

Appendix M-1

Additional Supplemental Analysis Regarding Modifications to the Cheval Blanc Beverly Hills Project

A. Introduction

In response to comments received after publication of the Final EIR and during the Planning Commission public hearings held in February 2022, the Applicant presented certain additional operational modifications to the Cheval Blanc Beverly Hills Project (Project), which modifications were analyzed in Appendix M to the Final EIR, and were considered by the Planning Commission during the May 26, 2022 Planning Commission meeting. This Additional Supplemental Analysis describes and evaluates the additional modifications imposed by the Planning Commission at the May 26, 2022 Project hearing. As demonstrated by this Supplemental Analysis, the proposed modifications would not result in any significant environmental impacts and recirculation of the Draft EIR is not required. Specifically, CEQA requires recirculation of a Draft EIR only when “significant new information” is added to a Draft EIR after public notice of the availability of the Draft EIR has occurred, but before the EIR is certified (refer to California Public Resources Code (PRC) Section 21092.1 and CEQA Guidelines Section 15088.5). CEQA Guidelines Section 15088.5 specifically states:

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 includes, 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 to 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*

significant impacts of the project, but the project's proponents decline to adopt it.

- *The draft EIR was so fundamentally/basically inadequate and conclusory in nature that meaningful public review and comment were precluded.*

CEQA Guidelines Section 15088.5 also provides that “[r]ecirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR [...] A decision not to recirculate an EIR must be supported by substantial evidence in the administrative record.”

B. Proposed Project Modifications

As described in Appendix M of the Final EIR, the previous modifications to the Project proposed by the Applicant and reviewed by the Planning Commission on May 26, 2022, included providing parking for the majority of the patrons of the retail uses off-site in City-owned parking facilities, including payment for in-lieu parking spaces. With that modification, access to the proposed valet motor court on South Santa Monica Boulevard would be modified and would be used for drop-off and pick-up for hotel guests, club members, spa, and restaurant patrons only. Access to the proposed valet motor court for patrons of the proposed retail uses would no longer be provided as the majority of the parking for retail patrons would be provided off-site. VIP and VIC retail customers shopping by appointment and all employees will self-park by accessing the down ramp at the rear of the hotel building via the relocated alley off of North Beverly Drive, will exit southbound down the alley to Brighton Avenue, and will not use the motor court. As such, with the proposed modifications, the number of cars accessing from and leaving the motor court to South Santa Monica Boulevard would be reduced.

Site access to the Project has also been further modified to provide a separate valet stand for club visitors on the west side of North Beverly Drive. This valet area would be available for club members only, and the members could not use the main valet in the motor court. Accordingly, with this proposed modification, access to the proposed valet motor court on South Santa Monica Boulevard would be modified and would be used for drop-off and pick-up for hotel guests, spa, and restaurant patrons only. Access to the proposed valet motor court for club members would no longer be provided as club members would now utilize the proposed valet area along North Beverly Drive or self-park in the subterranean parking area through key card controlled direct access. As such, with the proposed modifications, the number of cars accessing from and leaving the motor court to South Santa Monica Boulevard would be further reduced.

All remaining Project components would remain, including overall floor area and overall design of the building (height and massing). In addition, the construction assumptions, including

the depth of excavation and overall duration of construction activities would be substantially the same as that evaluated in the Draft EIR. The existing alley would also continue to be relocated to the southern portion of the Project Site and would be accessible from the west side of North Beverly Drive. The location of the existing alley would remain incorporated into the Project Site.

C. Effects of Proposed Modifications

With regard to the potential impacts associated with the proposed modifications regarding site access, the environmental topics potentially affected would be related to off-site noise and transportation. Other topics considered in the EIR (air quality; biological resources; cultural resources; energy; geology and soils (paleontological resources); greenhouse gas emissions; land use and planning; construction-related noise and off-site operational noise; tribal cultural resources; and utilities and service systems—energy infrastructure) would not be affected by the proposed modifications because the rerouting of club members to a new access point adjacent to the building along North Beverly Drive would not result in a material increase in any of the impacts previously identified in the Final EIR for these environmental topics. In particular, no increase in floor area, grading, excavation, or soil export would result from the proposed site access modification that could result in a new or increased impact previously disclosed.

