than significant.
Operational Emissions impacts related to regional emissions and CO hotspots have been determined to be less-than-significant.	Mitigation Measures are not necessary.	No operational impacts are anticipated after mitigation. The proposed Project would be consistent with the AQMP.

TABLE 3-1: SUMMARY OF REVISED IMPACTS AND MITIGATION MEASURES

Potential Significant Impacts	Mitigation Measures	Significance After Mitigation
GEOLOGY, SEISMICITY, HYDROLOGY		
Impacts related to geologic materials and soil have been determined to be potentially significant.	GSH1 Grading Plans shall be submitted for approval by the City to ensure the final grades are designed to prevent soil erosion.	Implementation of Mitigation Measure GSH1 will reduce the impacts related to soil erosion and loss of topsoil to a less-than-significant level.
Impacts related to the seismicity of subareas of ground shaking, liquefaction, and groundwater have been determined to be potentially significant.	GSH2 Prior to approval of final plans, the applicant shall develop and submit for approval by the City a site-specific geotechnical study prepared by a registered geotechnical engineer to ensure that all applicable building codes and design specifications are incorporated into the plans. The geotechnical study shall identify design requirements for structures and foundations to maintain structural integrity to the maximum extent under probable earthquake conditions as determined by the study, including but not limited to, strong seismic ground shaking including the potential for liquefaction.	Implementation of Mitigation Measures GSH2 through GSH4 will reduce the significant impacts related to ground shaking and liquefaction to a less-than-significant level.
	GSH3 Structures built on the Project site shall comply with the most current seismic building code standards. This mitigation measure will confirm that the construction of dwelling units and infrastructure meet State safety requirements.	
	GSH4 Prior to the approval of a residential project located in a liquefaction zone, such as the proposed Project, special foundation recommendations shall be provided to mitigate this hazard per the requirements of the California State Geologist as well as the City's current building codes and engineering practices. Possible mitigation recommendations include deep piles or caissons to support the planned structures and/or mechanical densification of subsurface soils prone to liquefaction.	

TABLE 3-1: SUMMARY OF REVISED IMPACTS AND MITIGATION MEASURES

Potential Significant Impacts	Mitigation Measures	Significance After Mitigation
LAND USE		
Impacts related to General Plan, zoning ordinance and land use compatibility have been determined to be potentially significant.	<p>LU1 The Beverly Hills General Plan shall be amended to reflect the mixed-use development of the proposed Project. Additionally, the overlay zone shall be instituted which would include 1) the City's Planned Development requirements, and 2) include objectives of compatibility with surrounding uses. The project would then be required to comply with the newly-implemented standards of the overlay zone.</p>	Implementation of Mitigation Measure LU1, and applicable mitigation measures related to light and glare, noise, and traffic and parking, land use impacts related to land use compatibility and zoning consistency would be reduced to a less-than-significant level.
NOISE		
Impacts related to Project construction noise have been determined to be significant.	<p>N1 Construction contracts shall specify that all construction equipment shall be equipped with mufflers and other suitable noise attenuation devices.</p> <p>N2 A temporary noise barrier shall be placed along the western, southern, and eastern perimeter of the construction site. The noise barrier shall have a sound transmission class (STC) rating of no less than 35 and shall be tall enough to block the line-of-sight between activities occurring on the construction site and sensitive receptors.</p> <p>N3 All residential units located within 600 feet of the construction site shall be sent a notice regarding the construction schedule of the proposed Project. A sign, legible at a distance of 50 feet shall also be posted at the construction site. All notices and signs shall indicate the dates and duration of construction activities, as well as provide a telephone number where residents can inquire about the construction process and register complaints.</p> <p>N4 A "noise disturbance coordinator" shall be established. The disturbance coordinator shall be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and would</p>	<p>With application of the prescribed mitigation measures (N1 through N5), ambient noise levels would range from 56 to 64 dBA at sensitive receptors during construction. Ambient noise levels would incrementally increase by less-than-one to four dBA, which would not exceed the significance threshold.</p> <p>In addition to Mitigation Measures N1 and N2, Mitigation Measures N3 and N4 would provide a noise hotline, which would allow community members to register noise complaints that would then be attended to by the noise disturbance coordinator. Mitigation Measure N5 would require that construction activities would occur during the daytime. With implementation of Mitigation Measures N1 through N5, less-than-significant construction noise impacts are anticipated.</p>

TABLE 3-1: SUMMARY OF REVISED IMPACTS AND MITIGATION MEASURES

Potential Significant Impacts	Mitigation Measures	Significance After Mitigation
Impacts related to operational noise including traffic, truck and rooftop equipment have been determined to be potentially significant.	<p>be required to implement reasonable measures such that the complaint is reasonably resolved. All notices that are sent to residential units within 600 feet of the construction site and all signs posted at the construction site shall list the telephone number for the disturbance coordinator.</p> <p>N5 Construction activities shall not occur between the hours of 6:00 p.m. and 7:00 a.m. Monday through Friday, before 8:00 a.m. or after 5:00 p.m. Saturday, or at anytime on Sunday.</p> <p>N6 Consistent with the City's Commercial-Residential Transitions Ordinance, delivery and trash trucks shall be prohibited on the Project site between the hours of 7:00 p.m. and 7:00 a.m. on weekdays, between 10:00 p.m. and 9:00 a.m. on weekends and holidays.</p>	Mitigation Measure N6 would reduce operational noise impacts to a less-than-significant level.
PUBLIC SERVICES		
No potentially significant impacts are anticipated related to public services.	Mitigation Measures are not necessary.	Less-than-significant impacts anticipated related to public services.
TRAFFIC & PARKING		
Impacts related to construction traffic and Project-related traffic increases on roadways have been determined to be potentially significant.	<p>TP1 Prior to construction of the proposed Project, the Project applicant shall develop and submit a Construction Staging and Traffic Management Plan for approval. The Construction Staging and Traffic Management Plan shall include the following:</p> <ul style="list-style-type: none"> <i>Haul Truck Routes, Queue Areas, and Deliveries</i> - The designated truck route for the Project site shall be Wilshire Boulevard for trucks coming from the east or the west. The primary entry point to the site shall be off of Stanley Drive at the southeast corner of the site. Trucks shall access this entry point on Stanley Drive from the north to and from Wilshire Boulevard. Construction traffic shall not be permitted on Stanley Drive (north of Wilshire Boulevard and south of Charleville Boulevard). Flag men shall be provided to control truck access to the site to minimize 	Mitigation Measure TP1 would minimize traffic delays on streets surrounding the Project site. With implementation of Mitigation Measure TP1, less-than-significant impacts are anticipated during construction of the proposed Project.

