Cheval Blanc Beverly Hills Specific Plan

Initial Study

prepared by

City of Beverly Hills
Planning Division, Department of Community Development
455 North Rexford Drive
Beverly Hills, California 90210
Contact: Masa Alkire, AICP, Principal Planner

prepared with the assistance of

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November 2020

eyestone ENVIRONMENTAL

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1. Project Title

Cheval Blanc Beverly Hills

2. Lead Agency Name and Address

City of Beverly Hills
455 North Rexford Drive
Beverly Hills, CA 90210

3. Contact Person and Phone Number

Masa Alkire, AICP, Principal Planner
(310) 285-1135

4. Project Location

The Project Site encompasses property located at 456 and 468 North Rodeo Drive, 461 through 465 North Beverly Drive, and 449, 451, and 453 North Beverly Drive in the City of Beverly Hills, California 90210. The approximately 1.277-acre (55,608 square feet) Project Site specifically consists of seven legal lots as follows: one legal lot at 456 North Rodeo Drive (Assessor's Parcel Number 4343-016-012); two legal lots at 468 North Rodeo Drive (Assessor's Parcel Number 4343-016-001); three legal lots at 461-465 North Beverly Drive (Assessor's Parcel Number 4343-016-023); and one legal lot at 449-453 North Beverly Drive (Assessor's Parcel Number 4343-016-019). The Project Site also includes a portion of the existing north-south alley located east of North Rodeo Drive and west of North Beverly Drive.

As shown in Figure 1 on page 2, the Project Site is bounded by South Santa Monica Boulevard to the north, North Beverly Drive to the east, commercial buildings to the south, and by North Rodeo Drive to the west.[1] As illustrated in Figure 2 on page 3, an existing alley bisects the Project Site. The alley runs north-south through the Project Site and currently is accessible from South Santa Monica Boulevard.

[1] *For ease of reference, these directions consider that South Santa Monica Boulevard is due north of the Project Site.*

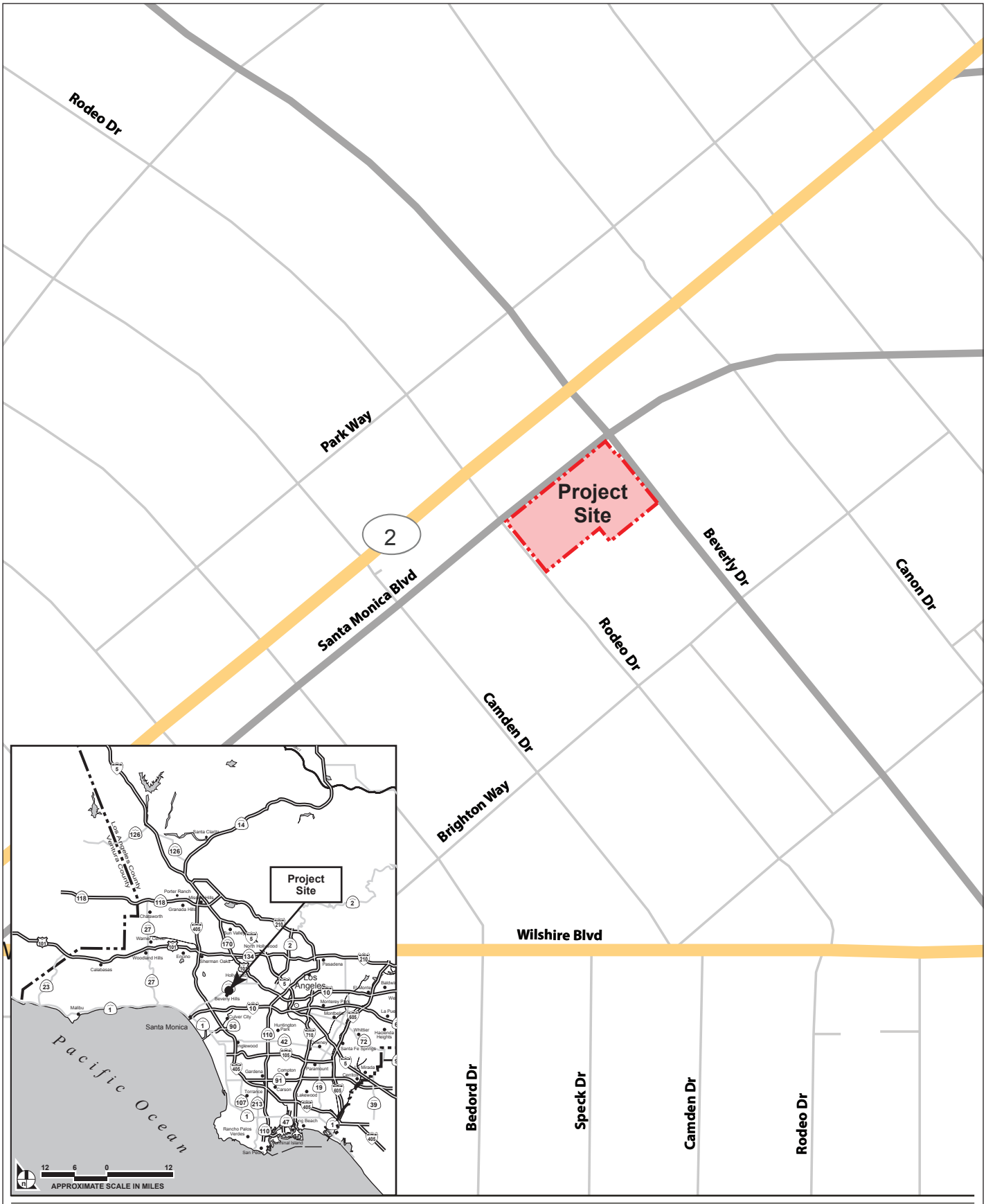


Figure 1
Project Location Map

Source: ArcGIS, 2020; Eyestone Environmental, 2020.

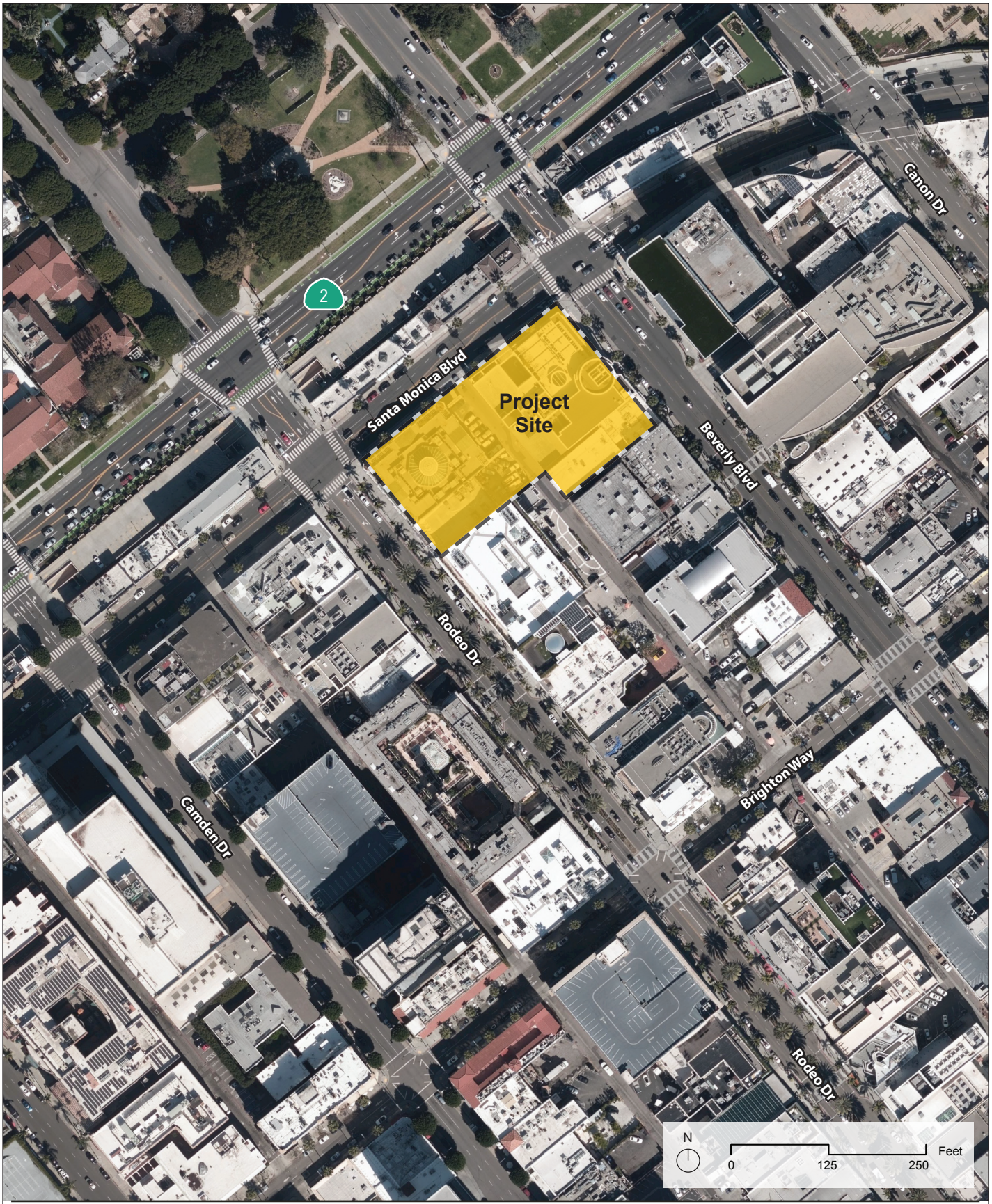


Figure 2
Aerial View of Project Site and Vicinity Map

Source: Apple Maps, 2020; Eyestone Environmental, 2020.

5. Project Sponsor's Name and Address

468 N RODEO DRIVE LLC
456 N RODEO DRIVE LLC
461 N BEVERLY DRIVE LLC
449 N BEVERLY DRIVE LLC
19 East 57th Street
New York, NY 10022

6. General Plan Designation

Low Density General Commercial

7. Zoning

C-3 Commercial

8. Existing Project Site Conditions

The Project Site is currently occupied by commercial and institutional uses comprising approximately 56,787 square feet. Specifically, 456 North Rodeo Drive is developed with a two-story, 6,895-square-foot commercial structure and nine surface parking spaces, 468 North Rodeo Drive is currently developed with a two-story, 20,265-square-foot commercial structure and six surface parking spaces, 461–465 North Beverly Drive is currently developed with a two-story, 23,351-square-foot institutional use and five surface and 45 underground parking spaces, and 449, 451, and 453 North Beverly Drive is developed with a one-story, 6,276-square-foot commercial structure.

The existing structure at 456 North Rodeo Drive was constructed in 1948. The building has been occupied by a variety of commercial tenants over the years, including electronics retailers, art galleries, and clothing and accessories boutiques. The building at 456 North Rodeo Drive is currently occupied by luxury retailer Celine. The existing structure at 468 North Rodeo Drive was constructed in 1997 as a flagship retail store for the clothing brand Tommy Hilfiger Corp., and later served as a flagship retail store for the Brooks Brothers clothing brand. The existing structure at 468 North Rodeo Drive was recently used for a temporary, pop-up art exhibition and is currently vacant. The existing structure at 461–465 North Beverly Drive was constructed in 1994-1996 as an extensive remodel of two previously-existing structures. The building formerly housed The Paley Center for Media and is currently leased to an art exhibitor. The existing structure at 449, 451, and 453 North Beverly Drive was constructed in 1921 and appears to have been significantly expanded around 1926. This building is currently vacant.

9. Surrounding Land Uses and Setting

As previously stated, the Project Site is located within the northern portion of the Beverly Hills Business Triangle. Land uses surrounding the Project Site include a mix of retail uses and restaurants. Specifically, north of the Project Site, across South Santa Monica Boulevard are a collection of small retail stores and restaurants as well as an art gallery. Further to the north are parking structures, Santa Monica Boulevard, Beverly Gardens Park, and single-family residential neighborhoods. Beverly Gardens Park is included on the City's Local Register of Historic Properties. East of the Project Site, across North Beverly Drive, is the 9-story Bank of America Financial Center building, which primarily contains office space with a Bank of America Branch office and vacant commercial space on the ground floor fronting North Beverly Drive and South Santa Monica Boulevard. The area immediately south of the Project Site near North Beverly Drive is developed with two 2-story buildings. The building that fronts North Beverly Drive has small retail stores and restaurants on the ground floor and office space on the second floor. The building that fronts the alley contains warehouse space on the ground floor with office space on the second floor. Immediately south of the Project Site fronting North Rodeo Drive is a 3-story building, which contains Ralph Lauren and Giorgio Armani stores on floors 1-2 and a doctor's office and other commercial office tenants on the 3rd floor. To the west of the Project Site, across North Rodeo Drive, are a collection of luxury clothing stores, including Alexander McQueen, Brioni, DSquared2, Zadig & Voltaire, and Saint Laurent. The Writers and Artists Building, a historic building included on the City's Local Register of Historic Properties, is located to the northwest of the Project Site at the intersection of North Rodeo Drive and South Santa Monica.

Local access to the Project Site is provided by several local streets and avenues, including Santa Monica Boulevard and Wilshire Boulevard. The Project Site is also well served by a variety of public transit options, including local and regional bus lines. In particular, the Los Angeles County Metropolitan Transit Authority (Metro) serves several transit stops along Santa Monica Boulevard and North Beverly Drive in the vicinity of the Project Site. The Project Site is also located approximately 0.5 mile from the Metro Purple line station currently under construction along Wilshire Boulevard generally between Cañon Drive and Rodeo Drive.

10. Description of Project

The Cheval Blanc Beverly Hills Project (herein referred to as the Project) includes the development of a single 212,034-square-foot[2] multiple-use building that would include a

[2] *Per the Specific Plan, exterior walls, stair shafts, elevators, elevator lobbies less than 100 square feet per cab, parking spaces and access, maintenance equipment/machinery rooms, outdoor dining areas, decks*
(Footnote continued on next page)

luxury hotel with 109 guest rooms and a penthouse, a private club offering facilities for social and recreational purposes, restaurant and retail uses, and other appurtenant uses related to hotel and club services and functions such as a wellness center and spa. The Project also proposes the creation of the Cheval Blanc Beverly Hills Specific Plan, which would facilitate the orderly and efficient development of the Project Site by, among other things, establishing appropriate size, height, and density limits. Under the Cheval Blanc Beverly Hills Specific Plan, proposed development could include up to 220,949 square feet and up to 115 guest rooms. As such, this Initial Study and forthcoming EIR evaluates the Project's potential environmental impacts considering the maximum allowable floor area of 220,949 square feet and maximum number of guest rooms of 115 rooms. A summary of the uses proposed as part of the Project is provided in Table 1 on page 7.

To allow for development of the Project, the existing commercial and institutional uses on the Project Site comprising approximately 56,787 square feet of floor area would be removed. Additionally, the portion of the existing public alley bisecting the Project Site would be relocated as part of the tentative parcel map process. Overall, the Project could result in a net floor area increase of up to 164,162 square feet (under the Specific Plan maximums) on the Project Site. The submitted conceptual plan identifies an increase of approximately 155,247 square feet of floor area over existing conditions. The proposed Specific Plan identifies a total floor area ratio (FAR) maximum of 4.2:1 and an above ground maximum of 3.91:1. The total FAR calculation for the submitted conceptual plan is 4.03:1 and the above ground maximum is 3.75:1. The Project is anticipated to begin construction in 2022. Construction of the Project is estimated to occur over an approximate 38-month period with buildout completed in early 2026.

The proposed building would vary in height from four stories and a maximum height of 51 feet along North Rodeo Drive to nine stories with a maximum height of 115 feet along North Beverly Drive. The proposed building also includes three subterranean levels. As summarized in Table 1, the Project includes a mix of uses which would be distributed throughout the proposed building. Conceptual floor plans of the building are included in Figure 3 through Figure 9 on pages 8 through 14. As shown therein, the third and second subterranean levels would primarily include parking and building systems. The second subterranean level would also include parking for the penthouse and the penthouse lobby. The first subterranean level would include the hotel back of house area, including the central kitchen and employee facilities, as well as accessible parking, loading, and service areas. As shown in Figure 4 on page 9, the ground level of the building would include retail uses along North Rodeo Drive and South Santa Monica Boulevard and restaurant uses

and balconies, and 2,000 square feet of storage per below grade parking level are not included in the floor area calculations

Table 1
Summary of Proposed Uses

Project Uses	Proposed Conceptual Plan[a]	Specific Plan Maximum[b]
Hotel Guest Rooms	98,673 sf (109 rm)	104,400 sf (115 rm)
Hotel Lobby and Circulation	23,413 sf	24,772 sf
Wellness Center	4,924 sf	4,924 sf
Spa	12,226 sf	12,936 sf
Restaurants/Lounges/Bars/Restaurant Kitchen	20,334 sf	20,334 sf
Employee Facilities/Office/BOH (includes Central Kitchen)	19,290 sf	20,410 sf
Club Conference Room/Screening Room/Lounge	7,001 sf	7,001 sf
Club Lobby and Circulation	1,197 sf	1,197 sf
Retail Uses	24,976 sf	24,976 sf
Total Floor Area	**212,034 sf**	**220,949 sf**

ac = acres

rm = rooms

sf = square feet

[a] *Per the Specific Plan, exterior walls, stair shafts, elevators, elevator lobbies less than 100 square feet per cab, parking spaces and access, maintenance equipment/machinery rooms, outdoor dining areas, decks and balconies, and 2,000 square feet of storage per below grade parking level are not included in the floor area calculations.*

[b] *All floor areas listed are approximate and conceptual for CEQA analysis purposes. The Specific Plan maximums include the maximum number of hotel rooms and the approximate amount of floor area that may be allocated to each use in the building should the Project be built to the Specific Plan maximums. Adjustments in floor area may occur between uses up to a five percent decrease or increase as provided for in the proposed Cheval Blanc Beverly Hills Specific Plan but shall not exceed 220,949 square feet of floor area.*

Source: Eyestone Environmental, 2020.

along South Santa Monica Boulevard and North Beverly Drive. Also at the ground floor would be the private club's lobby with a pedestrian entrance on North Beverly Drive and additional loading and service areas accessed from the reconfigured alley. An approximately 670 to 825-square-foot pedestrian plaza would also be provided at the corner of South Santa Monica Boulevard and North Rodeo Drive. The second level of the building would include additional retail and dining options, as well as back of house uses.

As provided in Figure 5 on page 10, the third level of the building would include hotel guest rooms, private club facilities, a landscaped garden, and back of house uses. The fourth and fifth levels of the building would include additional hotel guest rooms, the proposed spa, as well as back of house uses. The sixth level of the building would include

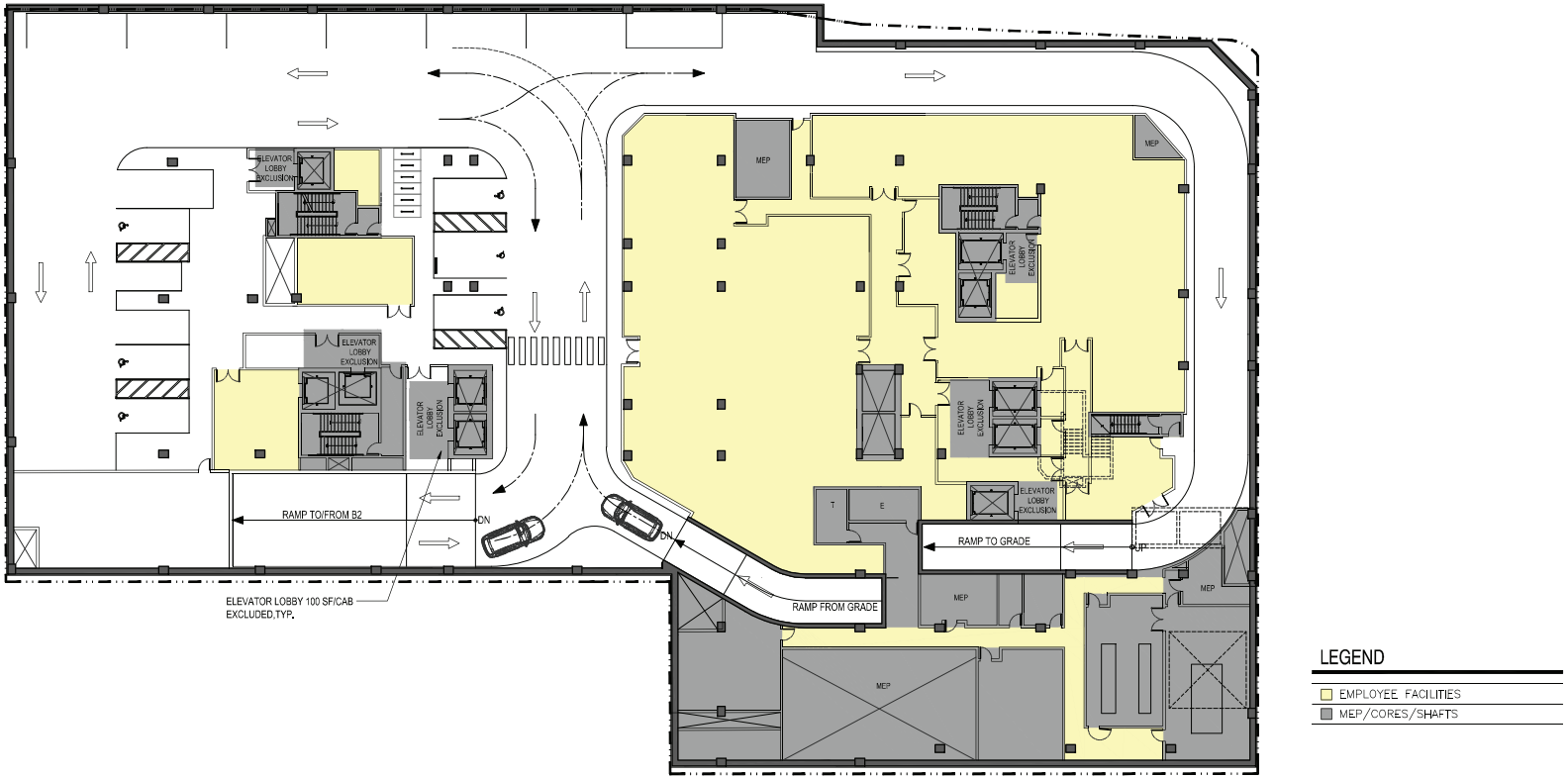


Figure 3

Conceptual Basement Level B1 Floor Plan

Source: Gruen Associates, 2020.