The effects of the proposed modifications with regard to off-site noise and transportation are evaluated below.

1. Noise

As previously described above, the proposed site access modification would include providing a separate valet area for club members along North Beverly Drive that would provide club members with direct access to the club. With the proposed modification, the overall number of project trips would not change nor would project VMT; however, all club member arrival trips would bypass the Project motor court and directly travel to North Beverly Drive. As such, as provided in the Club Valet Memorandum prepared by Fehr and Peers, while the number of vehicles traveling through the South Santa Monica Boulevard/North Beverly Drive intersection would be similar, the individual turning movement volumes would slightly shift as club members would no longer access the motor court and would instead proceed to the separate valet area. Based on the transportation analysis prepared by Fehr and Peers, the membership club was estimated to generate 180 daily trips (including 20 vehicle-trips during the A.M. peak hour and 40 vehicle-trips in the P.M. peak hour), which would comprise only approximately 7.6 percent of the Project's 2,361 daily trips. In addition, the vehicle trips associated with the club members are relatively small as compared to the existing vehicle trips along South Santa Monica Boulevard (approximately 2,300 peak hour trips) and North Beverly Drive (approximately 1,300 peak hour trips). As provided in Table 6 of Appendix M (Supplemental Analysis Regarding Modifications to the Cheval Blanc Beverly Hills Project), the estimated noise level increases along South Santa

Monica Boulevard (between Rodeo Drive and Beverly Drive) and along Beverly Drive (between South Santa Monica Boulevard and Brighton Way) are 0.2 dBA CNEL and 0.3 dBA CNEL, respectively, well below the 1-dBA CNEL significance threshold. As the total number of club membership trips would not change and given the minimal shifts in traffic volumes, the noise levels along the surrounding roadways associated with the proposed modification would remain substantially the same. Therefore, the traffic noise levels would continue to be well below the most stringent 1-dBA CNEL significance threshold (applicable when existing noise levels are greater than 65 dBA CNEL at noise sensitive receptors).

In summary, noise impacts associated with off-site noise sources under the Project with the proposed modification would generally be substantially the same as that set forth in the Final EIR, and the traffic noise impacts would continue to be less than significant.

9. Transportation

As previously described, the Project would continue to be constructed within the same Project Site. As such, the plans, policies, and programs applicable to the Project disclosed in the Final EIR would continue to apply. In addition, the proposed modification includes development of the same building (including same floor area and height) with the same types of uses as evaluated in the Final EIR. Overall, with the proposed site access modification, the Project would not be materially different with respect to conflicts with transportation-related programs, plans, or policies. Therefore, with the proposed modification, the Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, and impacts would continue to be less than significant.

With respect to VMT, as described above, with the proposed modifications, the Project would continue to be constructed within the same Project Site and would include development of the same building (including same floor area and height) with the same types of uses as evaluated in the Final EIR. Furthermore, the proposed modification to provide a valet area along North Beverly Drive for club members would not change the VMT findings of the Project. As such, consistent with the analysis in the Final EIR, the Project with the proposed site access modification would continue to meet the City's adopted Screening Criteria 2 and 4 and the Project's VMT impact would continue to be less than significant.

D. Conclusions

Based on the analysis presented above, the changes to the Final EIR set forth in this Additional Supplemental Analysis do not result in any of the conditions set forth in Section 15088.5 of the CEQA Guidelines requiring recirculation of the EIR. Specifically, the information included in this Supplemental Analysis does not disclose any new significant impacts or a substantial increase in the severity of an impact already identified in the Final EIR, nor does it

contain significant new information that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the Project or a feasible alternative or mitigation measure that the Applicant has declined to adopt. All of the information included in this Supplemental Analysis merely clarifies, adds to, or makes insignificant modifications to information in the Final EIR. The City has reviewed the information in this Supplemental Analysis and has determined that it does not change any of the basic findings or conclusions of the Final EIR, does not constitute “significant new information” pursuant to CEQA Guidelines Section 15088.5, and does not require recirculation of the EIR.