TABLE 3-1: SUMMARY OF REVISED IMPACTS AND MITIGATION MEASURES

Potential Significant Impacts	Mitigation Measures	Significance After Mitigation
	<p>traffic delays and enhance safety.</p> <ul style="list-style-type: none"> <p><i>Construction Transportation/Circulation</i> - General site access and egress shall be located on Stanley Drive. There shall be no site access/egress points on Wilshire Boulevard. Flag men shall be provided as necessary to minimize delays.</p> <p><i>Pedestrian Safety</i> - The contractor shall install a construction fence around the site perimeter, complying with City requirements, before excavation begins. The contractor shall be required to maintain a minimum sidewalk width of five feet on Wilshire Boulevard during the construction period. The contractor shall also erect protective sidewalk canopies on Stanley Drive and Wilshire Boulevard to enhance pedestrian safety along the construction site. A flag man shall be provided whenever trucks entering or leaving the Project site may impede the flow of pedestrian or automotive traffic.</p> <p><i>Parking</i> - Construction worker parking shall be provided in an off-site parking lot nearby, and workers shall be shuttled to and from the Project site. The shuttle shall load and unload construction staff near the main gate, which would be on Stanley Drive near the southeast corner of the site. The shuttle shall operate during the morning starting time and afternoon quitting time. Occasionally, additional trips between the construction site and the off-site parking lot may be required. These trips are expected to have negligible effect to the surrounding street systems within the study area.</p> 	

TABLE 3-1: SUMMARY OF REVISED IMPACTS AND MITIGATION MEASURES

Potential Significant Impacts	Mitigation Measures	Significance After Mitigation
Impacts related to operational traffic access and circulation have been determined to be potentially significant.	TP2 Driveway Distance from Wilshire Boulevard. To avoid conflicts and possible hazards with vehicles turning southbound onto Stanley Drive from Wilshire Boulevard, the driveway to the proposed project shall be located no less than 40 feet (two car lengths) from the Wilshire Boulevard and Stanley Drive curb return. This measure will likely require the relocation of the Stanley Drive loading dock, as well as a possible reconfiguration of the interior parking ramps.	Mitigation Measure TP2 through TP4 would minimize traffic delays, vehicle queuing, and hazards associated with the configuration of the at-grade parking level. With implementation of Mitigation Measure TP2 through TP4, less-than-significant impacts are anticipated during the operational phase of the proposed Project.
	TP3 Location of ADA (Americans with Disabilities Act) Accessible Parking Spaces. To avoid conflicts and delays directly at the entrance to the proposed parking garage, the two proposed ADA accessible parking spaces shall be relocated. The location of all parking spaces shall be no less than 40 feet from the entrance to the proposed parking garage. The location of the parking spaces shall comply with all applicable ADA requirements.	
	TP4 Internal Parking Garage Circulation. To ensure efficient and safe operations of the proposed parking garage, the backout distance from any parking stall shall be no less than 26 feet. For two-way ramps between parking levels, the radius and width of ramps shall comply with AASHTO passenger car standards to allow vehicles to pass each other safely while traveling in opposite directions on the ramp.	
UTILITIES		
No potentially significant impacts to utilities have been determined for the proposed Project, mitigation is provided to ensure that water conservation, solid waste diversion measures, and all other necessary infrastructure will be in place for the proposed Project.	U1 The City shall require, through its Project design and site plan review process, that all feasible and reasonable measures be taken to reduce water consumption, including, but not limited to, systems using reclaimed water for landscaping (should reclaimed water become available to the City), drip irrigation, recirculating hot water systems, water-conserving landscape techniques (such as mulching, installation of drip irrigation systems, landscape design to group plants of similar	With implementation of Mitigation Measures U1 through U3 the proposed Project would have less-than- significant impacts to utilities.

TABLE 3-1: SUMMARY OF REVISED IMPACTS AND MITIGATION MEASURES

Potential Significant Impacts	Mitigation Measures	Significance After Mitigation
No potential impacts related to wastewater are anticipated, however, mitigation is provided.	<p>water demand, soil moisture sensors, automatic irrigation systems, clustered landscaped areas to maximize the efficiency of the irrigation system), water conserving kitchen and bathroom fixtures and appliances, thermostatically controlled mixing valves for baths and showers, and insulated hot water lines, as per City adopted Uniform Building Code (UBC) requirements.</p> <p>U2 Consultation between the Community Development Department and the Public Works Department shall be required for the proposed Project to determine whether the Project site would have sufficient utility supplies available to serve the proposed development.</p>	Implementation of Mitigation Measure U2 would ensure that sufficient utility infrastructure would be available for the proposed Project at the time of construction. A less-than-significant determination remains.
No potential impacts related to solid waste are anticipated, however, mitigation is provided.	<p>U3 For the condominium homes and the retail portion of the proposed Project, commercial size trash compactors shall be installed.</p>	Implementation of Mitigation Measure U3 would help the proposed Project reduce its solid waste generation. A less-than-significant determination remains.
SOURCE: TAHA, 2007		

3.3 EIR RECIRCULATION THRESHOLDS

As described in Section 1.0 Introduction of this Supplement to the Final EIR, the 8600 Wilshire Mixed-Use Project Draft EIR was circulated for public review. Following the public review period, the Final EIR, including responses to comments on the Draft EIR, was completed. Ultimately, the Final EIR was not certified, nor was the original proposed Project adopted by the Planning Commission. As such, the significance criteria used in the analysis of the changes to the proposed Project is based on the following thresholds for the recirculation of the Draft EIR as stated in *CEQA Guidelines* Section 15088.5:

- A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. The term "information" can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. "Significant new information" requiring recirculation include, for example, a disclosure showing that:
 - A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented;

- A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance;
 - A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it; or
 - The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.
- Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.
 - If the revision is limited to a few chapters or portions of the EIR, the lead agency need only recirculate the chapters or portions that have been modified.
 - Recirculation of an EIR requires notice pursuant to Section 15087, and consultation pursuant to Section 15086.
 - A decision not to recirculate an EIR must be supported by substantial evidence in the administrative record.

3.4 IMPACTS OF THE REVISED PROPOSED PROJECT

Aesthetics

It was determined that the original proposed Project would result in significant, but mitigable, aesthetic impacts related to spillover lighting, visual character (i.e., design, massing, and height), and shadows. These impacts were associated with the Charleville Boulevard vehicular driveway, setback lengths along Charleville Boulevard, building heights, and visual contrast with surrounding existing development along Stanley Drive, Charleville and Wilshire Boulevards, and the proximity of the proposed Project to existing single-family residences.

Lighting. Sources of light that would be installed with the revised proposed Project include security lighting focused on doors, vehicular entrances, accent lighting, lighting fixtures mounted onto the western perimeter wall, and lighting within the at-grade and subterranean parking levels. The revised proposed Project will not include the Charleville Boulevard vehicular driveway entrance, thereby, reducing the potential for spillover lighting impacts to affect the adjacent 130 Carson Drive single-family residence. All lighting associated with the revised proposed Project would operate in compliance with applicable local lighting standards and ordinances to prevent any spillover lighting impacts onto the residences and commercial uses adjacent to the Project site. Therefore, a reduction in the severity of previously identified spillover lighting impacts, as compared to those identified in the Final EIR, is anticipated.