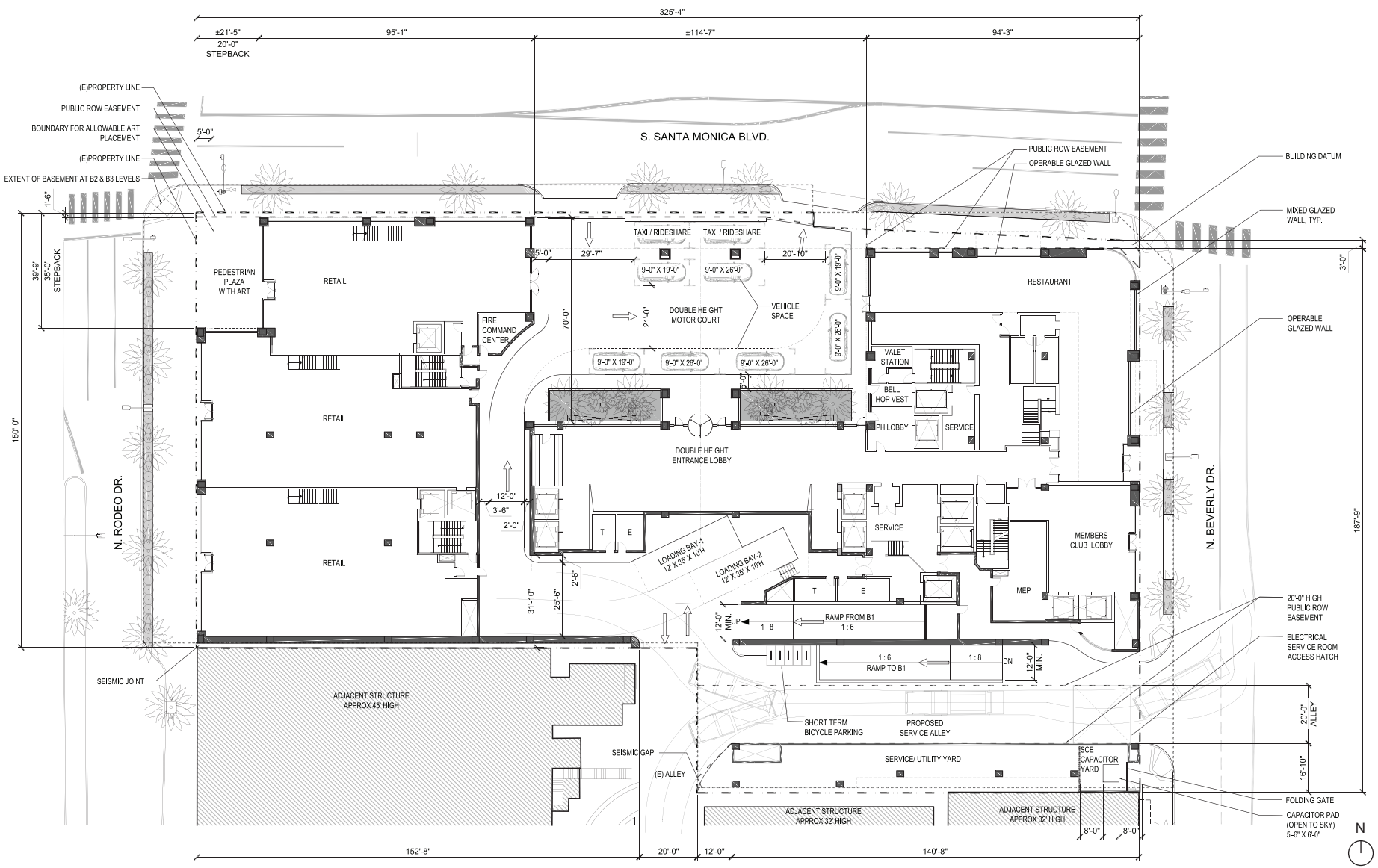


Figure 4
Conceptual Ground Level Floor Plan

Source: Gruen Associates, 2020.

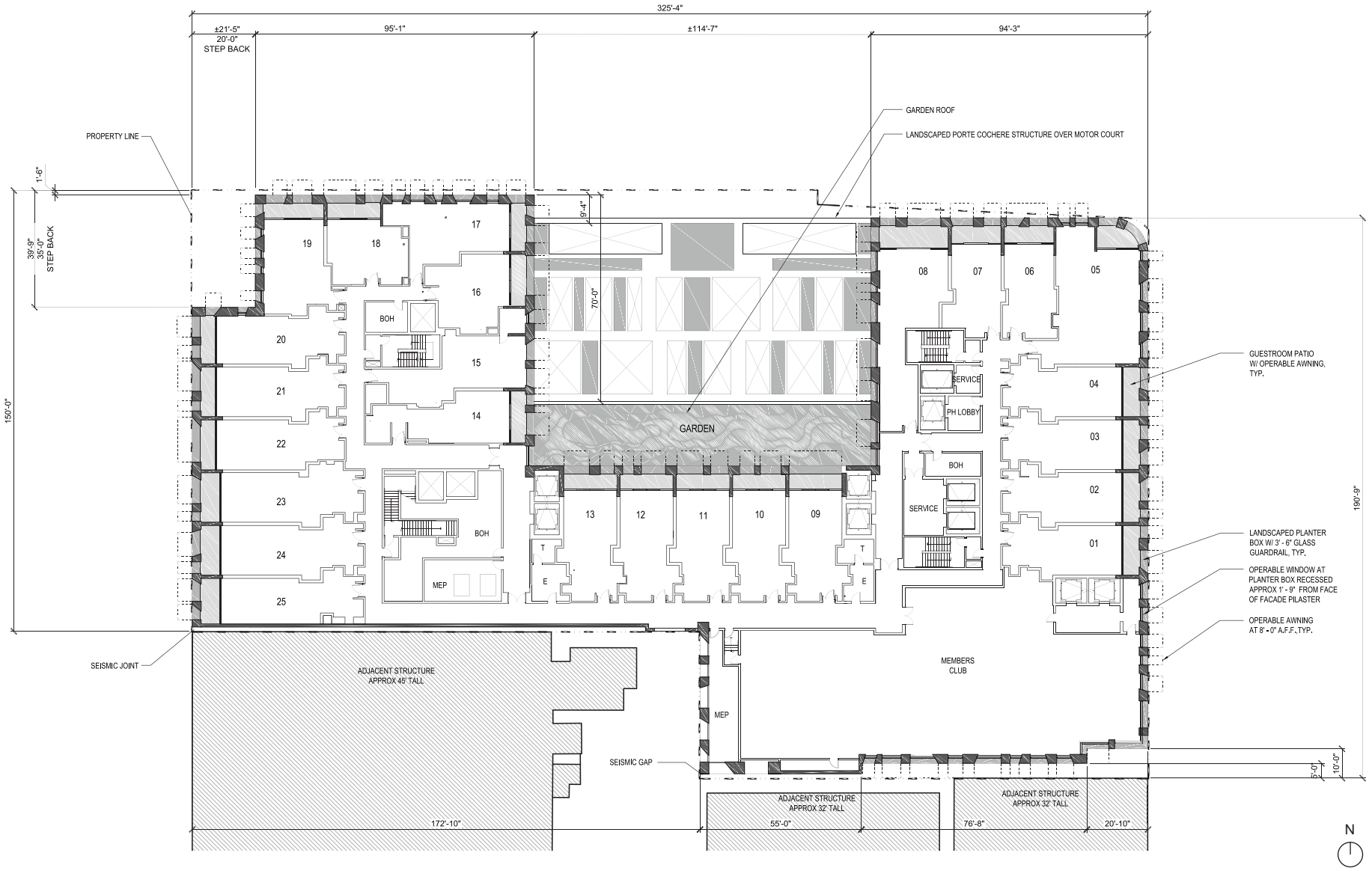


Figure 5
Conceptual Third Level Floor Plan

Source: Gruen Associates, 2020.

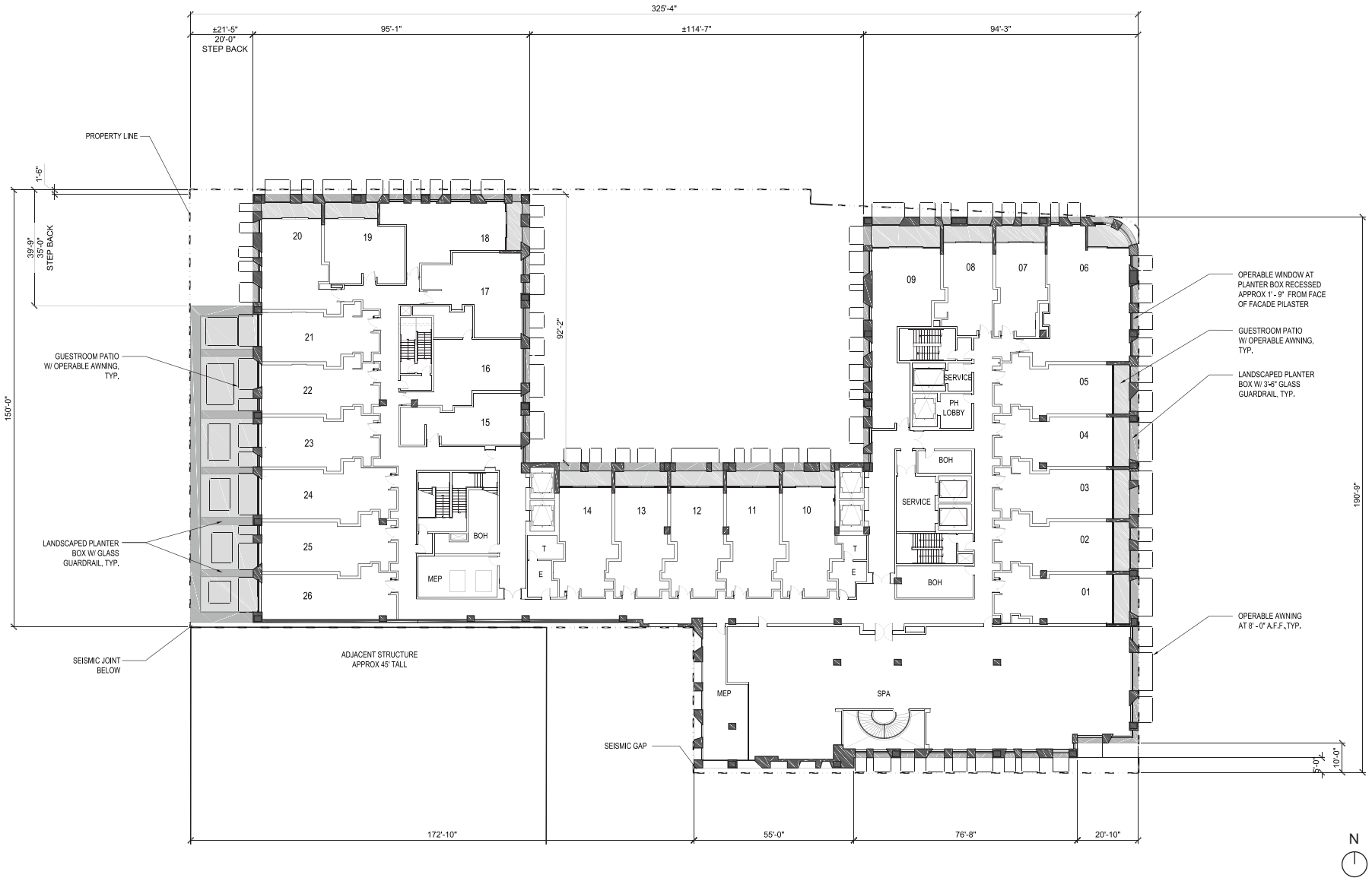


Figure 6

Conceptual Fifth Level Floor Plan

Source: Gruen Associates, 2020.

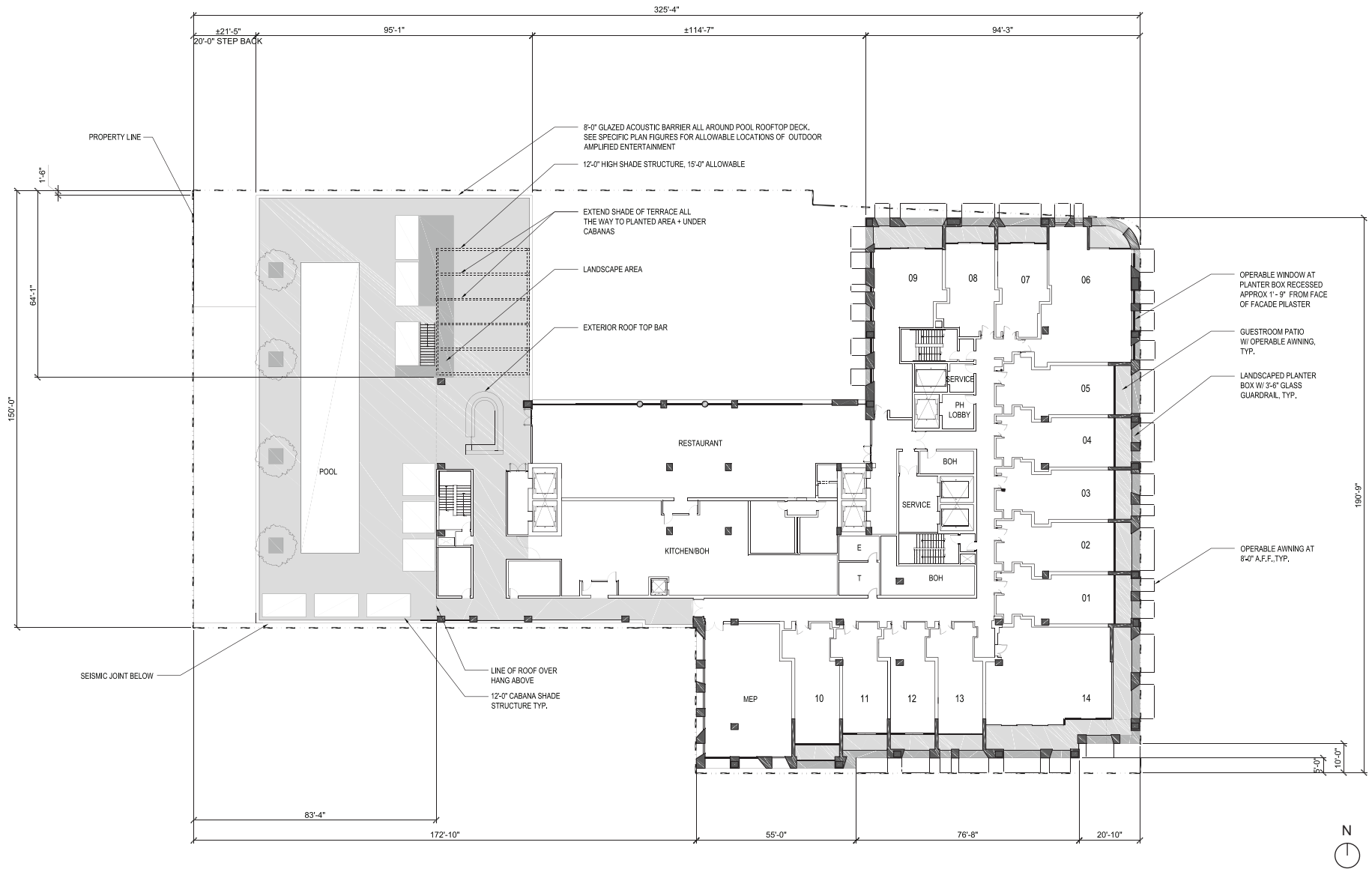


Figure 7

Conceptual Sixth Level Floor Plan

Source: Gruen Associates, 2020.

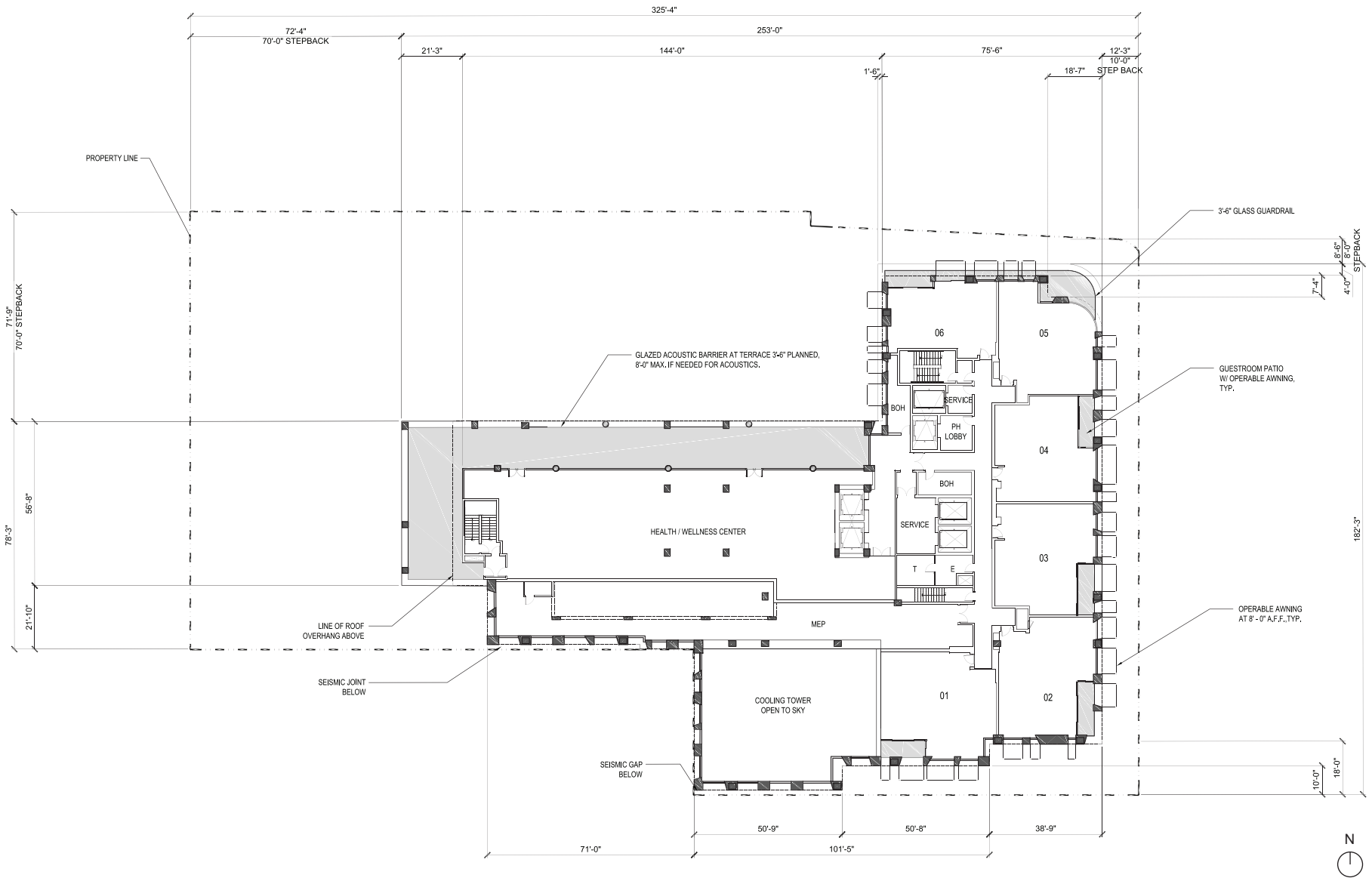


Figure 8

Conceptual Eighth Level Floor Plan

Source: Gruen Associates, 2020.