Visual Character. The original proposed Project was determined to result in significant, but mitigable, visual character impacts along Wilshire Boulevard, Stanley Drive, and Charleville Boulevard. These impacts related to the anticipated contrast in height, scale, massing, open space, and setbacks. With the revised proposed Project, townhome building has been reduced from approximately 37 to 30 feet, thereby, reducing the severity of the previously identified impacts related to height and visual intrusion into the single-family residential neighborhood along Charleville Boulevard. As illustrated in **Figure 2-2**, massing impacts related to the proposed townhome building will be reduced due to increased building articulation and the altered arrangement of Townhome B to an east-west orientation. In addition, the proposed townhome building will

remain set back approximately 30 feet from the 130 Carson Road residential lot. However, setback lengths along Charleville Boulevard will total approximately nine to 16 feet, as compared to approximately eight feet with the original proposed Project. Therefore, a larger amount of open space will be provided along the Charleville Boulevard frontage (1,371 square feet compared to 728 square feet). The townhome building setback along Stanley Drive will total approximately ten feet, as compared to approximately three feet. The proposed mixed-use building will remain at approximately 61 feet in height and abutting the western property line, adjacent to existing commercial uses to the west. The reduced building height and increased setbacks associated with the townhome portion of the revised proposed Project will result in decreased visual contrast with the existing single-family residential neighborhood along Charleville Boulevard.

Shadows. Shadows impacts generally result from shadows being cast onto shade-sensitive uses, such as a single-family residence and rear yard. The Final EIR stated that significant, but mitigable, shadow impacts would affect two adjacent single-family residential lots and rear yards to the west of the Project site, 128 and 130 Carson Road. The reduced townhome building height with the reduced proposed Project will reduce shadow impacts determined to affect the two adjacent residential lots during the morning hours of the Spring/Fall Equinox and Winter Solstice solar periods of the year. Significant shadow impacts related to shadows cast from the mixed-use portion will remain as the height and massing of that particular building has not changed substantially. The revised proposed Project would reduce the severity of impacts related to townhome building shadows. However, the implementation of mitigation measures would still be required to reduce overall shadow impacts to a less-than-significant level.

New mitigation measures related to aesthetic impacts are not necessary.

Air Quality

It was determined that the original proposed Project would result in no significant impacts related to air quality-construction and air quality-operational. The revised proposed Project would require additional excavation activities to accommodate an additional level of subterranean parking and, as such, the potential exists for increased pollutant emissions. Daily construction intensity (e.g., total pieces of equipment, hours of operation, and haul trips per day) would remain the same as previously analyzed for the original proposed Project. However, the revised proposed Project would result in more mass emissions during the entire construction phase because of the approximately 22 additional days added to the construction schedule for excavation activities. The additional excavation activity would result in total mass emissions of approximately 154 pounds of volatile organic compounds, 1,254 pounds of nitrogen oxides, 1,144 pounds of carbon monoxide, less than one pound of sulfur oxides, and 286 pounds of particulate matter less than ten microns in diameter.

Air quality emissions are compared to South Coast Air Quality Management District (SCAQMD) thresholds to determine the level of significance. The SCAQMD construction thresholds are described in pounds of emissions per day, not total mass emissions. As described above, daily construction activity and associated emissions would be similar to those stated in the Final EIR for the original proposed Project. The revised proposed Project would not result in additional significant impacts and construction emission impacts would remain at a less-than-significant level.

Global Warming. On September 27, 2006, Assembly Bill (AB) 32, the California Global Warming Solutions Act, of 2006 was enacted by the State of California. The legislature stated that “global warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California.” AB 32 caps California’s greenhouse gas (GHG) emissions at 1990 levels by 2020. AB 32 defines greenhouse gas emissions as all of the following gases: carbon dioxide (CO₂), methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride. Analytical tools have not been developed to determine the effect on worldwide global warming from a particular increase in GHG, or the resulting effects

on climate change in a particular locale. The scientific tools needed to evaluate the impacts that a specific project may have on the environment are also not yet available. The revised proposed Project is not considered to be regionally significant and does not include unique elements that would contribute substantially to global warming impacts.

New mitigation measures related to air quality impacts are not necessary.

Geology, Seismicity, & Hydrology

It was determined that the original proposed Project would result in potentially significant, but mitigable, impacts related to geologic materials and soils (i.e., soil erosion and loss of topsoil), groundwater, and seismicity (i.e., liquefaction). The Project site is situated upon Chino Association soil, which is known for having a slight potential for expansivity, liquefaction (the transformation of soil to a liquid state), and erosion hazards. The revised proposed Project would require excavation and earth-moving activities up to approximately 21 feet below ground surface (bgs), resulting in a potential for on-site, wind, and/or water-generated erosion and loss of topsoil. The Phase I Environmental Site Assessment completed for the Project site found that groundwater exists between 16 and 22 feet bgs of the Project site. As with the original proposed Project, excavation activities associated with the revised proposed Project will have the potential to interfere with existing groundwater levels and deplete or degrade groundwater resources. The relatively high groundwater levels in conjunction with the soil type present in the Project area, result in a high risk for damage caused by liquefaction. The revised proposed Project would not result in additional significant impacts or increase the severity of previously identified impacts. Impacts resulting from the revised proposed Project, as with the original proposed Project, would be reduced to less-than-significant levels with compliance with standard engineering practices and building codes, as well as the implementation of mitigation measures.

New mitigation measures related to geology, seismicity, and hydrology impacts are not necessary.

Land Use

General Plan and Zoning. It was determined that the original proposed Project would result in potentially significant, but mitigable, impacts related to consistency with the City of Beverly Hills General Plan and zoning ordinance, as well as land use compatibility. The revised proposed Project will include a mixed-use (commercial and multi-family residential) complex on C-3 (Commercial Zone) and R-1 (One-Family Residential Zone) designated lots, adjacent to existing single-family residential and commercial uses to the west. The mixed-use portion will be located on the C-3 designated lots along Wilshire Boulevard and the townhome portion will be located on the R-1 designated lots along Charleville Boulevard. This would result in a conflict with the City's existing General Plan and zoning ordinance. Therefore, the General Plan Amendment and overlay zone proposed to mitigate zoning and land use impacts, as stated in the Final EIR, would remain necessary to reduce impacts to less-than-significant levels.

Land Use Compatibility. The Final EIR determined that significant, but mitigable, land use compatibility impacts would result from the construction of a mixed-use development adjacent to existing commercial and low-density single-family residential development. The original proposed Project included a driveway entrance on Charleville Boulevard leading down to the subterranean parking garage, adjacent to the 130 Carson Road single-family residential lot to the west. This impact would be reduced in severity with the revised proposed Project. The proposed 1,805-square-foot private garden area connected to the proposed Townhome C would be located directly adjacent to the rear yard and garage structure on the existing 130 Carson Road residential lot to the west. The proposed garden area is compatible with the existing residential rear yard and would potentially reduce the land use compatibility impacts identified in the Final EIR. However, general land use compatibility impacts would remain related to the construction of a multi-family

residential structure adjacent to existing single-family residences. As such, the revised proposed Project would not result in new significant impacts or increase the severity of impacts related to land use compatibility. Therefore, less-than-significant impacts would result with the implementation of mitigation measures.

New mitigation measures related to land use impacts are not necessary.

Noise

Construction Noise. The Final EIR identified significant, but mitigable, construction noise impacts to nearby sensitive receptors resulting from the original proposed Project. While the revised proposed Project would require an additional approximately 22 days to complete excavation activities than was assumed in the Final EIR for the original proposed Project, daily construction intensity (e.g., total pieces of equipment, hours of operation, and haul trips per day) would remain the same as previously analyzed. As such, construction noise levels identified in the Final EIR remain accurate for describing noise levels associated with the revised proposed Project. The revised proposed Project would not result in additional significant impacts or increase the severity of impacts identified in the Final EIR. Construction noise levels would remain less than significant with the implementation of the mitigation measures identified in the Final EIR.