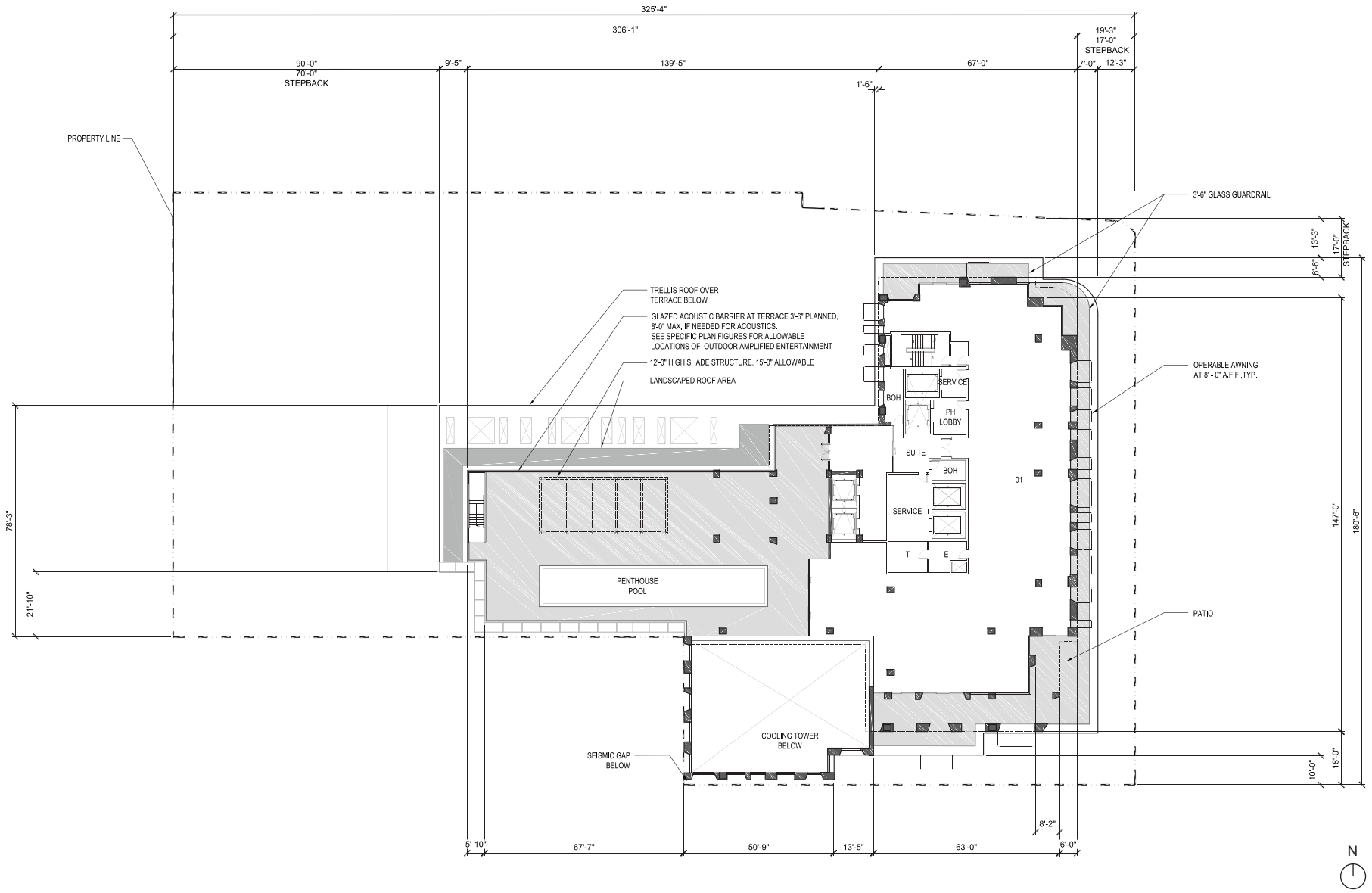


Figure 9
Conceptual Ninth Level Floor Plan

Source: Gruen Associates, 2020.

hotel guest rooms, a restaurant, kitchen/back of house area, and a pool deck featuring cabanas and seating areas. The seventh level would include additional hotel guest rooms, the private club bar, outdoor roof terrace, and back of house uses. The eighth level of the building would include hotel guest rooms, the proposed health/wellness center, and back of house areas. The ninth level of the building comprises the penthouse level, which would include penthouse suite(s) and amenities, including a penthouse pool.

The Project would incorporate modulation of building heights and massing, articulation of building façades at all elevations, and pedestrian-friendly treatments along the public right-of-ways. The heights and massing of the building specifically respond to the Project Site's location in the Golden Triangle (Business Triangle) and the character of the area. In particular, retail and lower building heights (4 stories, 51 feet in height) would be located along the North Rodeo Drive frontage, Beverly Hills' premier shopping street, and at the intersection of North Rodeo Drive with Santa Monica Boulevard. Taller building heights (up to 9 stories, 115 feet in height) would be placed along Santa Monica Boulevard and North Beverly Drive, transitioning to a similar height as the existing building located to the east across North Beverly Drive (the 110-foot tall Bank of America building). A landscaped trellis-like porte cochere covering the motor court adjacent to South Santa Monica Boulevard would further break up the massing of the Project, creating an open space/courtyard for drop-off and pick-up for patrons and guests. Building façades on all elevations are designed with recessed windows, balconies, and awnings creating shade and shadow patterns and visual interest. Landscaping would also be used throughout the Project to soften the building façades.

The Project would provide 178 vehicle parking spaces for the proposed uses in three subterranean parking levels. Primary access to the building and parking would be from South Santa Monica Boulevard from a valet motor court. The existing alley that runs north-south and is currently accessed from South Santa Monica Boulevard would be relocated to the southern portion of the Project Site as part of the Project, and the relocated alley area would be incorporated into the Project Site. The new access point to the alley would be from the west side of North Beverly Drive.

The proposed valet motor court on South Santa Monica Boulevard would be used for drop-off and pick-up for hotel guests, club members, spa, retail and restaurant patrons. Employee and valet driven vehicles would enter the Project's subterranean parking from the relocated alley off North Beverly Drive. Employees and small delivery vans would enter and exit the subterranean parking through the existing alley. Valet driven vehicles would return from the subterranean garage to the motor court via ground level on-site internal circulation. Temporary valet parking pick-up/drop-off is proposed on North Beverly Drive during peak Project Site events with access via the secondary pedestrian entrance (club entrance) on North Beverly Drive.

Primary pedestrian access to the Project Site would be provided through the hotel entrance along South Santa Monica Boulevard. A club member lobby at the ground level provides secondary pedestrian access from North Beverly Drive; however, club members arriving at the motor court by vehicle would access the club member lobby by an internal corridor accessed off the hotel lobby. Retail spaces along North Rodeo Drive would have separate pedestrian access points from the sidewalk along the street. The primary access to the ground floor restaurant would occur through the hotel lobby/motor court area. Additional ancillary pedestrian restaurant access points may be provided on South Santa Monica Boulevard and/or North Beverly Drive.

The proposed Project plans identify approximately 45,356 square feet of open space. This includes the publicly accessible 670-825-square-foot pedestrian plaza proposed at the ground floor. Additionally, 4,760 square feet of outdoor restaurant and bar spaces on levels six and seven and the 742-square-foot outdoor terrace on the seventh level would be publicly accessible by reservation only. The remaining open space area would be for private use by hotel guests and club members and would include hotel room balcony/patio areas, pool deck, wellness center outdoor area, and penthouse pool deck.

The Project would also incorporate green construction standards and design consistent with the Leadership in Energy and Environmental Design (LEED) Green Building Rating System with a minimum rating of Silver. Specific LEED features that would be incorporated into the Project include, but are not limited to:

- Recessed windows, balconies and overhangs to shade window glazing, while allowing reflected and diffuse daylight into the building to enhance the use of natural light and reduce the need for artificial light sources;
- Landscaping and exterior design utilizing subterranean parking and landscaped and shaded non-roof surfaces, light-colored, low-albedo roof surfaces to reduce local heat island effects;
- The reduction of chlorofluorocarbons (CFCs) from the building systems;
- The selection of materials, such as adhesives, sealants, paints, and carpeting, that reduce off-gassing to improve internal air quality;
- Installation of electric vehicle charging equipment and bicycle parking;
- Solar ready collectors for 15 percent of the roof area excluding skylight areas for energy efficiency;
- Recycling of a minimum of 50 percent of demolition and construction debris; and

- The use of greywater for irrigation for landscape in areas inaccessible to hotel guests, club members, their respective guests and the public.

As previously discussed, construction of the Project is anticipated to commence in 2022. Construction of the Project would occur in two phases, which would overlap in their duration. Phase 1 would involve demolition of 449 and 461 North Beverly and construction of the 449 North Beverly garage to grade and opening of the relocated alley with overhead protection. Phase 2 would include the balance of the Project. The overall duration of construction is estimated to be approximately 38 months with Project buildout in early 2026. During construction of the Project, approximately 124,920 cubic yards of earth would be removed from the Project Site, including approximately 34,564 cubic yards during Phase 1 and 90,356 cubic yards during Phase 2. The designated haul route is anticipated to be South Santa Monica Boulevard to North Beverly Drive to Wilshire Boulevard (right turns only).

11. Requested Entitlements

The following entitlements have been requested as part of the Project:

- A General Plan Amendment designating the Project Site as the "Cheval Blanc Beverly Hills Specific Plan" on the City's General Plan Land Use map and Amendment of General Plan Text.

- A Zoning Map and Zone Text Amendment to create a new Specific Plan, "Cheval Blanc Beverly Hills," and to modify the official City Zoning Maps and add text to apply the Specific Plan zoning to the Project Site.

- A Specific Plan that establishes development standards, such as size, height and density, applicable to the Project Site.

- A Development Agreement to provide for vested development rights and certain community benefits in connection with the Project.

- A Vesting Tentative Parcel Map to merge the existing contiguous lots and relocate the surface right-of-way of the public alley.

- Encroachment Permits to allow: (i) subsurface utility vaults to encroach into the public right-of-way; (ii) parking spaces and aisles to extend under the public sidewalk from ten (10) feet below grade and up to the existing curb; (iii) installation and maintenance of landscaped parkways and special paving in the public right of way along North Rodeo Drive, South Santa Monica Boulevard and North Beverly Drive.

- Amendment to the Master Plan of Streets: (i) to relocate the existing surface right-of-way for public alley purposes; (ii) to dedicate additional surface right of way for public sidewalk purposes along South Santa Monica Boulevard; and (iii) to allow the public roadway along North Rodeo Drive and South Santa Monica Boulevard to remain in their current locations.

In addition to the entitlements identified above, subsequent or additional approvals may also be required from the City for the Project, including, but not limited to, architectural review, demolition permit, haul route permit, excavation permit, shoring permit, grading permit, foundation permit, and various building permits.

12. Other Public Agencies Whose Approval is Required

None.

Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by the Project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Agriculture and Forestry Resources	☒ Air Quality
☐ Biological Resources	☒ Cultural Resources	☒ Energy
☒ Geology and Soils	☒ Greenhouse Gas Emissions	☐ Hazards and Hazardous Materials
☐ Hydrology and Water Quality	☒ Land Use and Planning	☐ Mineral Resources
☒ Noise	☐ Population and Housing	☐ Public Services
☐ Recreation	☒ Transportation/Traffic	☒ Tribal Cultural Resources
☒ Utilities and Service Systems	☐ Wildfire	☐ Mandatory Findings of Significance

Determination

Based on this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions to the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☒ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect: (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards; and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. A SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potential significant effects: (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards; and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Masa Alkire	11/13/2020
Signature	Date
Masa Alkire	Principal Planner
Printed Name	Title

Environmental Checklist

1. Aesthetics

Current CEQA law provides that potential aesthetic impacts of certain infill projects in transit priority areas shall not be considered significant impacts on the environment. Specifically, Public Resources Code (PRC) Section 21099(d) states that "[a]esthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment." PRC Section 21099 defines a "transit priority area" (hereafter TPA) as an area within 0.5 mile of a major transit stop that is "existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program or applicable regional transportation plan." PRC Section 21064.3 defines "major transit stop" as "a site containing any of the following: (a) A site containing an existing rail or bus rapid transit station, (b) A ferry terminal served by either a bus or rail transit service, [or] (c) The intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods." PRC Section 21099 defines an "employment center project" as "a project located on property zoned for commercial uses with a floor area ratio of no less than 0.75 and that is located within a transit priority area." PRC Section 21099 defines an "infill site" as "a lot located within an urban area that has been previously developed, or on a vacant site where at least 75 percent of the perimeter of the site adjoins, or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses."

PRC Section 21099 applies to the Project. Specifically, pursuant to PRC Section 21099, the Project is an employment center project that would be located on an infill site within a TPA. The Project is considered an employment center project because it is located on property that is zoned for commercial uses with a floor area ratio greater than 0.75. In addition, the Project Site is located on an infill site, as that term is defined in PRC Section 21099(a)(4), because the Project Site consists of lots located within an urban area that have been previously developed. The Project Site is also located within a TPA, as that term is defined in PRC Section 21099(a)(7), because it is located within 0.5 mile of an existing "major transit stop." In particular, the Project Site is located within approximately 0.5 mile of several Los Angeles County Metropolitan Transit Authority (Metro) bus routes, including Bus Routes 4, 16, 17, 704, and Rapid 720, with a service interval of 15 minutes or less during peak hours. In addition, construction of the Metro Purple (D) Line Extension,

which includes a subway station at Wilshire/Rodeo, is currently underway and is anticipated to be completed in 2025.[3] The Project Site is located approximately 0.3 mile north of the proposed Wilshire/Rodeo station. Therefore, in accordance with PRC Section 21099(d)(1), the Project's aesthetic impacts shall not be considered significant impacts on the environment and therefore do not have to be evaluated under CEQA. Nonetheless, this Initial Study includes a discussion of aesthetics for informational purposes only.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:				
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☐	☒
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

a. Would the project have a substantial adverse effect on a scenic vista?

No Impact. A scenic vista is a panoramic view of a valued visual resource. Panoramic views or vistas provide visual access to a large geographic area, for which the field of view can be wide and extend into the distance. Panoramic views are typically associated with vantage points looking out over a section of urban or natural areas that provide a geographic orientation not commonly available. Examples of panoramic views include an urban skyline, valley mountain range, the ocean, or other water bodies.

As discussed above in the Description of the Project subsection of this Initial Study, the Project Site encompasses property located at 456 and 468 North Rodeo Drive, 461 through 465 North Beverly Drive, and 449, 451, and 453 North Beverly Drive in the City of

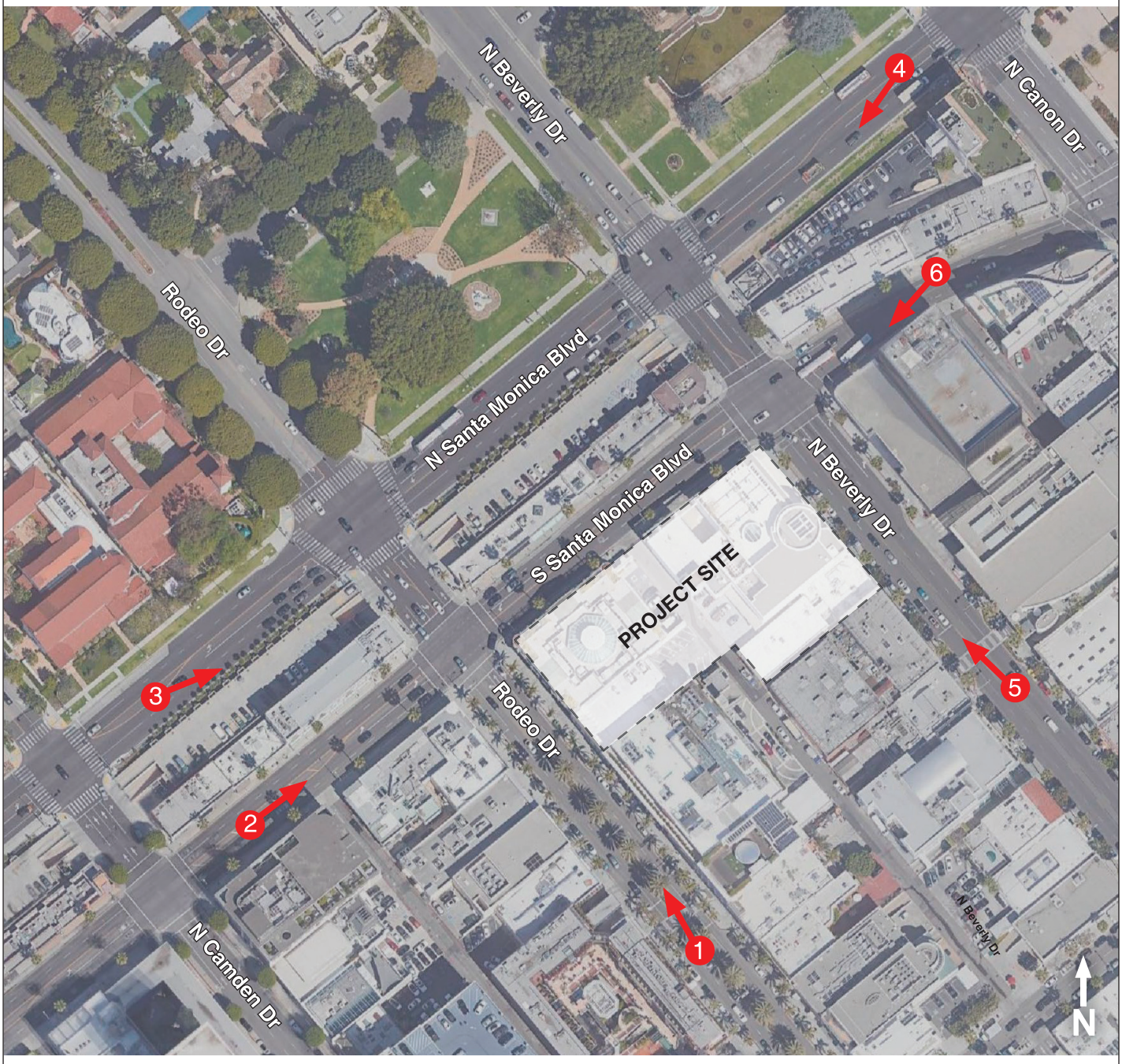
[3] *Metro. Projects, Purple Line Extension, www.metro.net/projects/westside/, accessed November 7, 2020.*

Beverly Hills, California 90210. The approximately 1.277-acre (55,608 square feet) Project Site is bounded by South Santa Monica Boulevard to the north, North Beverly Drive to the east, commercial buildings to the south, and by North Rodeo Drive to the west.[4] An existing alley, which runs north-south, currently bisects the Project Site. The Project Site is located within the northern portion of the Beverly Hills Business Triangle. Land uses surrounding the Project Site include a mix of retail uses and restaurants. Specifically, north of the Project Site, across South Santa Monica Boulevard, are a collection of small retail stores and restaurants as well as an art gallery. East of the Project Site, across North Beverly Drive, is the 9-story Bank of America Financial Center building, which primarily contains office space with a Bank of America Branch office and vacant commercial space on the ground floor fronting North Beverly Drive and South Santa Monica Boulevard. The area immediately south of the Project Site near North Beverly Drive is developed with two 2-story buildings. The building that fronts North Beverly Drive has small retail stores and restaurants on the ground floor and office space on the second floor. The building that fronts the alley contains warehouse space on the ground floor with office space on the second floor. Immediately south of the Project Site fronting North Rodeo Drive is a 3-story commercial building. To the west of the Project Site, across North Rodeo Drive, are a collection of luxury clothing stores.

As illustrated in the visual simulations of the Project Site and vicinity included in Figure 11 through Figure 16 on pages 24 through 29, due to the highly urbanized and built out surroundings, as well as relatively flat topography, no publicly available scenic vistas of any valued visual resources exist in the vicinity of the Project Site. Therefore, development of the Project would not have the potential to substantially or adversely affect a scenic vista since none currently exist.

With regard to changes in publicly available views of the Project Site and surrounding area, Figure 11 through Figure 16 illustrate visual simulations at six public viewsheds of the Project Site and vicinity. A view location map showing the locations of each vantage point is provided in Figure 10 on page 23. The visual simulations are based on an architectural 3-D digital model of the Project and are intended to generally depict the Project's building heights and massing in the context of the surrounding area. A corresponding photograph showing the existing view for comparison is also included. The following discussion summarizes the principal characteristics of each view.

[4] *For ease of reference, these directions consider that South Santa Monica Boulevard is due north of the Project Site.*



1 View from Rodeo Dr Looking Northwest
2 View from S Santa Monica Blvd Looking Northeast
3 View from N Santa Monica Blvd Looking Northeast
4 View from N Santa Monica Blvd Looking Southwest
5 View from N Beverly Dr Looking Northwest
6 View from S Santa Monica Blvd Looking Southwest

Figure 10
Visual Simulations–View Location Map

Source: Peter Marino Architect 2020.

EXISTING

PROJECT

Figure 11
Visual Simulations
View 1: Looking Northwest from North Rodeo Drive

Source: Peter Marino Architect 2020.

EXISTING

PROJECT

Figure 12
Visual Simulations
View 2: Looking Northeast from South Santa Monica Boulevard

Source: Peter Marino Architect 2020.

EXISTING

PROJECT

Figure 13
Visual Simulations
View 3: Looking Northeast from North Santa Monica Boulevard

Source: Peter Marino Architect 2020.

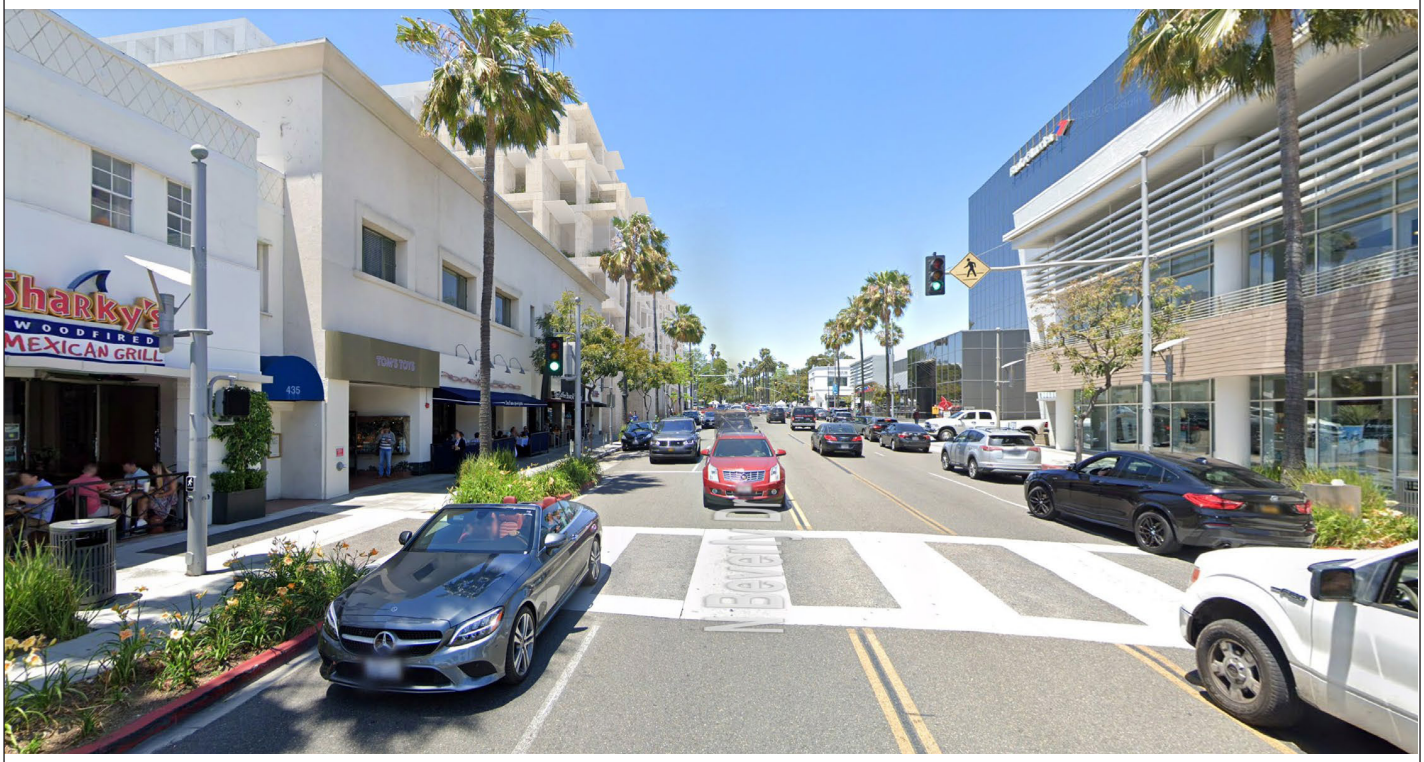
EXISTING

PROJECT

Figure 14
Visual Simulations
View 4: Looking Southwest from North Santa Monica Boulevard

Source: Peter Marino Architect 2020.

EXISTING



PROJECT

Figure 15
Visual Simulations
View 5: Looking Northwest from North Beverly Drive

Source: Peter Marino Architect 2020.

EXISTING

PROJECT

Figure 16
Visual Simulations
View 6: Looking Southwest from South Santa Monica Boulevard

Source: Peter Marino Architect 2020.

- **View 1: Looking northwest from North Rodeo Drive**. As shown in Figure 11 on page 24, only a limited portion of the Project would be visible from this location. Palm trees and shrubs feature prominently along the sidewalks and within the median of North Rodeo Drive. The Project would nevertheless appear as an extension of the existing built environment. In particular, the Project would feature similar heights along the street frontage as the adjacent Ralph Lauren clothing store and feature a retail storefront along the property line.

- **View 2: Looking northeast from South Santa Monica Boulevard**. As shown in Figure 12 on page 25, the Project gains more prominence in the viewshed than in View 1 and would increase the massing and height within the Project Site compared to existing conditions. However, the Project would introduce a unique and attractive architectural design while simultaneously appearing as an extension of the existing built environment. In particular, the Project would feature similar heights along the street frontage as the Bank of America financial center across North Beverly Drive, which can currently be seen behind the present buildings at the Project Site.

- **View 3: Looking northeast from North Santa Monica Boulevard**. As shown in Figure 13 on page 26, the Project would visually fill in the viewshed with a building of similar scale as the surrounding uses, including the Bank of America building and the mid-size commercial building between North and South Santa Monica Boulevard, the latter of which greatly dominates the viewshed, along with palm trees lining the sidewalk. The Project would narrowly appear at the western edge of this commercial building and rise above it.

- **View 4: Looking southwest from North Santa Monica Boulevard**. Similar to View 3, as shown in Figure 14 on page 27, the Project would visually fill in the viewshed with a building of similar scale as the surrounding uses, including the Bank of America building, while also offering a prominent and distinctive architectural contribution to the area. A low-rise commercial building in between North and South Santa Monica Boulevard dominates the viewshed at the forefront, with the Bank of America building and the Project rising above it from behind.

- **View 5: Looking northwest from North Beverly Drive**. As shown in Figure 15 on page 28, only a limited portion of the Project would be visible from this location consisting predominantly of the Project's upper floors. Palm trees and shrubs feature prominently along the sidewalk. While the Project would increase the height and massing within the Project Site as compared to the commercial buildings adjacent to it, it would be consistent with the Bank of America financial center across North Beverly Drive, while also offering a distinctive architectural contribution to the area, as previously described.

- **View 6: Looking southwest from South Santa Monica Boulevard**. As shown in Figure 16 on page 29, this view features the Project most prominently, offering a clear depiction of the increase in height and massing on the Project Site at the

corner of North Beverly Drive and North Rodeo Drive as compared to the buildings that surround it, while also displaying the unique and positive visual contribution that the Project's architectural design will provide. A restaurant will be featured along the street frontage at this corner.

Overall, as the area is fully developed and highly urbanized, the Project would not have a substantial adverse effect on a publicly available scenic vista. Moreover, pursuant to Public Resources Code Section 21099(d), the Project's aesthetics impact would not be considered a significant impact on the environment. Therefore, no further evaluation of this topic in an EIR is required.

b. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

No Impact. Based on the City of Beverly Hills General Plan Update Technical Background Reports, there are no scenic highways officially designated by the state within the City of Beverly Hills.[5] Therefore, the Project Site is not located along a state scenic highway. Thus, the Project would not substantially damage scenic resources within a state designated scenic highway as there are no scenic highways along the Project Site. Furthermore, pursuant to Public Resources Code Section 20199(d), the Project's aesthetic impacts shall not be considered a significant impact on the environment. Therefore, no evaluation of this topic is required.

c. In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

No Impact. The Project Site is located in an urbanized area. As such, this analysis focuses on whether the Project would conflict with applicable zoning and other regulations governing scenic quality.

With regard to zoning, as discussed above in the Description of the Project, the Project Site is zoned C3 (Commercial Zone) and is designated as Low-Density General

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[5] *City of Beverly Hills, Community Development Department, Long Range Planning, City of Beverly Hills General Plan Update Technical Background Report, October 2005, Chapter 5, Environmental Resources, www.beverlyhills.org/cbhfiles/storage/files/filebank/2566--GP-TBR-Covers.pdf, accessed September 11, 2020.*

Commercial on the City's General Plan land use map. The C3 zone allows for a wide variety of land uses, including cafés, carpenter shops, churches, dancing academies, dressmaking stores, hotels, libraries, offices (except medical uses), playgrounds, schools, plumbing shops, and upholsterers. The Low-Density General Commercial land use designation has a floor area ratio (FAR) of 2.0:1 and a maximum height of 45 feet or three stories, whichever is less.

The Project includes the development of a single multiple-use building that would include a luxury hotel with a maximum floor area of 220,949 square feet, including up to 115 guest rooms and a penthouse, a private club offering facilities for social and recreational purposes, restaurant and retail uses, and other appurtenant uses related to hotel and club services and functions such as a wellness center and spa.[6] In addition, the Cheval Blanc Beverly Hills Specific Plan would facilitate the orderly and efficient development of the Project Site by, among other things, establishing appropriate size, height, and density limits. Overall, the Project, including all requested entitlements, would result in a net increase of approximately 155,247 square feet to 164,162 square feet of new floor area on the Project Site with a total FAR of 4.03:1 to 4.2:1 and an above ground FAR of 3.75:1 to 3.9:1. The proposed building would vary in height from four stories and a maximum height of 51 feet along North Rodeo Drive to nine stories with a maximum height of 115 feet along North Beverly Drive.

While the Project would exceed the existing FAR and height limits of the current C3 zone, the uses proposed would be consistent with the uses permitted in the existing C3 zone, including a hotel, restaurant, retail, club, offices, and appurtenant uses. To permit the proposed FAR and height, the Project includes a General Plan Amendment and Zone Change from C3 to Cheval Blanc Beverly Hills Specific Plan. The proposed Cheval Blanc Beverly Hills Specific Plan would allow a maximum FAR of 3.9:1 above ground and a total FAR of 4.2:1 as well as a maximum height of 115 feet as measured from the ground floor at the highest point on the adjacent sidewalk. The maximum above ground FAR of 3.75:1 and maximum height of 115 feet identified on the submitted conceptual plans would fall within the allowable FAR and height limits of the Specific Plan. In addition, the Project would incorporate modulation of building heights and massing, articulation of building façades at all elevations, and pedestrian-friendly treatments along the public right-of-ways. The heights and massing of the building specifically respond to the Project Site's location in the Business Triangle and the character of the area. In particular, retail and lower building heights (4 stories, 51 feet in height) would be located along the North Rodeo Drive frontage, Beverly Hills' premier shopping street, and at the intersection of North Rodeo Drive with Santa Monica Boulevard. Taller building heights (up to 9 stories, 115 feet in

[6] *The wellness center and spa would include services such as massages and spa treatments and would not include medical uses.*

height) would be placed along Santa Monica Boulevard and North Beverly Drive, transitioning to a similar height as the existing building located to the east across North Beverly Drive (the 110-foot tall Bank of America building). A landscaped trellis-like porte cochere covering the motor court adjacent to South Santa Monica Boulevard would further break up the massing of the Project, creating an open space/courtyard for drop-off and pick-up for patrons and guests. Landscaping would also be used throughout the Project to soften the building façades. Therefore, while the Project would exceed existing FAR and height limits of the C3 zone, as depicted in the visual simulations provided above, the massing of the Project has been designed to complement the existing massing of buildings adjacent to the Project Site on North Rodeo Drive and North Beverly Drive. As proposed, the Project's design would provide a unique architectural contribution to the streetscape within the business triangle, located at the north end of the Rodeo Drive shopping district.

With regard to the City's regulations governing scenic quality, local land use plans applicable to the Project Site also include policies governing scenic quality, including the City General Plan Land Use Element and the General Plan Open Space Element. The Project's lack of conflict with the general intent of these General Plan elements is briefly discussed below.

General Plan Land Use Element

As set forth in the Land Use Element, the underlying objective of the Land Use Element is to maintain and enhance those qualities which contribute to the long-term stability and desirability of residential and nonresidential areas of Beverly Hills. The goals and policies related to scenic quality included in the Land Use Element that are applicable to the Project include the following:

- Goal LU 2 Community Character and Quality: A built environment that is distinguished by its high level of site planning, architecture, landscape design, and sensitivity to its natural setting and history.

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

- Policy LU 11.2 Site Planning and Architectural Design: Require that commercial and office properties and buildings are planned and designed to exhibit a high level of site and architectural design quality and excellence.

As previously described, the Project Site is located within the northern portion of the Beverly Hills Business Triangle. Land uses surrounding the Project Site include a mix of retail uses and restaurants. Specifically, north of the Project Site, across South Santa

Monica Boulevard, are a collection of small retail stores and restaurants as well as an art gallery. East of the Project Site, across North Beverly Drive, is the 9-story Bank of America Financial Center building, which primarily contains office space with a Bank of America Branch office and commercial space on the ground floor fronting North Beverly Drive and South Santa Monica Boulevard. Immediately south of the Project Site fronting North Rodeo Drive is a 3-story commercial building. The area immediately south of the Project Site on North Beverly Drive is developed with two 2-story buildings. The building that fronts North Beverly Drive has small retail stores and restaurants on the ground floor and office space on the second floor. The building that fronts the alley contains warehouse space on the ground floor with office space on the second floor. To the west of the Project Site, across North Rodeo Drive, are small commercial structures containing luxury clothing stores.

The Project would complement and enhance the character of the built environment in the surrounding area by replacing the existing buildings and surface parking areas with a high-quality hotel that features a complementary and elegant design. The Project would incorporate modulation of building heights and massing, articulation of building façades at all elevations, and pedestrian-friendly treatments along the public right-of-ways. The heights and massing of the building specifically respond to the Project Site's location in the Business Triangle and the character of the area. In particular, retail and lower building heights (4-5 stories) would be located along the North Rodeo Drive frontage, Beverly Hill's premier shopping street, and at the intersection of North Rodeo Drive with Santa Monica Boulevard. Taller building heights (up to 9 stories) would be placed along Santa Monica Boulevard and North Beverly Drive, transitioning to an existing building of similar height (the 110-foot tall Bank of America building). A landscaped trellis-like porte cochere covering the motor court on South Santa Monica Boulevard would further break up the massing of the Project, creating a courtyard for drop-off and pick-up for patrons and guests. Building façades on all elevations are designed with recessed windows, balconies, and awnings creating shade and shadow patterns and visual interest. Landscape would also be used throughout the Project to soften the building façades. Overall, the Project's design would support the City's goal and policies to maintain and enhance the character, built form, scale, and aesthetic qualities of the City as well as reflect development with a high-level of site and architectural quality that is sensitive to its setting.

Based on the above, the Project would be generally consistent with the applicable goal and policies of the Land Use Element and, therefore, would not conflict with the Land Use Element policies regarding scenic quality.

General Plan Open Space Element

The City of Beverly Hills General Plan Open Space Element is the principal guide for the maintenance and conservation of natural resources, open space, and recreation and

park lands in the City of Beverly Hills and serves two main purposes: 1) to guide the City in policy issues regarding the acquisition, control, development, and use of space and 2) to maintain an inventory of the type, location, and use patterns of the City's open space and recreation resources for future planning purposes. The policies related to scenic quality included in the Land Use Element that are applicable to the Project include the following:

- Policy OS 6.3 Landscaping: Require that new development be located and designed to visually complement the urban setting by providing accessible, landscaped entries, courtyards, and plazas.

- Policy OS 6.4 Minimize Removal of Existing Resources: Require new commercial, office, and residential development to minimize the removal of mature trees and other significant visual resources present on the site.

- Policy OS 6.5 Standards for New Development: Seek to ensure that new development does not adversely impact the City's unique urban landscape.

- Policy OS 6.6 Lighting: Minimize obtrusive light by limiting outdoor lighting that is misdirected, excessive, or unnecessary.

- Policy OS 6.7 Glare: Require that new development avoid the creation of incompatible glare through use of appropriate materials and design features.

As described above in the Description of the Project, the conceptual plans include approximately 45,356 square feet of outdoor areas. These outdoor areas include publicly accessible open space consisting of a 670-825-square-foot pedestrian plaza at the ground floor. Therefore, the Project would support City Policy OS 6.3 as the Project would include an accessible landscaped entry. The Project would also be consistent with Policy OS 6.4 and Policy OS 6.5. Specifically, the Project would not remove any mature trees within the Project Site and proposed landscaping would be implemented to complement and be consistent with the surrounding environment. In particular, 15 mature street trees to be removed as part of the Project would be replaced with new palm trees at a 1:1 ratio. The Project would also not conflict with Policy OS 6.6 and Policy OS 6.7 regarding the minimization of light and glare as the Project would include lighting sources that would be similar to other lighting sources already within the Project Site and in the vicinity of the Project Site and would not generate artificial light levels that are out of character with the surrounding area. In addition, as part of the Project, glass used in building façades would have high-performance coatings that would not be highly reflective, thereby minimizing glare from reflected sunlight. Overall, the Project would be generally consistent with the applicable policies of the Open Space Element and, therefore, would not conflict with the Open Space Element policies regarding scenic quality.

In summary, the Project would not conflict with applicable zoning and other regulations governing scenic quality. Moreover, pursuant to Public Resources Code Section 21099(d), the Project's aesthetics impact would not be considered a significant impact on the environment. Therefore, no further evaluation of this topic in an EIR is required.

d. Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

No Impact. The Project Site currently generates moderate levels of light from interior light spillage from buildings, security lighting, building-mounted lights within small surface parking areas, and vehicle headlights in the parking areas. Existing glare sources within the Project Site include glass, architectural elements, and vehicle headlights. The Project Site is in an urbanized area and is surrounded by urban infrastructure, street lighting, and low- and mid-rise buildings with sources of daytime and nighttime light and glare. The Project would introduce new sources of light and glare that are typically associated with commercial buildings, including architectural, interior, security and wayfinding light sources.

Construction

While the majority of Project construction would occur during daylight hours, there is a potential that construction could occur in the evening hours and require the use of artificial lighting, particularly during the winter season when daylight is no longer sufficient earlier in the day. Outdoor lighting sources, such as floodlights, spotlights, and/or headlights associated with construction equipment and hauling trucks, typically accompany nighttime construction activities. To the extent evening construction includes artificial light sources, such use would be temporary and would cease upon completion of Project construction. Furthermore, construction-related illumination would be used for safety and security purposes only and would occur in compliance with the light intensity requirements of the City. In addition, as part of the Project, construction lighting would be shielded to minimize light spillover. Construction lighting, while potentially bright, would also be focused on the particular area undergoing work.

Daytime glare could potentially occur during construction activities if reflective construction materials were positioned in highly visible locations where the reflection of sunlight could occur. However, any glare would be transitory and short-term, given the movement of construction equipment and materials within the construction area, and the temporary nature of construction activities. In addition, large, flat surfaces that are generally required to generate substantial glare are typically not an element of construction activities. Furthermore, temporary construction fencing would be placed along the periphery of the Project Site to screen construction activity from view at the street level

from off-site locations. Therefore, there would be a negligible potential for daytime or nighttime glare associated with construction activities to occur.

Based on the above, light and glare associated with temporary Project-related construction activities would not create a new source of substantial light or glare which would adversely affect daytime or nighttime views in the area. Furthermore, pursuant to Public Resources Code Section 21099(d), the Project's aesthetics impacts would not be considered significant. Therefore, no evaluation of this topic is required under CEQA.