Operational Noise. The Final EIR concluded that operational noise levels would result in a less-than-significant impact with implementation of mitigation measures that prevented delivery trucks from accessing the Project site between the hours of 7:00 p.m. and 7:00 a.m. The revised proposed Project would not introduce new sources of operational noise that were not previously evaluated in the Final EIR. Operational noise resulting from the Project-related resident vehicles will be reduced due to the removal of the resident vehicle entrance on Charleville Boulevard, directly adjacent to existing single-family residents (130 Carson Road). As such, the revised proposed Project would not result in additional significant impacts or increase the severity of impacts identified for the original proposed Project. Operational noise levels would remain at a less-than-significant level with the implementation of mitigation measures provided in the Final EIR.

New mitigation measures related to noise impacts are not necessary.

Public Services

It was determined that the original proposed Project would result in less-than-significant impacts related to public services including fire protection and emergency services, police protection, public schools, and recreation and parks. It was also determined that the original proposed Project would increase Project area population by approximately 56 persons. The revised proposed Project, as with the original proposed Project, will include 21 condominium units. However, the revised proposed Project will include three instead of four townhome units and a 1,667-square-foot increase in retail space. As such, demands on local public services and facilities would remain approximately the same as with the original proposed Project. The revised proposed Project would generate a population increase of approximately 54 persons, thus, not resulting in a new significant impact or increasing the severity of previously identified impacts. As such, less-than-significant impacts would remain.

New mitigation measures related to public service impacts are not necessary.

Traffic & Parking

Construction. It was determined that the original proposed Project would result in significant, but mitigable, impacts related to potential traffic delays and decreased availability of on-street parking during the construction phase. It was stated that these impacts would be significant, but short in duration and reduced

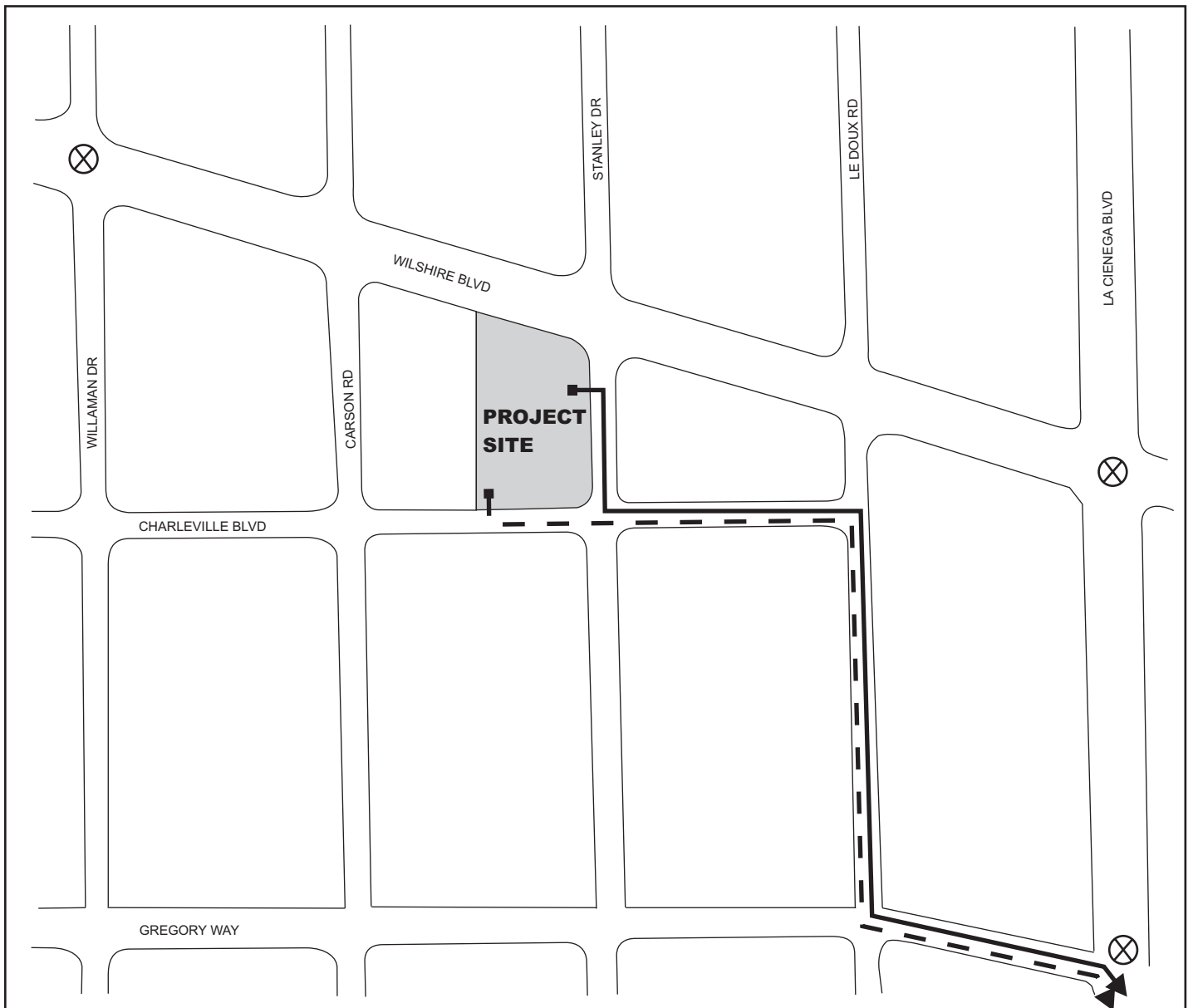
with the implementation of mitigation measures. The construction phase of the revised proposed Project would be approximately 16-months, 22 days longer in duration than the construction of the original proposed Project (15 months). The longer construction phase is due to the excavation activities required to construct two levels of subterranean parking instead of one. Although the construction phase would be longer in duration, the daily intensity of construction activities would be identical to those of the original proposed Project. Impacts related to the temporary loss of on-street parking during the construction phase would also remain with the revised proposed Project. Therefore, the revised proposed Project would not increase the severity of significant construction traffic impacts previously identified. Less-than-significant impacts would remain after the implementation of mitigation measures provided in the Final EIR.

Operational. In the Final EIR, it was not anticipated that the original proposed Project would result in significant traffic operational traffic impacts. The original proposed Project would incrementally increase the volume-to-capacity (V/C) ratio or delay at street intersections in the Project area by a maximum of 0.002 during AM Peak Hours, PM Peak Hours, and Saturday Midday. This ratio was substantially below the significance threshold of 0.020. The revised proposed Project will include an additional 1,667 square feet of retail space compared to the original proposed Project, as well as one exclusive vehicle entrance to the Project site from Stanley Drive compared to two entrances with the original proposed Project (Stanley Drive and Charleville Boulevard). This would increase the V/C ratio during Peak Hours and Saturday Midday compared to the original proposed Project. However, this additional retail square footage is not substantial enough to result in a 0.020 V/C increase, but the presence of only one vehicle entrance to the Project site may result in some traffic delays that would effect street intersections in the immediate Project area.