Operation

Lighting on the Project Site would include architecturally-integrated exterior lights on the building, the motor court and other vehicle use areas, and along pathways for security and wayfinding purposes. In addition, low-level lighting to accent signage, architectural features, and landscaping elements would be installed throughout the Project Site. All exterior lighting would be dimmable and automatically controlled via occupancy sensors and photo sensors to allow for the appropriate control of nighttime lighting. Interior lighting would also be dimmable and would include the use of occupancy sensors. The proposed lighting sources would be similar to other lighting sources already within the Project Site and in the vicinity of the Project Site and would not generate artificial light levels that are out of character with the surrounding area. All exterior and interior lighting would meet the requirements of the California Energy Commission Building Energy Efficiency Standards—Title 24 and the National Electrical Code (NEC). Light trespass from interior spaces would be limited by blinds and/or drapery or the light fixtures would be installed in such a way as to not create light trespass off of the Project Site. Any new street and/or pedestrian lighting within the public right-of-way would comply with all applicable City regulations.

Daytime glare can result from sunlight reflecting from a shiny surface that would interfere with the performance of an off-site activity, such as the operation of a motor vehicle. Reflective surfaces can be associated with window glass and polished surfaces, such as metallic trim. In general, sun reflection that has the greatest potential to interfere with driving occurs from the lower stories of a structure. Sun reflection from the Project would occur during periods in which the sun is low on the horizon and when the point of reflection within the Project Site is in front of the driver, in the direction of travel. The Project would feature a variety of surface materials, including stone cladding, glass, concrete, timber, and metals. As part of the Project, glass would be set back from the façade and that which is used would have high-performance coatings that would not be highly reflective, thereby minimizing glare from reflected sunlight. Limited nighttime glare could result from illuminated signage and from vehicle headlights. While headlights from vehicles entering and exiting the parking garage would be visible during the evening and nighttime hours, such lighting sources would be typical for the area. Thus, nighttime glare would not result in a substantial adverse impact.

Based on the above, with adherence to regulatory requirements, Project operation would not create a new source of substantial light or glare which would adversely affect daytime or nighttime views in the area. Regardless, pursuant to Public Resources Code Section 21099(d), the Project's light and glare impact would not be considered significant. Therefore, no evaluation of this topic in an EIR is required under CEQA.

Shade/Shadow

As provided above, the threshold questions from Appendix G of the CEQA Guidelines do not address shade and shadows. Therefore, the following discussion regarding the Project's potential shading effects is provided for information purposes only and not for determining the Project's potential impacts related to aesthetics. Moreover, pursuant to Public Resources Code Section 21099(d), the Project's aesthetics impacts would not be considered a significant impact to the environment. Therefore, this shading analysis is included for informational purposes, as the current CEQA guidelines preclude a significant impact finding for shade generated by an urban infill project.

For the purposes of this informational analysis, the standards used by the City of Beverly Hills to evaluate shading impacts are discussed. A project would be considered to have a significant shading impacts if shadow-sensitive uses would be shaded by project-related structures for three or more hours between the hours of 9:00 A.M. and 3:00 P.M. during the winter solstice and for four or more hours between the hours of 9:00 A.M. and 5:00 P.M. during the spring, summer, and fall.

Figure 17 through Figure 19 on pages 39 through 41 depict the potential shadows that would be cast by the Project. Uses that may be sensitive to shading in proximity to the Project Site include Beverly Gardens Park located along North Santa Monica Boulevard and outdoor dining areas located along South Santa Monica Boulevard and North Beverly Drive. However, it is noted that outdoor dining areas typically include a variety of overhead cover such as umbrellas or partial roofs to cover patrons from the sun. Therefore, shading of these areas could be considered a beneficial effect.

Winter Solstice

Shadow impacts are typically greatest during the winter months due to the sun's low position in the sky, with the resultant longer shadows stretching roughly from the northwest to the northeast during daytime hours. As shown in Figure 17, Project shadows during the winter would extend in a northerly direction and would move from northwest to northeast across the surrounding area. Specifically, Project shadows would extend north across South and North Santa Monica Boulevard, reaching into Beverly Gardens Park and extending over the commercial uses across the Project Site along South Santa Monica Boulevard from approximately 9:00 A.M. to 1:00 P.M. By 11:00 A.M., Project shadows would

Figure 17
Project Shadows—Winter Solstice

Source: Peter Marino Architect 2020.

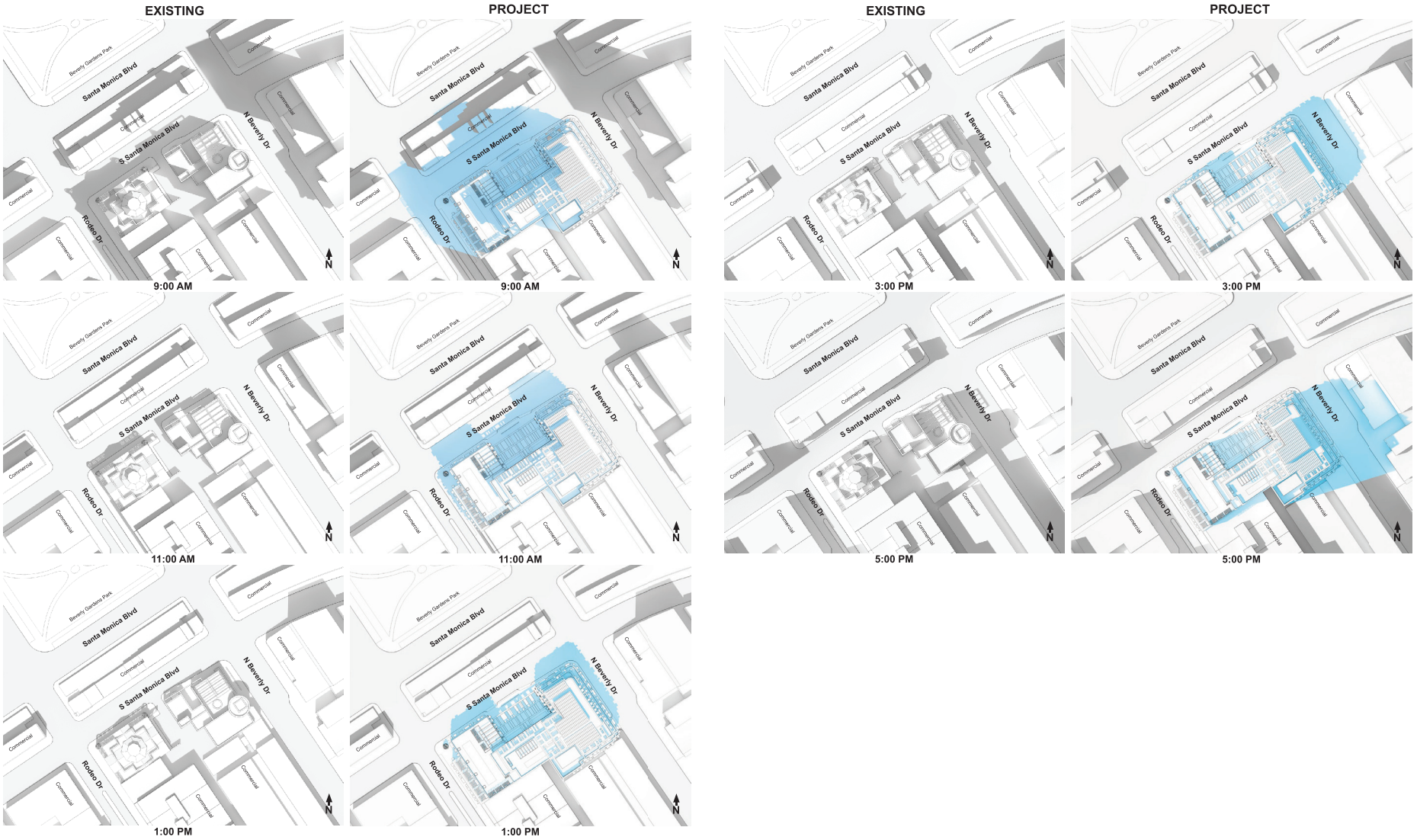

Figure 18

Project Shadows—Spring and Fall Equinoxes

Source: Peter Marino Architect 2020.

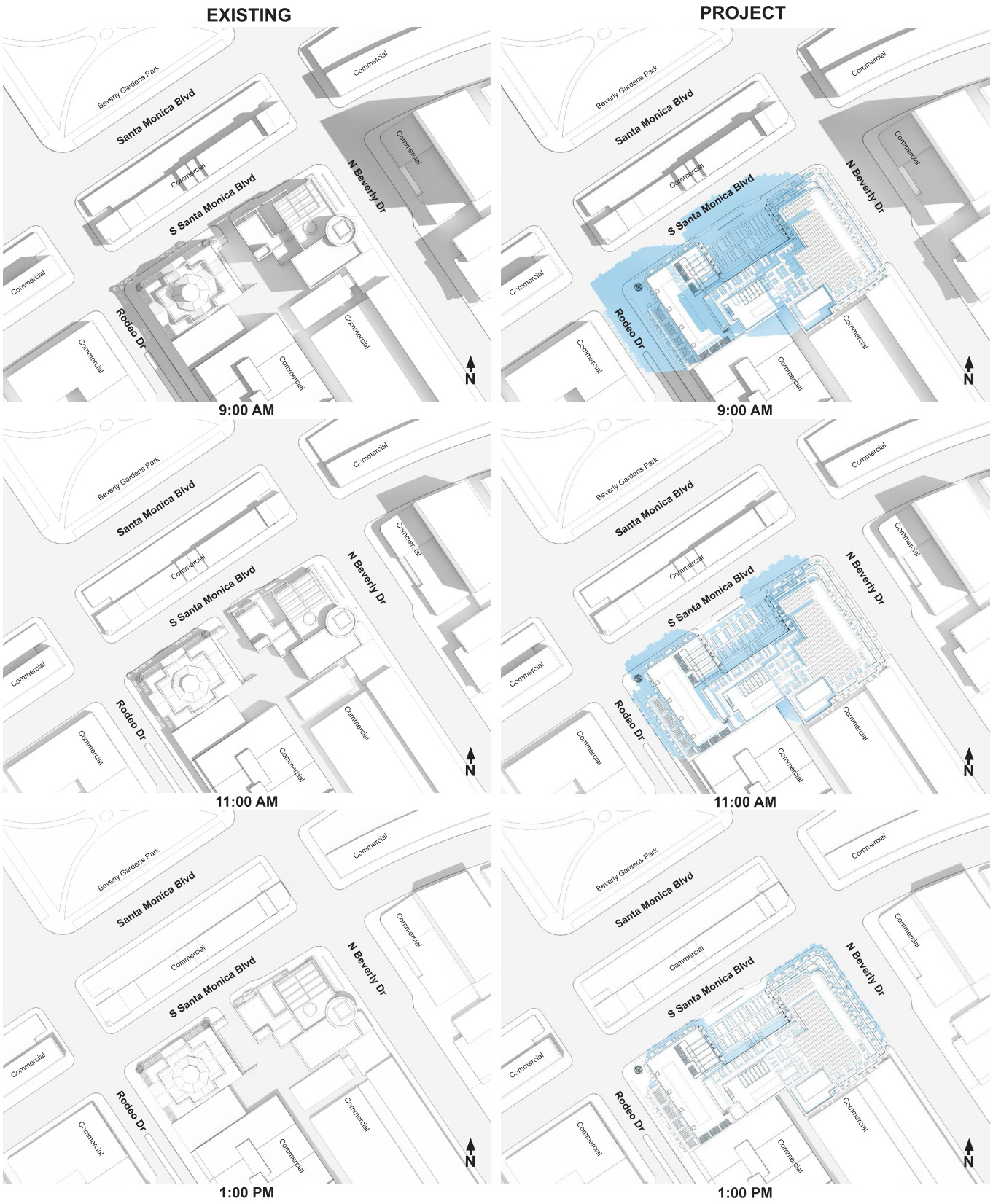

Figure 19
Project Shadows—Summer Solstice

Source: Peter Marino Architect 2020.

no longer reach Beverly Gardens Park but would continue to shade the commercial uses, including outdoor dining areas, across from the Project Site along South Santa Monica Boulevard until 1:00 P.M. From 1:00 P.M. Project shadows would extend east towards Beverly Drive and by 3:00 P.M. would shade commercial uses along Beverly Drive. As depicted in Figure 17 on page 39, the Project would potentially shade one existing outdoor dining area located at the restaurant on the northwest corner of South Santa Monica Boulevard and North Beverly Boulevard for more than three hours between 9:00 A.M. and 3:00 P.M. However, as previously indicated, shadow effects from buildings on these areas are typically considered a beneficial effect for this type of outdoor use, particularly in busy urban areas with limited vegetation and existing high sun exposure.

Spring and Fall Equinoxes

As shown in Figure 18 on page 40, Project shadows during the spring would extend in a northerly direction and would move from northwest to northeast across the surrounding area. As shown, Project shadows would extend across South Santa Monica Boulevard from approximately 9:00 A.M. to 3:00 P.M. By 11:00 A.M., Project shadows would mostly extend to South Santa Monica Boulevard and portions of sidewalks. Project shadows would not extend to any of the sensitive uses surrounding the Project Site for more than four hours between 9:00 A.M. and 5:00 P.M.

Summer Solstice

During the summer solstice, Project shadows would be the shortest due to the higher position of the sun and would move from west to east, as shown in Figure 19 on page 41. Specifically, Project shadows would primarily extend within the Project Site and into the surrounding roadways from approximately 9:00 A.M. to 5:00 P.M. The areas shaded by the Project during the summer would not include the shading of potentially routinely useable outdoor spaces for more than four hours between 9:00 A.M. and 5:00 P.M.

Based on the above, no shadow-sensitive uses would be shaded by the Project for four or more hours between the hours of 9:00 A.M. and 5:00 P.M. during the spring, summer, and fall. Additionally, while the Project would potentially shade one existing outdoor dining area located at the restaurant on the northwest corner of South Santa Monica Boulevard and North Beverly Boulevard for more than three hours between 9:00 A.M. and 3:00 P.M. during the winter solstice, as previously indicated, shadow effects from buildings on these areas are typically considered a beneficial effect for this type of outdoor use, particularly in busy urban areas with limited vegetation and existing high sun exposure.

2. Agriculture and Forestry Resources

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

a. Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

No Impact. The Project Site is located in an urbanized area of the City. As previously discussed, the Project Site is currently developed with commercial and

institutional uses. No agricultural uses or operations occur on-site or in the vicinity of the Project Site. The Project Site and surrounding area are also not mapped as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency Department of Conservation.[7] As such, the Project would not convert farmland to a non-agricultural use. No impacts would occur, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

b. Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact. The Project Site is currently zoned C-3 (Commercial) and is designated as Low Density Commercial in the General Plan Land Use Element. The Project Site is not zoned for agricultural use. Furthermore, no agricultural zoning is present in the vicinity of the Project Site. The Project Site and surrounding area are also not enrolled under a Williamson Act Contract.[8] Therefore, the Project would not conflict with any zoning for agricultural uses or a Williamson Act Contract. No impacts would occur, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

c. Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

No Impact. As previously discussed, the Project Site is located in an urbanized area and is currently developed with commercial and institutional uses. The Project Site does not include any forest land or timberland. In addition, the Project Site is currently zoned for commercial uses and is not zoned for forest land and is not used as forest land.[9] Therefore, the Project would not conflict with existing zoning for, or cause rezoning of, forest land or timberland as defined by the PRC. No impacts would occur, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

d. Would the project result in the loss of forest land or conversion of forest land to non-forest use?

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[7] *California Department of Conservation, California Important Farmland Finder, https://maps.conservation.ca.gov/DLRP/CIFF/, accessed August 4, 2020.*

[8] *California Department of Conservation, Los Angeles County Williamson Act FY 2015/2016, 2016.*

[9] *City of Beverly Hills, General Plan Land Use Map, www.beverlyhills.org/cbhfiles/storage/files/filebank/8403--03_Map_LU1_GeneralPlanLandUseDesignations_45_reduced.pdf, accessed August 3, 2020.*

No Impact. As previously discussed, the Project Site is located in an urbanized area and does not include any forest land. Therefore, the Project would not result in the loss or conversion of forest land to non-forest use. No impacts would occur, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

e. Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

No Impact. As discussed above, the Project Site is located in an urbanized area of the City and does not include farmland or forest land. The Project Site and surrounding area are also not mapped as farmland or forest land, are not zoned for farmland/agricultural use or forest land, and do not contain any agricultural or forest uses.[10] As such, the Project would not result in the conversion of farmland to non-agricultural use or in the conversion of forest land to non-forest use. No impacts would occur, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

3. Air Quality

Where available, the significance criteria established by the South Coast Air Quality Management District (SCAQMD) may be relied upon to make the following determinations.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	☒	☐	☐	☐
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☒	☐	☐	☐
c. Expose sensitive receptors to substantial pollutant concentrations?	☒	☐	☐	☐
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

[10] *City of Beverly Hills, General Plan Land Use Map, www.beverlyhills.org/cbhfiles/storage/files/filebank/8403--03_Map_LU1_GeneralPlanLandUseDesignations_45_reduced.pdf, accessed August 3, 2020.*

a. Would the project conflict with or obstruct implementation of the applicable air quality plan?

Potentially Significant Impact. The Project Site is located within the 6,700-square-mile South Coast Air Basin (the Basin). Within the Basin, the South Coast Air Quality Management District (SCAQMD) is required, pursuant to the federal Clean Air Act, to reduce emissions of criteria pollutants for which the Basin is in non-attainment (i.e., ozone, particulate matter less than 2.5 microns in size [$PM_{2.5}$], and lead[11]). SCAQMD's 2016 Air Quality Management Plan (AQMP) contains a comprehensive list of pollution control strategies directed at reducing emissions and achieving ambient air quality standards. These strategies are developed, in part, based on regional population, housing, and employment projections prepared by the Southern California Association of Governments (SCAG). SCAG is the regional planning agency for Los Angeles, Orange, Ventura, Riverside, San Bernardino and Imperial Counties, and addresses regional issues relating to transportation, the economy, community development and the environment.[12] With regard to future growth, SCAG provides population, housing, and employment projections for cities under its jurisdiction within their Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The growth projections in the SCAG's RTP/SCS are based on growth projections in local general plans for jurisdictions in SCAG's planning area. Construction and operation of the Project would result in an increase in stationary and mobile source air emissions. As a result, development of the Project could have a potential adverse effect on SCAQMD's implementation of the AQMP. Therefore, the EIR will provide further analysis of the Project's consistency with SCAQMD's AQMP.

b. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

Potentially Significant Impact. As discussed above, construction and operation of the Project would result in the emission of air pollutants in the South Coast Air Basin, which is currently in non-attainment of federal air quality standards for ozone, PM2.5 and lead, and State air quality standards for ozone, particulate matter less than 10 microns in size (PM10), and PM2.5. Therefore, implementation of the Project could potentially contribute to air quality impacts, which could cause a cumulative impact in the Basin. The EIR will provide further analysis of cumulative air pollutant emissions associated with the Project.

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[11] *Partial Nonattainment designation for lead for the Los Angeles County portion of the Basin only.*

[12] *SCAG serves as the federally designated metropolitan planning organization (MPO) for the Southern California region.*

c. Would the project expose sensitive receptors to substantial pollutant concentrations?

Potentially Significant Impact. The Project could result in increased short and long-term air pollutant emissions from the Project Site during construction (short-term) and operation (long-term). Sensitive receptors located in the vicinity of the Project Site include residential uses. Therefore, the Project could expose sensitive receptors to additional pollutant concentrations and the EIR will provide further analysis of the Project's potential to result in substantial adverse impacts to sensitive receptors.

d. Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less Than Significant Impact. No objectionable odors are anticipated as a result of either construction or operation of the Project. Specifically, construction of the Project would involve the use of conventional building materials typical of construction projects of similar type and size. Any odors that may be generated during construction would be localized and temporary in nature and would not be sufficient to affect a substantial number of people. With respect to Project operation, according to the SCAQMD *CEQA Air Quality Handbook*, land uses associated with odor complaints typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The Project does not propose these uses and primarily consists of retail, hotel and private club uses. The Project does include restaurant uses which have the potential to emit odors through cooking and charbroilers. However, the Project would minimize the release of odors from restaurant uses with required odor reducing equipment as necessary, including use of an exhaust system and filters. On-site trash receptacles would also be contained, located, and maintained in a manner that promotes odor control, and would not result in substantially adverse odor impacts. Good housekeeping practices would be sufficient to prevent nuisance odors.