The original proposed Project would generate 13, 22, and 24 trips during the weekday AM and PM Peak Hours, and Saturday midday periods, respectively. Using the trip generation rates provided in the traffic report completed by Katz, Okitsu & Associates (Appendix D of the Final EIR), it has been estimated that the revised proposed Project would generate 15, 27, and 31 trips during the weekday AM and PM Peak Hours, and Saturday midday periods, respectively.

Access and Circulation. Project site traffic access patterns are not anticipated to be altered with the implementation of the revised proposed Project as compared to the original proposed Project. **Figures 3-1 through 3-3** illustrate the anticipated traffic access routes associated with the Project site for both the original and revised proposed Project. With the original proposed Project, retail users and residential guests would enter the Project site from the Stanley Drive driveway while Project resident's would enter through the Charleville Boulevard driveway. Due to the reduced number of driveways with the revised proposed Project, an increased number of mid-block left-turns from Stanley Drive would be required for vehicles traveling to the Project site from the south. However, in all other cases, the anticipated traffic access patterns would remain identical for both versions of the proposed Project.

As previously mentioned, the revised proposed Project would reduce the number of vehicular driveways as compared to the original proposed Project: one exclusive driveway on Stanley Drive, instead of one on Stanley Drive and Charleville Boulevard. In addition, the proposed driveway on Stanley Drive will be located approximately 20 feet to the north of its original location. All Project-related vehicles, retail users, residents, and residential guests, will enter the Project site through the Stanley Drive driveway.



LEGEND

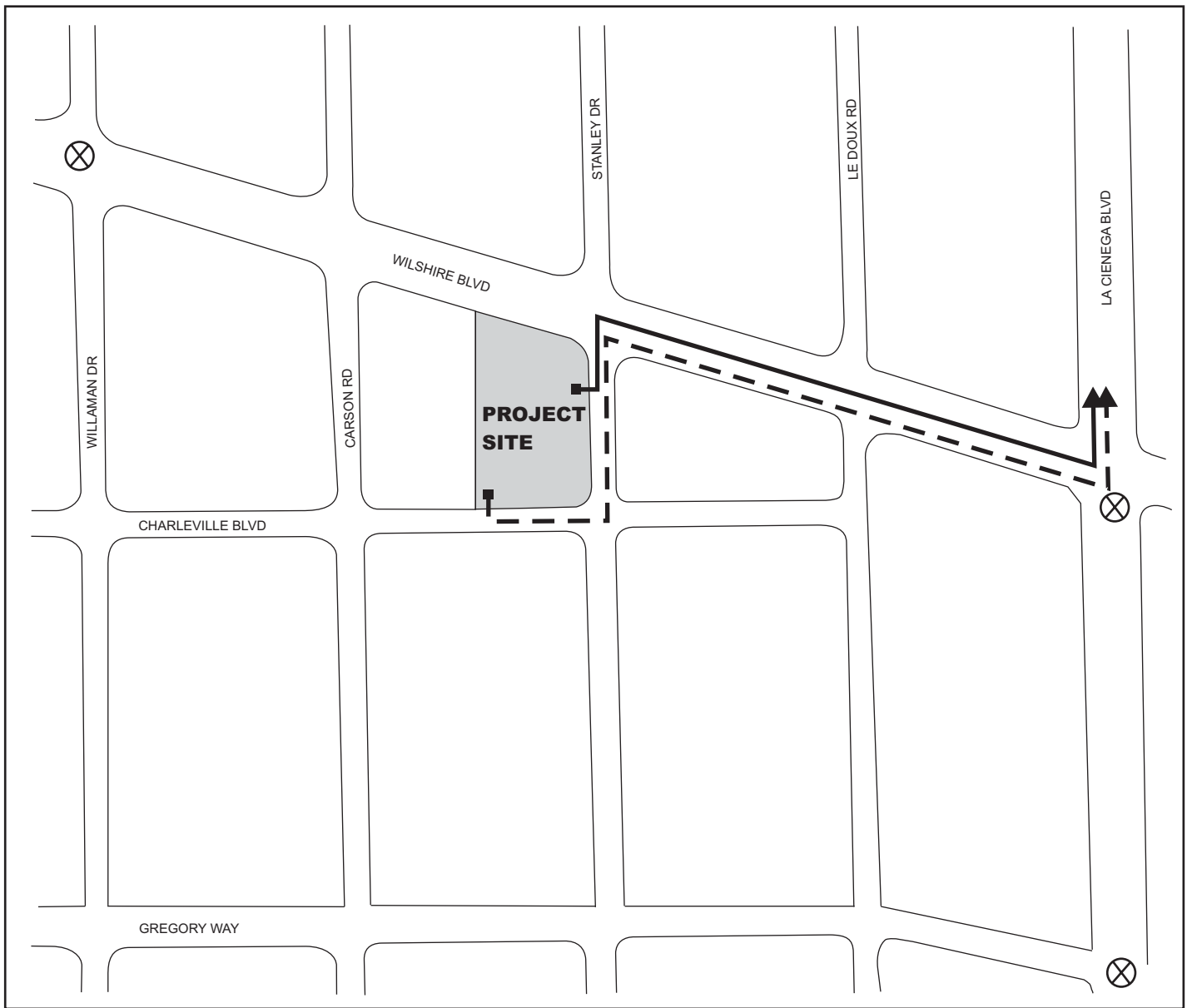
- — — Original Project Residential Traffic Access
- Revised Project Residential Traffic Access
- ⊗ Existing Traffic Signal

SOURCE: TAHA, 2007



FIGURE 3-1

ORIGINAL AND REVISED PROPOSED PROJECT
RESIDENTIAL TRAFFIC ACCESS PATTERNS
LA CIENEGA BOULEVARD - SOUTHBOUND



LEGEND

- — — Original Project Residential Traffic Access
- Revised Project Residential Traffic Access
- ⊗ Existing Traffic Signal

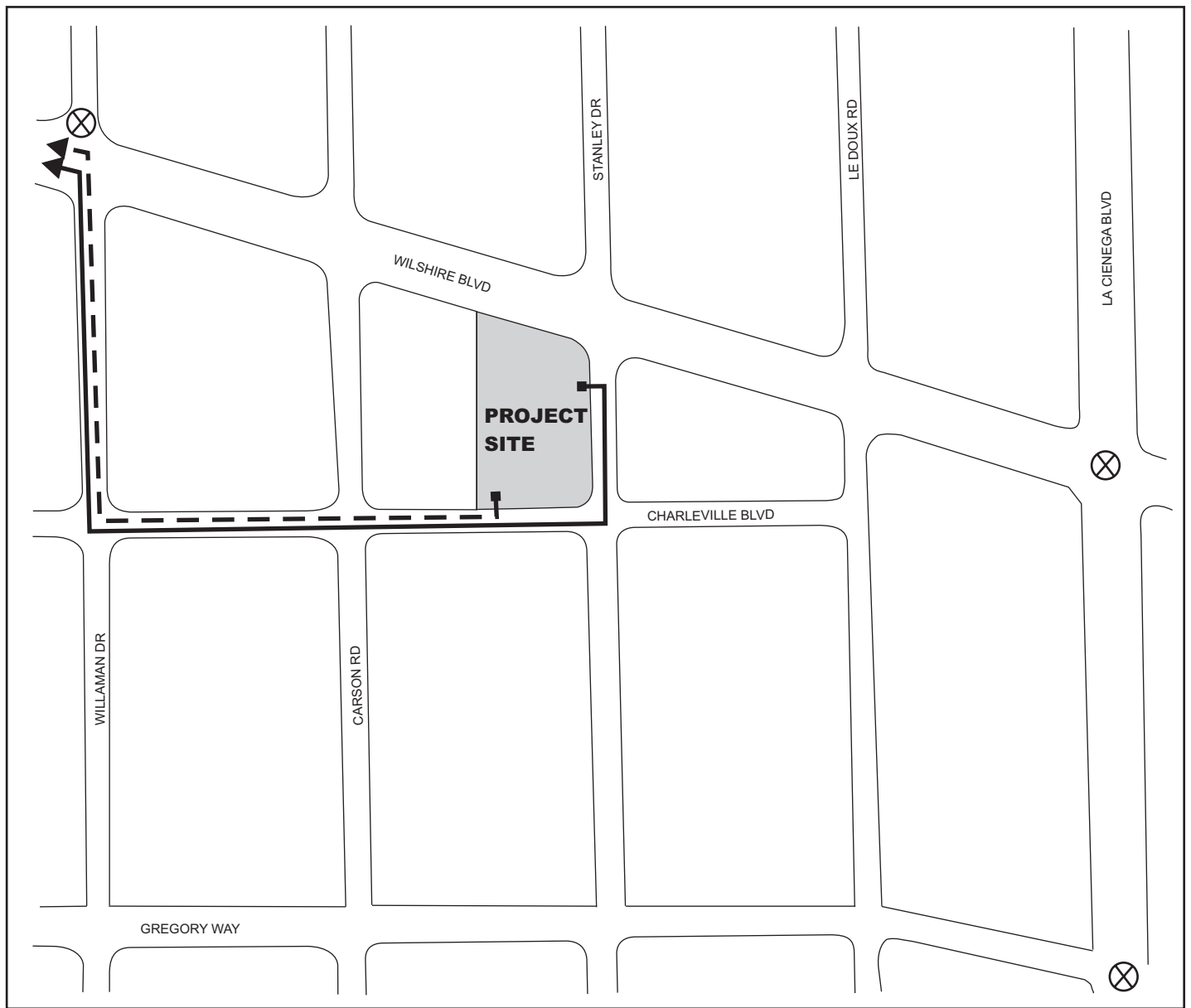
SOURCE: TAHA, 2007



8600 Wilshire Mixed-Use Project
Supplement to the Final EIR
CITY OF BEVERLY HILLS

FIGURE 3-2

ORIGINAL AND REVISED PROPOSED PROJECT
RESIDENTIAL TRAFFIC ACCESS PATTERNS
WILSHIRE BLVD EASTBOUND - LA CIENEGA BLVD NORTHBOUND



LEGEND

- — — Original Project Residential Traffic Access
- Revised Project Residential Traffic Access
- ⊗ Existing Traffic Signal

SOURCE: TAHA, 2007



8600 Wilshire Mixed-Use Project
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FIGURE 3-3

ORIGINAL AND REVISED PROPOSED PROJECT
RESIDENTIAL TRAFFIC ACCESS PATTERNS
WILSHIRE BLVD WESTBOUND TO ROBERTSON BLVD

These physical changes may result in altered vehicle circulation patterns within the at-grade parking level, potentially increasing vehicle queuing on southbound Stanley Drive from Wilshire Boulevard, as well as on on-street parking demand. Retail users and residential guests will be allowed to park within the at-grade parking level, adjacent to the ground floor retail spaces. The at-grade parking level will include six standard, and two ADA accessible parking spaces located on the southern wall of the parking level. Vehicles entering the at-grade parking level may be delayed, in that, vehicle queuing may occur while entering vehicles wait for parked vehicles to back out of the at-grade parking level spaces. Entering vehicle may either park in an at-grade level parking space, or access the vehicle ramp leading to the first and second levels of subterranean parking. The vehicles parked in one of the eight at-grade parking spaces are likely to be retail users, therefore, resulting in potentially high turnover rates in terms of parking space occupancy. As a result of the of the close proximity of the at-grade parking spaces to the retail spaces (approximately 26 feet), the driving lanes and vehicle ramps are relatively narrow and could become a vehicle safety hazard. This configuration may cause vehicle queuing to occur on Stanley Drive, in both the southbound and northbound directions. As a result, retail users traveling to the Project site may choose to park in on-street parking spaces instead of entering the proposed at-grade parking level. This could result in an increased demand for on-street parking along Stanley Drive, Charleville, and Wilshire Boulevards. Therefore, without modification of the at-grade parking level as provided in new Mitigation Measures **TP2**, **TP3**, and **TP4** below, significant impacts related to access and circulation, both within and adjacent to the at-grade parking level, may occur.

Parking. The *ITE Parking Generation, 3rd Edition* and the City of Beverly Hills Municipal Code provide parking requirements for various types of land uses. Utilizing both of these sources, the Final EIR determined that no significant impacts would result from the original proposed Project related to parking demand. According to *Parking Generation*, the average peak parking demand space requirements required for each component of the original proposed Project were as follows:

- Residential Condominium/Townhouse (ITE 230) – 1.46 spaces per dwelling unit (Weekday)
- Retail (ITE 820) – 2.97 spaces per 1,000 square feet (Saturday)

It should be noted that the average peak parking demand rates listed above occur during different time periods. In the Final EIR, the peak parking demand of the original proposed Project was the absolute peak demand if the peak parking periods of all the components were to occur at the same time.

The parking requirements, as stated in the City of Beverly Hills Municipal Code, are as follow:

- Studio or Efficiency Unit (less than 1,000 square feet) – 1.0 parking space per dwelling unit (Code Section 10-3-2816)
- One-Bedroom Units – 2.0 parking spaces per dwelling unit (Code Section 10-3-2816)
- Two-Bedroom Units – 2.5 parking spaces per dwelling unit (Code Section 10-3-2816)
- Three-Bedroom Units – 3.0 parking spaces per dwelling unit (Code Section 10-3-2816)
- Residential Guest Spaces – 1.0 parking space per each 4 dwelling units (Code Section 10-3-2817)
- Commercial/Office – 1.0 parking space per 350 square feet of floor area (Code Section 10-3-2730)

The original proposed Project included a total of 4,774 square feet of retail space, 21 condominium units (sixteen two-bedroom, four one-bedroom, and one studio), four three-bedroom townhome units, and 86 total parking spaces. When compared to ITE and City parking requirements, the original proposed Project would have a surplus of 34 and 4 parking spaces, respectively. No significant impacts were anticipated.

The revised proposed Project will provide a total of 6,441 square feet of retail space, 21 condominium units (sixteen two-bedroom, four one-bedroom, and one studio), three three-bedroom townhome units, and 97 total

parking spaces. When compared to ITE and City parking requirements, the revised proposed Project would have a surplus of 48 and 15 parking spaces, respectively. Therefore, the parking space provisions included with the revised proposed Project would comply with ITE and City parking space requirements and impacts would remain at less-than-significant levels.