In addition, the construction and operation of the Project would comply with SCAQMD Rules 401, 402, and 403, regarding visible emissions violations.[13] Rule 401 provides that a person shall not discharge into the atmosphere from any single source of emission whatsoever any air contaminant for a period or periods aggregating more than three minutes in any one hour which is (a) as dark or darker in shade as that designated No. 1 on the Ringlemann Chart, as published by the United States Bureau of Mines, or (b) of such opacity as to obscure an observer's view to a degree equal to or greater than

[13] *SCAQMD, Visible Emissions, Public Nuisance, and Fugitive Dust, www.aqmd.gov/home/regulations/compliance/inspection-process/visible-emissions-public-nuisance-fugitive-dust, accessed November 25, 2019.*

does smoke described previously described under (a).[14] Additionally, Rule 402 provides that a person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.[15] Finally, Rule 403 requires the implementation of best available dust control measures (BACM) during active operations capable of generating fugitive dust.

Based on the above, the Project would not result in other emissions such as those leading to odors. Impacts associated with odors during construction and operation of the Project would be less than significant, and no mitigation measures are required. No further analysis of this topic in an EIR is required.

4. Biological Resources

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐

[14] *SCAQMD, Rule 401, Visible Emissions, adopted February 4, 1977*

[15] *SCAQMD, Rule 402, Nuisance, adopted May 7, 1976.*

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

a. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Less Than Significant Impact. The Project Site is located in an urbanized area and is currently developed with commercial and institutional buildings. Existing landscaping within the Project Site is limited and includes ornamental shrubs in planters. As provided in the Tree Removal and Replacement Technical Memorandum prepared for the Project by Gruen Associates in August 2020 and included in Appendix IS-1 of this Initial Study, there are no existing trees on the Project Site. There are 15 trees that line the sidewalks adjacent to the onsite buildings, including 12 palm trees and 3 Tipuana Tipu/Tipu trees. These 15 street trees would be removed as part of the Project and replaced at a 1:1 basis. Due to the urbanized and disturbed nature of the Project Site and the surrounding area, and lack of large expanses of open space in the vicinity of the Project Site, species likely to occur on-site are limited to small terrestrial and avian species typically found in urbanized developed settings. Additionally, palm trees in urban settings that are periodically maintained are not typically inhabited by bats. Based on the lack of habitat on the Project Site, it is unlikely any special status species listed by the California Department of Fish and Wildlife (CDFW)[16] or by the U.S. Fish and Wildlife Service (USFWS)[17] would be present within the Project Site. However, birds protected by the Migratory Bird Treaty Act may nest within the 15 trees adjacent to the Project Site that would be removed as part of the Project.

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[16] *California Department of Fish and Wildlife, California Natural Diversity Database, Special Animals List, August 4, 2020.*

[17] *United States Fish and Wildlife Service, ECOS Environmental Conservation Online System, Listed species believed to or known to occur in California, https://ecos.fws.gov/ecp0/reports/species-listed-by-state-report?stateAbbrev=CA&stateName=California&statusCategory=Listed&status=listed, accessed August 4, 2020.*

The Migratory Bird Treaty Act prohibits the take, possession, import, export, transport, sell, purchase, barter, or offer for sale, purchase, or barter, of any migratory bird, or the parts, nests, or eggs of such a bird except under the terms of a valid permit issued pursuant to federal regulations. Additionally, California Fish & Game Code Section 3503 (Section 3503) states that "[i]t is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto." In accordance with the Migratory Bird Treaty Act and California Fish and Game Code, the Project Applicant would be required to conduct tree removal activities associated with the Project outside of the nesting season (February 1–August 31), to the extent feasible. Should vegetation removal activities occur during the nesting season, a biological monitor would be present during the removal activities to ensure that no active nests would be impacted. If active nests are found, a buffer would be established until the fledglings have left the nest. These measures to be implemented by the Project in compliance with the Migratory Bird Treaty Act and the California Fish and Game Code would be incorporated into the Project as Conditions of Approval as follows:

- The Project Applicant/contractor would conduct all demolition, construction, ground disturbance, and vegetation clearing activities, including removal of the existing 15 street trees adjacent to the Project Site, outside of the avian breeding and nesting season (February 1–August 31) to the extent feasible.

- If removal of the 15 street trees adjacent to the Project Site must occur during the nesting season, a qualified biologist is required to be present during the removal activities to ensure no active bird nests (those containing eggs or nestlings, or with juvenile birds still dependent on the nest) are impacted. The biologist must determine whether active nests are present within the 15 street trees before any actual removal activity takes place.

- If any active nests are present within the 15 street trees during demolition, construction, ground disturbance, and vegetation clearing activities, the nests shall be avoided until determined by the biologist to no longer be active. The biologist shall determine appropriate avoidance buffers for any active nest based on species, nest location, and types of disturbance proposed in the vicinity of the nest.

Therefore, with compliance with the Migratory Bird Treaty Act, the Project would not have a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations by the CDFW or USFWS. Impacts would be less than significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

b. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

No Impact. The Project Site is located in an urbanized area and is currently developed with commercial and institutional buildings. No riparian or other sensitive natural community exists on the Project Site or in the surrounding area.[18] Furthermore, the Project Site and surroundings are not located in or adjacent to a Significant Ecological Area as defined by the County of Los Angeles, nor a terrestrial community as defined by the City of Beverly Hills.[19,20] In addition, there are no sensitive natural communities identified by the CDFW or the USFWS.[21,22,23] Therefore, the Project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community. No impact would occur, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

c. Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No Impact. As discussed above, the Project Site is located in an urbanized area and is currently developed with commercial and institutional buildings. In addition, the surrounding area has been fully developed. No water bodies or federally protected wetlands as defined by Section 404 of the Clean Water Act exist on or near the Project Site.[24] As such, the Project would not have an adverse effect on state or federally protected wetlands. No impact would occur, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

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[18] *United States Environmental Protection Agency, NEPAssist, https://nepassisttool.epa.gov/nepassist/nepamap.aspx, accessed August 4, 2020.*

[19] *City of Beverly Hills, General Plan Open Space Element, January 2010, Figure OS2, Sensitive Species and Vegetation Communities, p. 79.*

[20] *Los Angeles County, Los Angeles County General Plan, Figure 9.3 Significant Ecological Areas and Coastal Resource Areas Policy Map, October 6, 2015.*

[21] *California Department of Fish and Wildlife, Biogeographic Information and Observation System (BIOS), https://map.dfg.ca.gov/bios/, accessed August 4, 2020.*

[22] *California Department of Fish and Wildlife, CDFW Lands, https://map.dfg.ca.gov/lands/, accessed August 4, 2020.*

[23] *United States Fish and Wildlife Service, National Wetlands Inventory, www.fws.gov/wetlands/data/Mapper.html, accessed August 4, 2020.*

[24] *United States Environmental Protection Agency, NEPAssist, https://nepassisttool.epa.gov/nepassist/nepamap.aspx, accessed August 4, 2020.*

d. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Less Than Significant Impact. As described above, the Project Site is located in an urbanized area and is currently developed with commercial and institutional buildings. Existing landscaping within the Project Site is limited and includes ornamental shrubs in planters. In addition, the areas surrounding the Project Site are fully developed and there are no large expanses of open space within and surrounding the Project Site that provide linkages to natural open space areas which may serve as wildlife corridors. Furthermore, the Project Site is not located in or adjacent to a Significant Ecological Area as defined by the County of Los Angeles, nor a terrestrial community as defined by the City of Beverly Hills.[25,26]

According to the Tree Removal and Replacement Technical Memorandum prepared for the Project by Gruen Associates in August 2020 and included in Appendix IS-1 of this Initial Study, there are no existing trees on the Project Site. A total of 15 trees were observed along the sidewalks adjacent to the onsite buildings, including 12 palm trees and 3 Tipuana Tipu/Tipu trees. As previously discussed, these 15 existing street trees would be removed and replaced at a 1:1 ratio during construction of the Project. Trees to be removed could potentially provide nesting sites for migratory birds. However, the Project would comply with the Migratory Bird Treaty Act and California Fish & Game Code. The Migratory Bird Treaty Act specifically prohibits the take, possession, import, export, transport, sell, purchase, barter, or offer for sale, purchase, or barter, of any migratory bird, or the parts, nests, or eggs of such a bird except under the terms of a valid permit issued pursuant to federal regulations. Additionally, California Fish & Game Code Section 3503 (Section 3503) states that "[i]t is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto." No exceptions are provided in the code and CDFW has not promulgated regulations interpreting these provisions. In accordance with the Migratory Bird Treaty Act and California Fish and Game Code, the Project Applicant would be required to conduct tree removal activities associated with the Project outside of the nesting season (February 1–August 31), to the extent feasible. Should vegetation removal activities occur during the nesting season, a biological monitor would be present during the removal activities to ensure that no active nests would be impacted. If active nests are found, a buffer would be established until the fledglings have left the nest. These measures to be implemented by

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[25] *City of Beverly Hills, General Plan Open Space Element, January 2010, Figure OS2, Sensitive Species and Vegetation Communities, p. 79.*

[26] *Los Angeles County, Los Angeles County General Plan, Figure 9.3 Significant Ecological Areas and Coastal Resource Areas Policy Map, October 6, 2015.*

the Project in compliance with the Migratory Bird Treaty Act would be incorporated into the Project as Conditions of Approval as follows:

- The Project Applicant/contractor would conduct all demolition, construction, ground disturbance, and vegetation clearing activities, including removal of the existing 15 street trees adjacent to the Project Site, outside of the avian breeding and nesting season (February 1–August 31).

- If removal of the 15 street trees adjacent to the Project Site must occur during the nesting season, a qualified biologist is required to be present during the removal activities to ensure no active bird nests (those containing eggs or nestlings, or with juvenile birds still dependent on the nest) are impacted. The biologist must determine whether active nests are present within the 15 street trees before any actual removal activity takes place.

- Any active nests that are present within the 15 street trees during demolition, construction, ground disturbance, and vegetation clearing activities, the nests shall be avoided until determined by the biologist to no longer be active. The biologist shall determine appropriate avoidance buffers for each nest based on species, nest location, and types of disturbance proposed in the vicinity of the nest.

With compliance with the Migratory Bird Treaty Act, the Project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites. Impacts would be less than significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

e. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance (e.g., oak trees or California walnut woodlands)?

Less Than Significant Impact. Beverly Hills Municipal Code Section 5-6.1001 regulates the protection of street trees while Beverly Hills Municipal Code Sections 10-3-2900 through 10-3-2906 regulate the protection of trees on private property. According to the Beverly Hills Municipal Code, protected trees on private property include any native tree, heritage tree or tree within an urban grove. A native tree is defined as a tree listed on the City's official list of local native trees, as adopted from time to time by resolution of the City Council, and which has a primary trunk circumference of twenty-four inches or more, measured at a height of four feet, six inches above natural grade. Heritage trees include any tree not listed on the City's official list of native trees with a primary trunk circumference of forty-eight inches or more, measured at a height of four feet, six inches above natural grade. Lastly, an urban grove is defined as fifty or more trees where the branches of each tree are within six feet of the branches of one of the other trees in the

grove. Individual trees in an urban grove may be of any size and are not subject to any circumference limitations. Trees included on the City of Beverly Hills official list of native trees include Big Leaf Maple, California Alder, Foothill Ash, Arizona Ash, Southern California Black Walnut, California Juniper, California Sycamore, Fremont Cottonwood, Black Cottonwood, Coast Live Oak, Blue Oak, Mesa Oak, Valley Oak, Red Willow, Mexican Elderberry, and California Bay.

Street trees are protected by Beverly Hills Municipal Code Section 5-6.1001 as follows: "It is illegal for parties who are not official representatives or authorized agents of the City of Beverly Hills to prune, remove, make attachment to, or otherwise damage a City street, park or protected tree." Regarding trees on private property, Beverly Hills Municipal Code Section 10-3.2901 states: "No person shall damage or remove, or cause to be damaged or removed, any protected tree on his or her property without a tree removal permit first being obtained in accordance with the requirements of this article." The article also requires that native trees that are removed be replaced with another native tree.

According to the Tree Removal and Replacement Technical Memorandum prepared for the Project by Gruen Associates in August 2020 and included in Appendix IS-1 of this Initial Study, there are no existing trees within the Project Site. A total of 15 street trees were observed along the sidewalks adjacent to the onsite buildings, including 12 palm trees and 3 Tipuana Tipu/Tipu trees. As detailed in the Tree Removal and Replacement Technical Memorandum, the 15 street trees inventoried are of various palm species and legume trees and are not considered protected trees. After obtaining all necessary City approvals, it is anticipated that these existing street trees would be removed during construction of the Project. However, as part of the Project, the trees to be removed would be replaced with new palm trees at a 1:1 ratio. Replacement trees would be distributed in accordance with landscape and urban design guidelines to be adopted in connection with the Project's proposed Specific Plan. Therefore, the Project would not conflict with any local policies or ordinances protecting biological resources. Impacts would be less than significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

f. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

No Impact. As described above, the Project Site is located in an urbanized area and is currently developed with commercial and institutional buildings. As also previously discussed, landscaping within the Project Site is limited, consisting of ornamental shrubs in

planters. The Project Site does not support any habitat or natural community.[27] No Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plans apply to the Project Site.[28] Thus, the Project would not conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other related plans. No impact would occur, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

5. Cultural Resources

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	☒	☐	☐	☐
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	☒	☐	☐	☐
c. Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☒	☐

a. Would the project cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?

Potentially Significant Impact. CEQA Guidelines Section 15064.5 generally defines a historical resource as a resource that is: (1) listed in, or determined to be eligible for listing in the California Register of Historical Resources (California Register); (2) included in a local register of historical resources (pursuant to PRC Section 5020.1(k)); or (3) identified as significant in a historical resources survey (meeting the criteria in PRC Section 5024.1(g)). Additionally, any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be a historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register. The California Register automatically includes all properties listed in the National

[27] *United States Environmental Protection Agency, NEPAssist, https://nepassisttool.epa.gov/nepassist/nepamap.aspx, accessed August 4,2020.*

[28] *California Department of Fish and Wildlife, California Regional Conservation Plans, July 2019.*

Register of Historic Places (National Register) and those formally determined to be eligible for listing in the National Register. The local register of historical resources is managed by the Beverly Hills Historic Preservation Program.

As previously described, the Project Site is currently developed with several buildings located at 456 North Rodeo Drive, 468 North Rodeo Drive, 461–465 North Beverly Drive, and 449, 451, and 453 North Beverly Drive. The existing structure at 456 North Rodeo Drive was constructed in 1948 while the existing structure at 449, 451, and 453 North Beverly Drive was constructed in 1921. Based on the age of these structures, the EIR will provide an assessment of the historical potential of the onsite buildings and the Project's effect on potential historical resources, including those nearby the Project Site.

b. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to State CEQA Guidelines §15064.5?

Potentially Significant Impact. CEQA Guidelines Section 15064.5(a)(3)(D) generally defines archaeological resources as any resource that "has yielded, or may be likely to yield, information important in prehistory or history." Archaeological resources are features, such as tools, utensils, carvings, fabric, building foundations, etc., that document evidence of past human endeavors and that may be historically or culturally important to a significant earlier community. The Project Site is located within an urbanized area of the City of Beverly Hills and has been subject to grading and development in the past, and there is no record of the discovery of archaeological resources on the Project Site. Therefore, any surficial archaeological resources that may have existed at one time would have been previously disturbed. Nevertheless, the Project would require grading, excavation, and other construction activities in previously undisturbed soils and thus could have the potential to disturb existing but undiscovered archaeological resources. Therefore, the EIR will provide further analysis of the Project's potential impacts to archaeological resources.

c. Would the project disturb any human remains, including those interred outside of dedicated cemeteries?

Less Than Significant Impact. As discussed above, the Project Site is located within an urbanized area and has been subject to previous grading and development. Therefore, the potential for uncovering human remains on the Project Site is considered low. Nevertheless, the Project would require grading, excavation, and other construction activities that could have the potential to disturb existing but undiscovered human remains. If human remains were discovered during construction of the Project, work in the immediate vicinity of the construction area would be halted, the County Coroner, construction manager, and other entities would be notified per California Health and Safety Code Section 7050.5. In addition, disposition of the human remains and any associated

grave goods would occur in accordance with PRC Section 5097.98 and CEQA Guidelines Section 15064.5(e), which requires that work stop near the find until a coroner can determine that no investigation into the cause of death is required and if the remains are Native American. Specifically, in accordance with CEQA Guidelines Section 15064.5(e), if the coroner determined the remains to be Native American, the coroner shall contact the Native American Heritage Commission who shall identify the person or persons it believes to be most likely descended from the deceased Native American. The most likely descendent may make recommendations regarding the treatment of the remains and any associated grave goods in accordance with PRC Section 5097.98. Therefore, due to the low potential that any human remains are located on the Project Site, and because compliance with regulatory standards would ensure appropriate treatment of any potential human remains unexpectedly encountered during grading and excavation activities, the Project's impact related to human remains would be less than significant, and no mitigation measures are required. No further analysis of this topic in an EIR is required.

6. Energy

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☒	☐	☐	☐
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☒	☐	☐	☐

a. Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Potentially Significant Impact. As discussed above, the Project Site is currently developed with commercial and institutional buildings comprising approximately 56,787 square feet. The Project would include a luxury hotel/retail building of up to 220,949 square feet and 115 guest rooms. Therefore, the Project would generate an increased demand for electricity and natural gas services provided by Southern California Edison (SoCal Edison) and the Southern California Gas Company, respectively. It is noted that the City participates in the Clean Power Alliance, which provides customers with an option to source all or a portion of their electricity from cleaner power sources, including 36 percent, 50 percent or 100 percent renewable energy content. The default renewable energy content provided to Beverly Hills residents is 50 percent. While development of the

Project would not be anticipated to cause wasteful, inefficient, and unnecessary consumption of energy resources, further analysis of the Project's demand on existing energy resources will be provided in the EIR.

b. Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Potentially Significant Impact. First established in 2002 under Senate Bill 1078, California's Renewable Portfolio Standard required retail sellers of electric services to increase procurement from eligible renewable energy resources to 20 percent of total retail sales by 2017.[29] The program was accelerated in 2015 with Senate Bill 350, which mandated a 50 percent Renewable Portfolio Standard by 2030. In 2018, Senate Bill 100 was signed into law, which again increased the Renewable Portfolio Standard to 60 percent by 2030 and requires all the state's electricity to come from carbon free resources by 2045. SoCal Edison provides electrical service throughout the City. In accordance with Senate Bill 100, SoCal Edison is required to procure at least 60 percent of its energy portfolio from renewable sources by 2030. Furthermore, the City participates in the Clean Power Alliance, which provides customers with an option to source all or a portion of their electricity from cleaner power sources, including 36 percent, 50 percent or 100 percent renewable energy content. The default renewable energy content provided to Beverly Hills residents is 50 percent.

Regarding energy efficiency, the California Building Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6) were adopted to ensure that building construction, system design, and installation achieve energy efficiency and preserve outdoor and indoor environmental quality. The current California Building Energy Efficiency Standards (Title 24 standards) are the 2019 Title 24 standards, which became effective on January 1, 2020.[30] The 2019 Title 24 standards include efficiency improvements to the residential standards for attics, walls, water heating, and lighting and efficiency improvements to the non-residential standards include alignment with the American Society of Heating and Air-Conditioning Engineers *(*ASHRAE) 90.1 2013 national standards.[31]

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[29] *CPUC, California Renewables Portfolio Standard (RPS), www.cpuc.ca.gov/rps/, accessed August 18, 2020.*

[30] *CEC, 2019 Building Energy Efficiency Standards, www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2019-building-energy-efficiency/, accessed August 18, 2020.*

[31] *CEC, 2019 Building Energy Efficiency Standards for Residential and Nonresidential Buildings, ww2.energy.ca.gov/publications/displayOneReport_cms.php?pubNum=CEC-400-2018-020-CMF, accessed August 18, 2020.*

As previously described, the Project Site is currently developed with commercial and institutional buildings comprising approximately 56,787 square feet. The Project would include a luxury hotel/retail building of up to 220,949 square feet and 115 guest rooms. The Project Site does not include any renewable energy sources used by SoCal Edison. The Project has been designed and would be constructed to incorporate environmentally sustainable building features and construction protocols required by the Beverly Hills Green Building Code and CALGreen. While the Project would not be anticipated to conflict with or obstruct a state or local plan for renewable energy or energy efficiency, the Project's compliance with the renewable energy plans for SoCal Edison and the Southern California Gas Company as well as the Project's compliance with California Building Energy Efficiency Standards will be further evaluated in the EIR.

7. Geology and Soils

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
ii. Strong seismic ground shaking?	☐	☐	☒	☐
iii. Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv. Landslides?	☐	☐	☐	☒
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c. Be located on a geologic unit that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☐	☒	☐
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☒	☐	☐	☐

The following analysis is based, in part, on the *Geotechnical Investigation for E.I.R.* (Geotechnical Investigation) prepared for the Project by Feffer Geological Consulting, dated March 5, 2020, and included as Appendix IS-2 of this Initial Study as well as the *Investigation of Potential Faulting* (Fault Investigation) conducted by Feffer Geological Consulting for each of the four parcels that comprise the Project Site. The Fault Investigations are included in Appendix IS-3 of this Initial Study.

a. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Less Than Significant Impact. Fault rupture occurs when movement on a fault deep within the earth breaks through to the surface. Based on criteria established by the California Geological Survey (CGS), faults can be classified as active, potentially active, or inactive. Active faults are those having historically produced earthquakes or shown evidence of movement within the past 11,000 years (during the Holocene Epoch). Potentially active faults have demonstrated displacement within the last 1.6 million years (during the Pleistocene Epoch) while not displacing Holocene Strata. Inactive faults do not exhibit displacement within the last 1.6 million years. In addition, buried thrust faults, which are faults with no surface exposure, may exist in the vicinity of the Project Site; however, due to their buried nature, the existence of buried thrust faults is usually not known until they produce an earthquake.

CGS establishes regulatory zones around active faults, called Alquist-Priolo Earthquake Fault Zones (previously called Special Study Zones). These zones, which extend from 200 feet to 500 feet on each side of a known fault, identify areas where a potential surface fault rupture could prove hazardous for buildings used for human occupancy. Development projects located within an Alquist-Priolo Earthquake Fault Zone are required to prepare special geotechnical studies to characterize hazards from any potential surface ruptures.

Based on the Geotechnical Investigation, a review of the City's General Plan Safety Element, and Fault Investigations completed for each of the four parcels, the Project Site is not within an Alquist-Priolo Earthquake Fault Zone, and no known active faults underlie the Project Site. Specifically, according to the Geotechnical Investigation and Fault Investigations, the closest known and mapped fault to the Project Site is the Santa Monica fault, located approximately 600 feet southeast of the Project Site.[32] In addition, the Project Site is located approximately 170 feet northwest of the Santa Monica Fault Zone and 80 feet northwest of the Alquist-Priolo Earthquake Fault Zone for the Santa Monica fault. As concluded in the Fault Investigations, no signs of faulting were observed on the Project Site and the Project Site is not significantly impacted by active faulting or hazards associated with fault rupture along the Santa Monica fault. As described in the Fault Investigations, the combination of continuous, unbroken late Pleistocene soil horizons and stratigraphy, and the lack of any near surface groundwater provides evidence to demonstrate the absence of active faulting beneath the entire Project Site. Additionally, no irregularities or topographic features indicative of faulting were observed in the Project Site vicinity and no faults were encountered in the subsurface exploration. The Fault Investigations prepared for the Project Site were all reviewed by the City of Beverly Hills Development Services Division and were formally accepted (refer to the last appendix in each of the Fault Investigation reports included in Appendix IS-3 of this Initial Study). While the Project would involve excavation for the subterranean parking levels, the proposed development would not involve mining operations or deep excavation into the earth, which could create unstable seismic conditions or stresses in the Earth's crust. Therefore, the Project would not directly or indirectly cause potential substantial adverse effects related to rupture of a known earthquake fault. Impacts would be less than significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

ii. Strong seismic ground shaking?

Less Than Significant Impact. The Project Site is located in the seismically active Southern California region, which generally experiences moderate to strong ground shaking in the event of an earthquake on a local or regional fault. While no active faults are known to pass directly beneath the Project Site, the Project Site is located in proximity to several significant faults capable of producing strong earthquakes. Specifically, the closest known active fault strand to the Project Site is the east-west trending Santa Monica fault, which is located approximately 600 feet southeast of the Project Site. As noted in the Geotechnical Investigation, other important regional faults include the Hollywood fault, located approximately 1 mile northeast of the Project Site, and the Newport-Inglewood fault, located approximately 2 miles southeast of the Project Site. However, state and local code requirements ensure that buildings are designed and constructed in a manner that,

[32] *Geotechnical Engineering Investigation, Feffer Geological Consulting., March 5, 2020, p. 10.*

although the buildings may sustain damage during a major earthquake, would reduce the substantial risk that buildings would collapse. Specifically, the state and City mandate compliance with numerous rules related to seismic safety, including the Alquist-Priolo Earthquake Fault Zoning Act, Seismic Safety Act, Seismic Hazards Mapping Act, the City's General Plan Safety Element, and the Beverly Hills Building Code. Pursuant to those laws, the Project must demonstrate compliance with the applicable provisions of these safety requirements before permits can be issued for construction of the Project. Accordingly, the design and construction of the Project would comply with all applicable existing regulatory requirements, the applicable provisions of the Beverly Hills Building Code relating to seismic safety, and the application of accepted and proven construction engineering practices. The Beverly Hills Building Code incorporates current seismic design provisions of the 2019 California Building Code, with City amendments, to minimize seismic impacts. The 2019 California Building Code incorporates the latest seismic design standards for structural loads and materials, as well as provisions from the National Earthquake Hazards Reduction Program to mitigate losses from an earthquake and maximize earthquake safety. The Beverly Hills Development Services Division of the Community Development Department is responsible for implementing the provisions of the California Building Code, and the Project would be required to comply with the plan review and permitting requirements of the Beverly Hills Development Services Division including the recommendations provided in a final, site-specific geotechnical investigation subject to review and approval by the Beverly Hills Development Services Division. As part of this process, the Beverly Hills Development Services Division requires the completion of a Fault Rupture Hazard Investigation which undergoes a peer review and formal acceptance process culminating in the issuance of a clearance letter from the City of Beverly Hills. As previously discussed above, each of the four Fault Investigations conducted for the Project Site completed the peer review and formal acceptance process as required by the City of Beverly Hills Development Services Division and clearance letters were issued (refer to the last appendix in each of the Fault Investigation reports included in Appendix IS-3 of this Initial Study). Therefore, the Project would not directly or indirectly cause potential substantial adverse effects related to strong seismic ground shaking. Impacts related to strong seismic ground shaking would be less than significant, and no mitigation measures are required. No further analysis of this topic in an EIR is required.

Iii. Seismic-related ground failure, including liquefaction?

Less Than Significant Impact. Liquefaction involves the sudden loss in strength of a saturated, cohesionless soil caused by the build-up of pore water pressure during cyclic loading, such as that produced by an earthquake. This increase in porewater can temporarily transform the soil into a fluid mass, resulting in differential settlement, and can also cause ground deformations. Typically, liquefaction occurs in shallow groundwater areas where there are loose, cohesionless, fine grained soils. Liquefaction potential is greatest where the groundwater level is shallow, and submerged loose, fine sands occur

within a depth of about 50 feet or less. Liquefaction potential decreases as grain size and clay and gravel content increase. As ground acceleration and shaking duration increase during an earthquake, liquefaction potential increases. As discussed in the Geotechnical Investigation, according to mapping by the CGS, the Project Site is not located within an area identified as having a potential for liquefaction. Although groundwater was encountered at a depth of 50 feet in one of the borings and the Project Site has a historic high groundwater level of 40 feet, submerged loose, fine sands were not found to occur within this depth. As determined in the Geotechnical Investigation, liquefaction is not considered a significant hazard at the Project Site due to the consolidated nature of the underlying geology and planned depth of construction. Therefore, the liquefaction potential for the Project Site is considered low, and the Project would not directly or indirectly cause potential substantial adverse effects related to liquefaction. Impacts associated with liquefaction would be less than significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

iv. Landslides?

No Impact. Landslides generally occur in loosely consolidated, wet soil and/or rocks on steep sloping terrain. The Project Site and surrounding area are fully developed, and the Project Site is generally characterized by relatively level topography. Large areas of exposed soil and/or rocks that could fall onto the Project Site do not exist since the Project Site is entirely covered in pavement and landscaping is confined to ornamental trees. In addition, the Project Site is not located in a landslide area as mapped by the State,[33,34] nor is the Project Site mapped as a landslide area by the City of Beverly Hills.[35] Therefore, the Project would not directly or indirectly cause potential substantial adverse effects involving landslides. As such, no impact would occur, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

b. Would the project result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact. The Project Site is currently fully developed with buildings and parking areas. Landscaping within the Project Site is limited to small shrubs in planters. As such, there are no open spaces with exposed topsoil that could result in erosion. However, development of the Project would require grading, excavation, and

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[33] *State of California, California Geological Survey, Seismic Hazard Zones, Burbank Quadrangle, March 25, 1999.*

[34] *State of California, California Geological Survey, Seismic Hazard Zones, Van Nuys Quadrangle, February 1, 1998.*

[35] *City of Beverly Hills, General Plan Seismic Hazards Map, www.beverlyhills.org/cbhfiles/storage/files/filebank/10285--9_Safety%2011152011.pdf, accessed August 5, 2020.*

other construction activities that have the potential to disturb existing soils underneath the Project Site and expose these soils to rainfall and wind during construction, thereby potentially resulting in soil erosion. This potential would be reduced by implementation of standard erosion controls imposed during site preparation and grading activities. Specifically, all grading activities would require grading permits from the Beverly Hills Development Services Division which would include requirements and standards designed to limit potential effects associated with erosion to acceptable levels. In addition, on-site grading and site preparation would comply with all applicable provisions of Title 8, Chapter 2 of the Beverly Hills Municipal Code, which addresses grading, excavations, and fills. Furthermore, the Project would be required to comply with the City's Urban Runoff Pollution Control Ordinance and implement standard erosion controls to limit stormwater runoff, which can contribute to erosion. Regarding soil erosion during Project operations, the potential would be negligible since the Project Site would remain fully developed. Therefore, with compliance with applicable regulatory requirements, impacts regarding soil erosion or the loss of topsoil would be less than significant, and no mitigation measures are required. No further analysis of this topic in an EIR is required.

c. Would the project be located on a geologic unit that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

Less Than Significant Impact. As discussed above, the Project Site is not located near slopes or geologic features that would result in on- or off-site landsliding. Therefore, no impacts related to landslides would occur, and no mitigation measures are required.

Liquefaction-related effects include lateral spreading. As summarized above and discussed in detail in the Geotechnical Investigation, the Project Site is not susceptible to liquefaction and would not potentially result in lateral spreading. Impacts related to liquefaction and lateral spreading would be less than significant, and no mitigation measures are required.

Subsidence generally occurs when a large portion of land is displaced vertically, usually due to the withdrawal of groundwater, oil, or natural gas. No large-scale extraction of groundwater, gas, oil or geothermal energy is occurring or planned at the Project Site or in the general vicinity of the Project Site. Therefore, there is minimal to no potential for ground subsidence due to withdrawal of fluid or gas at the Project Site. Thus, impacts related to subsidence would be less than significant, and no mitigation measures are required.

Collapsible soils consist of loose, dry, low-density materials that collapse and compact under the addition of water or excessive loading. Soil collapse occurs when the land surface is saturated at depths greater than those reached by typical rain events.

According to the Geotechnical Investigation, the soils underlying the Project Site indicate medium dense to very dense silty sands, clayey sand and sandy clay. Due to the type and density of the soils underlying the Project Site, the Project Site soils would not be considered collapsible soils. Therefore, impacts associated with collapsible soils would be less than significant, and no mitigation measures are required.

Based on the above, the Project would not be located on a geologic unit or soil that is unstable or that would become unstable as a result of the Project. Impacts would be less than significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

d. Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Less Than Significant Impact. Expansive soils are typically associated with clayey soils that have the potential to shrink and swell with repeated cycles of wetting and drying. As discussed in the Geotechnical Investigation, the alluvial soils at the Project Site are anticipated to be predominately gravelly, clayey sand. Based upon field soil classifications conducted as part of the Geotechnical Investigation, the on-site soil was found to possess low to medium expansive characteristics. As concluded in the Geotechnical Investigation, with implementation of the recommended foundation systems and based on the underlying soil properties, expansion/contraction is unlikely to affect the development of the Project. Notwithstanding, construction of the Project would be required to comply with the current California Building Code and supplemental requirements of the Beverly Hills Municipal Code, as enforced by the City of Beverly Hills. These requirements would include building foundation and other requirements appropriate to site-specific conditions that would be provided in accordance with the design level geotechnical evaluation required by the City. Therefore, with implementation of the recommendations set forth in the Geotechnical Investigation into the design of the Project, the Project would not create substantial risk to life or property due to expansive soils. Impacts would be less than significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

e. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

No Impact. The Project Site is located within a community served by existing wastewater infrastructure. As such, the Project would not require the use of septic tanks or alternative wastewater disposal systems. Therefore, the Project would have no impact related to the ability of soils to support septic tanks or alternative wastewater disposal

systems, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

f. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Potentially Significant Impact. Paleontological resources are the fossilized remains of organisms that have lived in a region in the geologic past and whose remains are found in the accompanying geologic strata. This type of fossil record represents the primary source of information on ancient life forms since the majority of species that have existed on earth from this era are extinct.

Grading and excavation to a maximum depth of approximately 44 feet would occur within the Project Site in order to develop the Project. Thus, the possibility exists that paleontological artifacts that were not discovered during prior more shallow construction may be present even though no such finds previously have been documented in the vicinity of the Project Site. Therefore, the EIR will provide further analysis of the Project's potential impacts to paleontological resources.

With regard to a unique geologic feature, the Project Site is currently developed with low rise buildings and parking. There are no unique geologic features on the Project Site. Therefore, the Project would not directly or indirectly destroy a unique geologic feature. No impacts would occur, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

8. Greenhouse Gas Emissions

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☒	☐	☐	☐
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☒	☐	☐	☐

a. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Potentially Significant Impact. Gases that trap heat in the atmosphere are called greenhouse gases since they have effects that are analogous to the way in which a greenhouse retains heat. Greenhouse gases are emitted by both natural processes and human activities. The accumulation of greenhouse gases in the atmosphere affects the earth's temperature. The State of California has undertaken initiatives designed to address the effects of greenhouse gas emissions, and to establish targets and emission reduction strategies for greenhouse gas emissions in California, including intensifying development near transit. Activities associated with the Project, including construction and operational activities, could result in greenhouse gas emissions that may have a significant impact on the environment. In addition, the Project would be subject to and may potentially conflict with various plans and policies adopted for the purpose of reducing GHG emissions, including the City's Sustainable City Plan (City of Beverly Hills 2009) and the Southern California Association of Governments' (SCAG) Regional Transportation Plan/Sustainable Communities Strategy. Therefore, the EIR will provide further analysis of the Project's greenhouse gas emissions.

b. Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Potentially Significant Impact. As the Project would have the potential to emit greenhouse gases, the EIR will include further evaluation of project-related emissions and associated emission reduction strategies to determine whether the Project conflicts with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases (e.g., Assembly Bill [AB] 32 and the City of Beverly Hills Green Building Code).

9. Hazards and Hazardous Materials

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?	☐	☐	☒	☐
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	☒

The following analysis is based, in part, on the Phase I Environmental Site Assessment (ESA) Report for 456 North Rodeo Drive prepared by Partner Engineering and Science, Inc., dated October 2017; the Phase I Environmental Site Assessment Report for 468 North Rodeo Drive prepared by Partner Engineering and Science Inc., dated July 2018; the Phase I Environmental Site Assessment and the Phase II Environmental Site Assessment Reports for 449 North Beverly Drive prepared by EFI Global, dated December 2019; and the Phase I Environmental Site Assessment Report for 461 North Beverly Drive prepared by PIC Environmental Services, dated August 2018. All specific information on historic and existing on-site conditions in the discussion below is from these reports unless otherwise noted. These reports are included as Appendix IS-4 through Appendix IS-7 of this Initial Study.

a. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less Than Significant Impact. The types and amounts of hazardous materials to be used for the Project would be typical of those used during construction activities and those typically used in the operation of commercial uses, as discussed in the following analysis.

Construction

The Project would not involve the routine transport of hazardous materials to and from the Project Site during construction. During demolition, excavation, on-site grading,

and building construction, hazardous materials such as fuel and oils associated with construction equipment, as well as coatings, paints, adhesives, and cleaners would be routinely used on the Project Site through the duration of construction. While some hazardous materials used during construction could require disposal, such activity would occur only for the duration of construction and would cease upon completion of the Project. As such, construction of the Project would not involve the routine disposal of hazardous materials. Notwithstanding, all potentially hazardous materials used during construction of the Project would be used and disposed of in accordance with manufacturers' specifications and instructions, thereby reducing the risk of hazardous materials use. In addition, the Project would comply with all applicable federal, state, and local requirements concerning the use, storage, and management of hazardous materials. These existing regulations are aimed at the amount of hazardous materials used, accident prevention, protection from exposure to specific chemicals, and the proper storage and disposal of hazardous materials. Consequently, Project construction activities would not create a significant hazard to the public or the environment through the use of hazardous materials during construction. Therefore, impacts related to the routine transport, use, or disposal of hazardous materials during construction would be less than significant, and no mitigation measures are required. No further analysis of this topic in an EIR is required.

Operation

Operation of the Project would involve the routine use of small quantities of potentially hazardous materials typical of those used in commercial uses, including cleaning products, paints, and those used for maintenance of landscaping. Such use would be consistent with that currently occurring at other nearby developments. In addition, as with Project construction, all hazardous materials used on the Project Site during operation would be used, stored, and disposed of in accordance with manufacturer's standards and all applicable federal, State, and local requirements. Due to the type of development proposed (e.g., commercial), operation of the Project would not involve the routine transport of hazardous materials to and from the Project Site. Therefore, with compliance with manufacturer's standards and all applicable local, state, and federal laws and regulations relating to environmental protection and the management of hazardous materials, impacts associated with the routine transport, use, or disposal of hazardous materials during operation of the Project would be less than significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

b. Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Less Than Significant Impact. The current and past land uses within the Project Site were identified as part of the Phase I ESAs to assess their potential to present

concerns relative to the presence of hazards within the Project Site and/or the handling of hazardous materials. These concerns are classified as Recognized Environmental Conditions (RECs), which are defined in Section 1.1.1 of the ASTM Standard Practice as the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, past release, or material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater, or surface water of the property.

As discussed above, the Project Site encompasses property located at 456 North Rodeo Drive, 468 North Rodeo Drive, 461 through 465 North Beverly Drive, and 449, 451, and 453 North Beverly Drive. Based on the Phase I ESA for 456 North Rodeo Drive, the property was undeveloped as early as 1894 and developed with the existing structure in 1948. Since that time, various retail and office tenants have occupied the building. No environmental concerns were identified based on the historical uses of the property. However, based upon the age of the buildings, asbestos-containing materials and lead-based paint may be present, as discussed further below According to the Phase I ESA for 468 North Rodeo Drive, the property was undeveloped as early as 1884, developed with one commercial structure comprised of various commercial retail tenants between 1924 and circa 1994, and developed with the current structure in 1997. Tenants on the 468 North Rodeo Drive property have included various commercial retail tenants. No environmental concerns were identified based on the historical uses of the property. In addition, based on the age of the structure, neither asbestos-containing materials nor lead-based paint are anticipated to be present.

As described in the Phase I ESA for 461 North Beverly Drive, the property was initially developed for commercial purposes in the 1920s. Prior to the 1920s, the 461 North Beverly Drive property may have contained single-family residences. Historic documentation indicates the property has been occupied by numerous commercial tenants, including a museum, a bank, gift shops, realty offices, beauty salons, restaurants, grocery/meat markets, and hardware stores. In addition, a large former onsite building adjacent to Santa Monica Boulevard was historically occupied by several banks from about 1934 until the early 1990s. Office spaces in the former bank building were leased by numerous companies, attorneys, and businesses. The 461 North Beverly Drive property is currently developed with a two-story cultural/institutional building that was constructed between 1994–1996 as the West Coast branch of the Museum of Television and Radio (formerly the Paley Center for Media). Based on the historic uses, there are no environmental concerns at the 461 North Beverly Drive property. In addition, based upon the age of the building, neither asbestos-containing materials lead-based paint are anticipated to be present.