Mitigation Measures. The revised proposed Project site plan would potentially result in access and circulation conflicts which may discourage the use of on-site parking and increase parking demand on local streets. The following new mitigation measures are required to reduce these potential impacts to less-than-significant levels:

- TP2** *Driveway Distance from Wilshire Boulevard.* To avoid conflicts and possible hazards with vehicles turning southbound onto Stanley Drive from Wilshire Boulevard, the driveway to the proposed Project shall be located no less than 40 feet (two car lengths) from the Wilshire Boulevard and Stanley Drive curb return. Implementation of this mitigation measures will likely require the relocation of the Stanley Drive loading dock, as well a possible reconfiguration of the interior parking ramps.
- TP3** *Location of ADA (Americans with Disabilities Act) Accessible Parking Spaces.* To avoid conflicts and delays directly within the entrance to the proposed parking at-grade parking level, the two proposed ADA accessible parking spaces shall be relocated. The location of all parking spaces shall be no less than 40 feet from the entrance to the proposed at-grade parking level. The location of the parking spaces shall comply with all applicable ADA requirements and standards.
- TP4** *Internal Parking Garage Circulation.* To ensure efficient and safe operations of the proposed parking garage, the backout distance from any parking stall shall be no less than 26 feet. For two-way ramps between parking levels, the radius and width of ramps shall comply with AASHTO passenger car standards to allow vehicles to pass each other safely while traveling in opposite directions on the ramp.

Utilities

It was determined that the original proposed Project would result in no significant impacts related to utilities (i.e., water supply, wastewater, storm water, and solid waste). The revised proposed Project would include one less townhome than the original proposed Project and an additional 1,667 square feet of retail space. Because the residential population of the revised proposed Project would be less than that of the original proposed Project, demand on the City's water supply, wastewater and storm water infrastructure, and solid waste services would be reduced. The increase in retail space of the revised proposed Project is not considered to be substantial enough to increase demands on these utility systems. Therefore, the revised proposed Project would not result in new significant impacts or increase the severity of previously identified impacts. Implementation recommended mitigation measures provided in the Final EIR to reduce water consumption, assess the sufficiency of existing utility systems, and control solid waste disposal would ensure that the revised proposed Project's impacts on utilities would remain less than significant.

New mitigation measures related to utilities impacts are not necessary.

3.5 CUMULATIVE IMPACTS

In the cumulative impacts analysis provided in the Final EIR, a total of 131 related projects were evaluated in conjunction with the original proposed Project: 44 within the City of Beverly Hills, 65 within the City of West Hollywood, and 22 within the City of Los Angeles. Below is a brief discussion of potential cumulatively considerable effects that may result from the revised proposed Project.

Aesthetics

Related projects in the area, when developed, may have significant impacts on the visual character, scenic views, shadow, and lighting in the area surrounding the related projects. However, potential aesthetic impacts that may occur from the related projects would be site-specific and since no other projects are located within the immediate vicinity of the Project site, Project-related impacts would not be compounded by the related projects. The revised proposed Project would reduce impacts identified in the Final EIR related to spillover lighting, visual character (height), and shadows. Thus, no new cumulative impacts would occur associated with the revised proposed Project.

Air Quality

Based on SCAQMD's methodology, a project would have a significant cumulative air quality impact if the ratio of daily project-related population vehicle miles traveled (VMT) exceeds the ratio of daily project-related population to countywide population. The Final EIR stated that the daily project to countywide VMT ratio was not greater than the project to countywide population ratio. A localized carbon monoxide (CO) impact analysis was completed for cumulative traffic (i.e., related projects and ambient growth through 2007). As discussed in Section 4.2 Air Quality of the Final EIR, the original proposed Project would not violate CO standards at local intersections. The revised proposed Project is not anticipated to contribute to an increase in CO emissions substantial enough to violate CO standards. As such, the revised proposed Project would not contribute to cumulative air quality impacts. The revised proposed Project would not generate a substantial number of new vehicle trips and would not include new stationary sources of emissions. As such, operational air quality emissions would remain a less-than-significant impact.

Global Warming. As discussed in Section 3.3 above, analytical tools have not been developed to determine the effect on worldwide global warming from a particular increase in GHG, or the resulting effects on climate change in a particular locale. The scientific tools needed to evaluate the impacts that a specific project may have on the environment are also not yet available. In addition, the revised proposed Project is not considered to be regionally significant and would not include any unique component that would substantially contribute to cumulative global warming impacts. Further, in the event that the revised proposed Project was not constructed, the demand for the revised proposed Project would be met by another project elsewhere in the region.

Geology, Seismicity, and Hydrology

Other projects in the area, when developed, may have significant impacts in relation to geologic resources and hazards; however, these impacts would be site-specific and would not be compounded by other projects in the surrounding area. Therefore, no cumulative impact would occur.

Noise

Construction. Although noise from construction activity would increase community noise levels in the immediate vicinity of each individual development site, construction-related noise would be localized and short-term in nature. These impacts would be site-specific and would not be compounded by other projects in the surrounding area. Therefore, no cumulative impact would occur.

Operational. The traffic analysis was used as the basis for determining noise impacts in the Final EIR, as these impacts are predicated primarily on increases in vehicle traffic within the area. Because the noise analysis contained in the Final EIR was based on cumulative traffic projections, and as no vehicular noise impacts were identified, no cumulative vehicular noise impacts were determined to result from the original proposed Project. The revised proposed Project would not result in a substantial increase in the amount of vehicle traffic in the Project area. Therefore, the noise analysis and cumulative traffic projections presented in the Final EIR are applicable to the revised proposed Project. Thus, the revised proposed Project would not contribute to cumulative noise impacts.

Public Services

Fire Protection and Emergency Services. An overall cumulative effect would be caused by development that would result in the need for additional emergency personnel, would reduce the level of fire protection or emergency services, or would result in reduction of emergency response time. As with the original proposed Project, the revised proposed Project is not anticipated to result in significant impacts to fire protection services as no additional staffing is required and no significant impacts to traffic would occur. Thus, no cumulative impact would occur.

Police Protection. An overall cumulative effect would be caused by development that would result in the need for additional officers, would reduce the level of fire protection or emergency services or would result in reduction of emergency response time. As with the original proposed Project, the revised proposed Project is not anticipated to result in significant impacts to fire protection services as no additional staffing is required and no significant impacts to traffic would occur. Thus, no cumulative impact would occur.

Public Schools. According to the Draft L.A. CEQA Thresholds Guide, both the original and revised proposed Project would potentially generate approximately four additional students: three K-8 students and one high school students. The public schools in the City currently have sufficient capacity to accommodate the potential addition of four students. A cumulative effect would potentially occur from other development within the City and the remaining capacity of the public schools could eventually be exceeded. However, many of the related projects are not proposed within the Beverly Hills School District and the addition of four students generated by the revised proposed Project would be offset by taxes collected at the time of construction, and as such, would not be cumulatively considerable. The revised proposed Project would generate only four additional students, and therefore, would not affect existing school students capacities. Thus, no cumulative impact would occur.

Recreation and Parks. As with the original proposed Project, the revised proposed Project would contribute nominally to the deficit of recreation and park space in the City. However, as part of the permitting process, the payment of park impact fees (in accordance with the most current rate schedule) would be required to assist the City in meeting the incremental cost associated with increased park demand. Other development within the City would be required to contribute to offset this deficit of recreation and park space. As such, less-than-significant cumulative impacts are anticipated.

Traffic and Parking

As discussed in Section 4.7 Traffic and Parking of the Final EIR, when calculating future traffic impacts, ambient traffic growth of one percent, as well as traffic from other projects that are being planned and proposed within the vicinity of the Project site, are taken into account. Thus, the traffic analysis was cumulative in nature. The impact analysis revealed that the original proposed Project would not result in a significant traffic impact. As discussed above, with implementation of the proposed measures listed above, the revised proposed Project would not result in additional impacts to those identified in the Final EIR. Thus, it is anticipated that the revised proposed Project would not contribute to cumulative traffic impacts.

The revised proposed Project will provide 97 total parking spaces, approximately 15 more than is required by the City of Beverly Hills Municipal Code. As previously discussed, access and circulation impacts related to the configuration of the proposed at-grade parking level may affect the demand for on-street parking along Stanley Drive, Charleville, and Wilshire Boulevards. Implementation of new Mitigation Measures **TP2**, **TP3**, and **TP4** would ensure that the revised proposed Project would not contribute to cumulative parking impacts. Therefore, parking impacts would not be cumulatively considerable.

Utilities

The existing infrastructure for water supply, natural gas, and electricity for the City of Beverly Hills are sufficient to handle projected increases which may occur as a result of the revised proposed Project. All related projects occurring within the City would also be required to abide by California Assembly Bill 939 related to the reduction in solid waste production. Thus, the incremental contribution of the revised proposed Project to demand on the City's infrastructure would not be cumulatively considerable.

3.6 GROWTH-INDUCING IMPACTS

Section 15126.2(d) of the *CEQA Guidelines* states that the assessment of growth-inducing impacts in an EIR must describe the "ways in which the proposed Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment."

As with the original proposed Project, the revised proposed Project would facilitate growth in the area by providing new housing and employment opportunities. With the addition of persons and jobs, the revised proposed Project would foster population and economic growth within its locality. However, the revised proposed Project would only provide 24 residential units and 6,441 square feet of new retail use. The revised proposed Project is located in an urbanized area and no extension or expansion of infrastructure beyond that already under consideration would be required to accommodate the development.

3.7 IRREVERSIBLE ADVERSE ENVIRONMENTAL IMPACTS

Section 15126.2 (c) of the *CEQA Guidelines* requires the evaluation of the use of nonrenewable resources during the initial and continued phases for a project which may result in an irreversible adverse impact. Irreversible adverse environmental impacts were not anticipated for the original proposed Project. Because the changes proposed for the revision of the Project are not considered substantial, would not result in new significant impacts which could not be mitigated, the revised proposed Project would not result in any irreversible adverse environmental impacts. Construction and operation of the revised proposed Project would rely upon the use of nonrenewable resources. Use of fossil fuel derived energy sources such as gasoline, diesel fuel, electricity, and natural gas would be necessary for the transport of workers and materials

during construction and provision of electricity, natural gas, and fuel for vehicles during the life of the revised proposed Project. Although the fossil fuel consumption associated with the revised proposed Project would constitute the depletion of a resource that is irretrievable and irreversible, the amount of resources consumed would not be of an extraordinary nature in the regional context.

3.8 EFFECTS DETERMINED NOT TO BE SIGNIFICANT

The following topics have been determined not to be significant in regards to the environmental assessment of the revised proposed Project:

- **Agricultural Resources.** The Project site is not used for agricultural purposes. Therefore, no agricultural uses would be affected by the revised proposed Project.
- **Biological Resources.** The revised proposed Project would be constructed in a fully urbanized area. The Project site is not adjacent to, nor does it influence undeveloped open space that serves as habitats for sensitive or special status species. No wetlands, wildlife corridors, or wildlife nursery sites exist on the Project site. The Project site is not associated with any approved local, regional, state, or federal habitat conservation plan. The revised proposed Project will remove and relocate two existing plane trees. The revised proposed Project would not conflict with any local policies or ordinances protecting oak trees or biological resources. Therefore, no impacts related to sensitive or special species, wildlife, natural habitats, or federally protected wetlands are anticipated.
- **Cultural Resources.** According to the Conservation Element of the City's General Plan, the Project site does not contain any known historical, archeological, or paleontological resources. Any surficial archeological or paleontological resources that may have existed would likely have been previously unearthed or disturbed. The Project site is not known to be used as a burial site. As a result, the disturbance of human remains during construction and excavation of the revised proposed Project would not be anticipated. Therefore, no adverse cultural resources impacts are anticipated.
- **Hazards and Hazardous Materials.** The revised proposed Project will involve the construction and operation of a retail and residential complex in an highly developed area. The revised proposed Project would not be located within an airport land use plan or within the vicinity of a private airstrip. According to the Los Angeles County Safety Element, the Project site is not located within the vicinity of an adopted emergency response plan, emergency evacuation plan, or a Very High Wildland Fire Hazard Severity Zone.

Phase I Environmental Site Assessments were prepared for both the 8612 Wilshire Boulevard site (Lot 689)¹ and the vacant lots (Lots 686, 687, and 688).² The assessments did not identify hazardous materials or substances on or beneath the Project site which would result in significant environmental impacts. Therefore, the construction and operation of the revised proposed Project would not involve the routine transport, use, or disposal of hazardous materials. In addition, because significant amounts of hazardous materials are not present on the Project site, the construction and operation of the revised proposed Project would not entail the handling or release of hazardous materials into the environment.

¹Phase I Environmental Site Assessment, Commercial Property 8612 Wilshire Blvd., September 2004. Available for review at the City of Beverly Hills Planning Department.

²Phase I Environmental Site Assessment and Subsurface Investigation, Vacant Lot, January 2004. Available for review at the City of Beverly Hills Planning Department.

The Phase I Environmental Assessment evaluating the commercial property revealed no present or past use of hazardous materials on the property, nor did it reveal present or past activities or operations on that property that would have significant environmental affects. The assessment determined that the Project site is within a one-half mile radius of four open Leaking Underground Storage Tanks (UST) where groundwater beneath those tanks has been contaminated. The assessment noted that if groundwater beneath the Project site is affected, it is likely from these off-site sources.

The record search of prior uses of the Project site indicated that from 1954 to 1978, the site was occupied by gas stations. The former gas stations were documented as a recognized concern and further site characterization was recommended. A subsurface investigation was performed in January, 2004 and low concentrations of TPH gasoline and BTEX (benzene, toluene, ethylbenzene and xylenes) components was found in one sample location only. Very minor concentrations of tetrachloroethene (PCE) was found in two groundwater samples. These concentrations are below drinking water standards. The Phase I Environmental Assessment concluded that the concentrations found were not indicative of potentially serious environmental impacts due to the former presence of gasoline stations on the property. Therefore, no impacts related to hazards or hazardous materials are anticipated.

- **Mineral Resources.** The Project site lies within the buffer area between the former Beverly Hills and San Vicente Oil fields. No wells and no former oil wells were found to exist on the Project site. No significant mineral resources are known to exist in the Project site. Use of the Project site would not preclude extraction of mineral resources and no significant impacts related to mineral resources are anticipated.
- **Population and Housing.** No residential uses currently exist on the Project site. Therefore, the revised proposed Project would not displace existing housing; rather, the revised proposed Project creates 24 multi-family dwelling units and would potentially generate a population of approximately 54 persons. This increase is approximately 0.02 percent of the existing residential population of the City of Beverly Hills and is not considered to be substantial population growth for the Project area. Therefore, a less-than-significant impact is anticipated.