As discussed in the Phase I ESA for 449 North Beverly Drive, in 1921, the property was developed with two single-story commercial structures on the northeast and southwest

portions of the property connected by a canopy on the central portion of the property. The 449 North Beverly Drive property has remained in this configuration through the present and has been utilized for commercial purposes since construction, including a variety of retail stores, restaurants, cafés, offices, storage, upholstery facility with a small machine shop, and a dry cleaning facility. As concluded in the Phase I ESA for 449 North Beverly Drive, based on the small nature of the machine shop operations and limited time frames, these former operations are not expected to represent a significant environmental concern for the property. However, the Phase I ESA for 449 North Beverly Drive identified the presence of a dry-cleaning facility as a recognized environmental condition at the Project Site. Based on a review of historical information, it is estimated that dry-cleaning facilities operated at the 449 North Beverly Drive property for approximately 17 years from at least 1928 to 1944. Dry cleaning operations typically use chlorinated solvents, particularly tetrachloroethylene (PCE), during the dry-cleaning process. These solvents, even when properly stored and handled, can readily migrate into the subsurface as a result of small releases associated with onsite operations. Chlorinated solvents are highly mobile chemicals that can easily accumulate beneath a facility. As a result of this historical use, a Phase II ESA was conducted to evaluate whether the former dry-cleaning operations have significantly impacted the subsurface of the Project Site and is included in Appendix IS-6 of this Initial Study. As detailed in the Phase II ESA, volatile organic compounds (VOCs) were not detected in any of the soil vapor samples collected at the property. Therefore, the historical dry-cleaning operations did not result in significant subsurface impacts. Overall, the Phase II ESA concluded that no evidence of a significant release to the subsurface that would represent a risk to human health or groundwater was found. Based on the analytical results included in the Phase II ESA for 449 North Beverly Drive, no further investigation is warranted with respect to this REC. However, as discussed further below, based upon the age of the building, asbestos-containing materials and lead-based paint may be present.

Construction

Hazardous Waste Generation, Handling, and Disposal

During demolition, excavation, on-site grading, and building construction, hazardous materials such as fuel and oils associated with construction equipment, as well as coatings, paints, adhesives, and caustic or acidic cleaners, could be used, and therefore, would require proper handling and management and, in some cases, disposal. The use, handling, storage, and disposal of these materials could increase the opportunity for hazardous materials releases and, subsequently, the exposure of people and the environment to hazardous materials. However, as previously discussed, all potentially hazardous materials used during construction of the Project would be used and disposed of in accordance with manufacturers' specifications and instructions, thereby reducing the risk of hazardous materials use. In addition, the Project would comply with all applicable federal, state, and local requirements concerning the use, storage, and management of hazardous materials. Consequently, Project construction activities would not create a

significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of potentially hazardous materials used during construction.

As discussed above, the Phase I ESA for 449 North Beverly Drive identified a former dry-cleaning facility as a REC. While no VOCs were detected in any of the soil vapor samples, in the event that contaminated soils are encountered during construction, the nature and extent of the contamination would be determined and appropriate handling, disposal, and/or treatment would be implemented in accordance with applicable regulatory requirements, including SCAQMD Rule 1166.[36] Specifically, SCAQMD Rule 1166 requires that an approved mitigation plan be obtained from SCAQMD prior to commencing any of the following activities: the excavation of an underground storage tank or piping which has stored VOCs; the excavation or grading of soil containing VOC material including gasoline, diesel, crude oil, lubricant, waste oil, adhesive, paint, stain, solvent, resin, monomer, and/or any other material containing VOCs; the handling or storage of VOC-contaminated soil [soil which registers >50 parts per million (ppm) or greater using an organic vapor analyzer (OVA) calibrated with hexane] at or from an excavation or grading site; or the treatment of VOC-contaminated soil at a facility. SCAQMD Rule 1166 further requires that a copy of the approved mitigation plan be onsite during the entire excavation period and that the SCAQMD executive officer be notified at least 24 hours prior to excavation. In accordance with SCAQMD Rule 1166, monitoring for VOC contamination would occur at least once every 15 minutes and VOC concentration readings would be recorded. When VOC-contaminated soil is detected, the approved mitigation plan would be implemented. Therefore, compliance with existing regulations would ensure the Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the handling and disposal of contaminated soil.

Based on the above, construction of the Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, and impacts associated with hazardous waste generation, handling, and disposal during construction would be less than significant, and no mitigation measures are required. No further analysis of this topic in an EIR is required.

Underground and Aboveground Storage Tanks

According to the Phase I ESAs for the Project Site, no evidence of existing underground storage tanks (USTs) or aboveground storage tanks (ASTs) was observed on

[36] *South Coast Air Quality Management District, Rules and Compliance, Rule 1166, www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1166.pdf?sfvrsn=4, accessed December 23, 2019.*

the Project Site. No other records were found that indicate the presence of any remaining USTs within the areas proposed for construction. Notwithstanding, in the unlikely event that USTs are found, suspect materials would be removed in accordance with all applicable federal, state, and local regulations. Therefore, with compliance with applicable regulations, the Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, and impacts related to the potential removal of USTs during construction would be less than significant, and no mitigation measures are required. No further analysis of this topic in an EIR is required.

Asbestos-Containing Materials

Asbestos was widely used in the building industry starting in the late 1800s and up until the late 1970s for a variety of uses, including acoustic and thermal insulation and fireproofing, and is often found in ceiling and floor tiles, linoleum, pipes, structural beams, and asphalt. Any building, structure, surface asphalt driveway, or parking lot constructed prior to 1979 could contain asbestos or Asbestos Containing Materials (ACMs). Based on the age of the on-site buildings, ACMs may be present on-site. Specifically, ACMs may be present within the existing structure at 456 North Rodeo Drive, which was constructed in 1948, and the existing structure at 449, 451, and 453 North Beverly Drive, which was constructed in 1921. ACMs are unlikely at the existing structure at 468 North Rodeo Drive, which was constructed in 1997, and within the existing structure at 461–465 North Beverly Drive, which was constructed in 1994-1996. In accordance with SCAQMD Rule 1403, the Project Applicant would be required to conduct a comprehensive asbestos survey prior to demolition. In the event that ACMs are found within areas proposed for demolition, suspect materials would be removed by a certified asbestos abatement contractor in accordance with applicable regulations. With compliance with relevant regulations and requirements, Project construction activities would not expose people to a substantial risk resulting from the release of asbestos fibers into the environment. Therefore, with compliance with applicable regulations, the Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Impacts related to the removal of ACMs during demolition would be less than significant, and no mitigation measures are required. No further analysis of this topic in an EIR is required.

Lead-Based Paint

Lead is a naturally occurring element and heavy metal that was widely used as a major ingredient in most interior and exterior oil-based paints prior to 1950. Lead compounds continued to be used as corrosion inhibitors, pigments, and drying agents from the early 1950s to 1972, when the Consumer Products Safety Commission specified limits on lead content in such products. Based on the age of the on-site buildings, lead-based

paint (LBP) may be present on-site. Specifically, LBP may be present within the existing structure at 456 North Rodeo Drive, which was constructed in 1948, and the existing structure at 449, 451, and 453 North Beverly Drive, which was constructed in 1921. LBP is unlikely at the existing structure at 468 North Rodeo Drive, which was constructed in 1997, and within the existing structure at 461–465 North Beverly Drive, which was constructed in 1994-1996. In the event that LBP is found within areas proposed for demolition, suspect materials would be removed in accordance with procedural requirements and regulations for the proper removal and disposal of LBP prior to demolition activities, including standard handling and disposal practices pursuant to OSHA regulations. Example procedural requirements include the use of respiratory protection devices while handling lead-containing materials, containment of lead or materials containing lead on the Project Site or at locations where construction activities are performed, and certification of all consultants and contractors conducting activities involving LBP or lead hazards. With compliance with relevant regulations and requirements, Project construction activities would not expose people to a substantial risk resulting from the release of LBP into the environment. Therefore, with compliance with applicable regulations, the Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Impacts related to the removal of LBP during demolition would be less than significant, and no mitigation measures are required. No further analysis of this topic in an EIR is required.

Polychlorinated Biphenyls

Typical sources of polychlorinated biphenyls (PCBs) include electrical transformer cooling oils, fluorescent light fixture ballasts, and hydraulic oil. In 1976, the USEPA banned the manufacture and sale of PCB-containing transformers. According to the Phase I ESAs for the properties on the Project Site, one hydraulic motor associated with an elevator was observed at the 456 North Rodeo Drive property and one vaulted transformer and one indoor transformer were observed at the 468 North Rodeo Drive property. These appeared to be in good condition with no visible evidence of leakage. As concluded in the Phase I ESAs for these properties, based on the good condition of the equipment, this equipment is not considered to represent a significant environmental concern. Two hydraulic elevators were also observed at the 468 North Rodeo Drive property. The hydraulic fluid contained within elevator systems can potentially contain PCBs. However, based on the age of the building (post-1978), it is unlikely that the hydraulic fluid within the equipment contains PCBs. The elevator motor in closer proximity to the access door was observed with absorption pads placed underneath and minor evidence of leakage was noted. No floor drains were observed near the motor and the releases appear to be surficial in nature. Based on the small quantity and surficial nature of staining observed, this equipment is not expected to represent a significant environmental concern. No other equipment likely to contain PCBs was observed on the Project Site. In the event that PCBs are found within areas proposed for demolition, suspect materials would be removed in accordance with all

applicable federal, state, and local regulations. Therefore, with compliance with applicable regulations, the Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, and impacts related to the removal of PCBs during demolition would be less than significant, and no mitigation measures are required. No further analysis of this topic in an EIR is required.

Oil Wells and Methane

As discussed in the Phase I ESAs for the properties on the Project Site, the Project Site is not located within any oil or gas field, and no oil or natural gas wells were located on the Project Site. The Phase I ESAs also concluded that the subject properties are not located within 1,000 feet of a landfill or 300 feet of an oil well and the presence of methane beneath the properties is therefore considered low.

Operation

Hazardous Waste Generation, Handling, and Disposal

Operation of the Project would involve the routine use of small quantities of potentially hazardous materials typical of those used in commercial uses. As stated previously, activities involving the handling and disposal of hazardous wastes would occur in compliance with all applicable federal, state, and local requirements concerning the handling and disposal of hazardous waste. Therefore, with compliance with applicable regulations and requirements, operational activities would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, and impacts associated with hazardous waste generation, handling, and disposal during operation of the Project would be less than significant. No further analysis of this topic in an EIR is required.

Underground and Aboveground Storage Tanks

Development of the Project includes commercial uses. The Project does not propose the installation of underground or aboveground storage tanks. As such, operation of the Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, and impacts associated with underground and aboveground storage tanks during operation of the Project would be less than significant. No further analysis of this topic in an EIR is required.

Asbestos-Containing Materials

Development of the Project would include the use of commercially-sold construction materials that would not include asbestos or ACMs. Project operation is, therefore, not anticipated to increase the occurrence of friable asbestos or ACMs at the Project Site. Therefore, operation of the Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, and no impacts associated with asbestos or ACMs during operation of the Project would occur. No further analysis of this topic in an EIR is required.

Lead-Based Paint

Development of the Project would include the use of commercially-sold construction materials that would not include LBP. Project operation is, therefore, not anticipated to increase the occurrence of LBP at the Project Site. Operation of the Project would not expose people to LBP as no LBPs would be used. Thus, the Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, and impacts associated with LBP during operation of the Project would not occur. No further analysis of this topic in an EIR is required.

Polychlorinated Biphenyls

In accordance with existing regulations which ban the manufacture of PCBs, the new electrical systems to be installed as part of the Project would not contain PCBs. Therefore, during operation of the Project, maintenance of such electrical systems would not expose people to PCBs and operation of the Project would not expose people to any risk resulting from the release of PCBs in the environment. As such, the Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, and no impacts related to PCBs during Project operation would occur. No further analysis of this topic in an EIR is required.

Oil Wells and Methane

The Project does not include the installation of oil wells. As such, operation of the Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, and no impacts associated with oil wells during operation would occur. Therefore, there is a negligible risk of subsurface methane release. No further analysis of these topics in an EIR is required.

c. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Less Than Significant Impact. The Beverly Hills Presbyterian Preschool and Kindergarten is located at the northwest corner of Santa Monica Boulevard and Rodeo Drive, approximately 0.2 mile from the Project Site. As discussed above, the types and amounts of hazardous materials that would be used in connection with construction of the Project would be typical of those used during construction of commercial developments and would include vehicle fuels, paints, oils, and transmission fluids. Similarly, the types and amounts of hazardous materials used during operation of the proposed commercial uses would be typical of such developments and would include cleaning solvents, pesticides for landscaping, painting supplies, and petroleum products. Although the Project would have the potential to emit and would involve the handling of hazardous materials, particularly during construction activities, all such activities involving the handling and disposal of hazardous materials and wastes would occur in compliance with all applicable federal, state, and local requirements concerning the handling and disposal of hazardous waste. Therefore, with compliance with relevant regulations and requirements, the Project would not create a significant hazard to the nearby school. Impacts regarding the Project's emission or handling of hazardous materials and wastes within 0.25 mile of a school would be less than significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

d. Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?

Less Than Significant Impact. Section 65962.5 of the California Government Code requires the California Environmental Protection Agency (CalEPA) to develop and update annually the Cortese List, which is a "list" of hazardous waste sites and other contaminated sites. While Section 65962.5 makes reference to the preparation of a "list," many changes have occurred related to web-based information access since 1992 and information regarding the Cortese List is now compiled on the websites of multiple agencies including the Department of Toxic Substances Control (DTSC), the State Water Resources Control Board (SWRCB), and CalEPA.

The Phase I ESAs for the Project Site include the results of consultation with local agency representatives and a review of available federal, State, and local databases. Based on the Phase I ESAs for 456 North Rodeo Drive, 468 North Rodeo Drive, and 461 North Beverly Drive, the properties were not identified in any of the regulatory databases reviewed.

As discussed in the Phase I ESA for 449 North Beverly Drive, the property is listed on the Facility Index System/Facility Registry System (FINDS), Los Angeles County Hazardous Material Storage–Industrial Waste and Underground Storage Tank Sites (Los Angeles Co. HMS), and EDR Exclusive Historic Dry Cleaners (EDR Hist Cleaner) databases. According to the Phase I ESA for 449 North Beverly Drive, it is expected that the Los Angeles County Hazardous Material Storage–Industrial Waste listing relates to water discharge or storm water. The EDR Hist Cleaner listing relates to the property's former use as a dry-cleaning facility from approximately 1928 to 1944. As discussed above, dry cleaning operations typically use chlorinated solvents, particularly tetrachloroethylene (PCE), during the dry-cleaning process. These solvents, even when properly stored and handled, can readily migrate into the subsurface as a result of small releases associated with onsite operations. Chlorinated solvents are highly mobile chemicals that can easily accumulate beneath a facility. As previously discussed, based on the historical use as a dry-cleaning facility, a Phase II ESA was conducted to evaluate whether the former dry-cleaning operations have significantly impacted the subsurface of the Project Site. As detailed in the Phase II ESA included in Appendix IS-6 of this Initial Study, VOCs were not detected in any of the soil vapor samples collected at the property. Therefore, the historical dry-cleaning operations did not result in significant subsurface impacts. Overall, the Phase II ESA concluded that no evidence of a significant release to the subsurface that would represent a risk to human health or groundwater was found. Based on the analytical results included in the Phase II ESA for 449 North Beverly Drive, no further investigation is warranted with respect to this REC. Notwithstanding, as detailed above, in the event that contaminated soils are encountered during construction, the nature and extent of the contamination would be determined and appropriate handling, disposal, and/or treatment would be implemented in accordance with applicable regulatory requirements, including SCAQMD Rule 1166. Additionally, as determined in the Phase I ESA for 449 North Beverly Drive, based on the lack of evidence of a documented release and operations as restaurants, the other listings are not expected to represent a significant environmental concern for the property.

Based on the above, the Project Site's listing on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 would not create a significant hazard to the public or the environment. Impacts would be less than significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

No Impact. The Project Site is not located within 2 miles of an airport or within an airport planning area. The nearest airport to the Project Site is the Santa Monica Airport

located approximately 4.4 miles southwest of the Project Site. Given the distance between the Project Site and this airport, the Project would not have the potential to exacerbate current environmental conditions that would result in a safety hazard or excessive noise. Therefore, no impact would occur, and no mitigation measures are required. No further analysis of this topic in the EIR is required.

f. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less Than Significant Impact. According to the Beverly Hills disaster route map, the nearest disaster routes to the Project Site are North Santa Monica Boulevard, which is approximately 150 feet to the northwest of the Project Site, and West Beverly Boulevard, which is approximately 0.7 mile northeast the Project Site to the northeast. While it is expected that the majority of construction activities for the Project would be confined to the Project Site, limited off-site construction activities may occur in adjacent street rights-of-way during certain periods of the day, which could potentially require temporary lane closures. However, if lane closures are necessary, the remaining travel lanes would be maintained in accordance with standard construction management plans that would be implemented to ensure adequate circulation and emergency access. Operation of the Project would generate traffic in the vicinity of the Project Site and would result in some modifications to existing site access. However, the Project would comply with Beverly Hills Fire Department access requirements and would not impede emergency access to and in the vicinity of the Project Site. Therefore, the Project would not cause an impediment along designated disaster routes or impair the implementation of the City's emergency response plan. Impacts would be less than significant, and no mitigation measures are required. No further analysis of this topic in the EIR is required.

g. Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

No Impact. The Project Site is located in an urbanized area and there are no wildlands in the vicinity of the Project Site. The Project Site is also not located within a City-designated Very High Fire Hazard Severity Zone. Furthermore, the Project would be developed in accordance with the requirements of the Fire Code pertaining to fire safety, as set forth in Beverly Hills Municipal Code Chapter 2. In addition, the proposed commercial uses would not create a fire hazard that has the potential to exacerbate the current environmental condition relative to wildfires. Therefore, the Project would not expose people or structures, directly or indirectly, to a significant risk of loss, injury, or death as a result of exposure to wildland fires. No impact would occur, and no mitigation measures are required. No further analysis of this topic in the EIR is required.

10. Hydrology and Water Quality

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i. Result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	☒	☐
iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐
iv. impede or redirect flood flows?	☐	☐	☐	☒
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

The following analysis is based, in part, on the *Cheval Blanc Beverly Hills Preliminary Hydrology and Hydraulics Report* (Hydrology Report) prepared for the Project by Kimley Horn dated September 10, 2020, and included as Appendix IS-8 of this Initial Study.

a. Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Less Than Significant Impact. As discussed below, the Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.

Surface Water Quality

Construction

Construction activities such as earth moving, maintenance/operation of construction equipment, potential dewatering, and handling/storage/disposal of materials could contribute to pollutant loading in stormwater runoff. During Project construction, particularly during the grading phase, stormwater runoff from precipitation events could cause exposed and stockpiled soils to be subject to erosion and convey sediments into municipal storm drain systems. In addition, on-site watering activities to reduce airborne dust could contribute to pollutant loading in runoff. Pollutant discharges relating to the storage, handling, use and disposal of chemicals, adhesives, coatings, lubricants, and fuel could also occur. However, because Project construction would disturb more than one acre of soil, the Project would be required to obtain coverage under the National Pollutant Discharge Elimination System (NPDES) Construction General Permit.

In accordance with the requirements of the NPDES Construction General Permit, the Project would implement a Stormwater Pollution Prevention Plan (SWPPP) adhering to the California Stormwater Quality Association BMP Handbook. The SWPPP would set forth Best Management Practices (BMPs) to be used during construction to manage stormwater and non-stormwater discharges, including, but not limited to, sandbags, storm drain inlets protection, stabilized construction entrance/exit, wind erosion control, and stockpile management. The SWPPP would be carried out in compliance with State Water Resources Control Board requirements and would also be subject to review by the City for compliance with the City of Beverly Hills Stormwater and Urban Runoff Pollution Control Ordinance. In addition, Project construction activities would occur in accordance with City grading permit regulations (Title 8, Chapter 2 of the Beverly Hills Municipal Code), such as the preparation of an erosion control plan, to reduce the effects of sedimentation and erosion. Prior to the issuance of a grading permit, the Applicant would be required to provide the City with evidence that a Notice of Intent has been filed with the State Water Resources Control Board to comply with the Construction General Permit. With compliance with these existing regulatory requirements that include specific BMPs to address surface water quality, construction of the Project would not result in discharges that would violate any surface water quality standard or waste discharge requirements. Therefore, construction-related impacts on surface water quality would be less than significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

Operation

Operation of the Project would introduce sources of potential stormwater pollution that are typical of commercial uses (e.g., cleaning solvents, pesticides for landscaping, and petroleum products associated with vehicular circulation areas). Stormwater runoff from precipitation events could potentially carry urban pollutants into municipal storm drains. Anticipated and potential pollutants generated by the Project include sediment, nutrients, pesticides, metals, and oil and grease. However, the Project would implement BMPs for managing stormwater runoff in accordance with the current City of Beverly Hills Urban Runoff Pollution Control Ordinance requirements. The City's Stormwater and Urban Runoff Pollution Control Ordinance sets the order of priority for selected BMPs, which is infiltration, bioretention, and/or rainfall harvest and use in that preferred order. Based on the infiltration evaluation included in Appendix IS-8 of this Initial Study, a stormwater infiltration system is not recommended for the Project due to the distance between the groundwater encountered at the Project Site and the maximum depth of construction, which at 6 feet fails to meet the 10-foot minimum distance required. Therefore, a rainwater harvesting system is proposed for the Project. The proposed stormwater treatment system will consist of an underground rainwater harvesting cistern which will capture the stormwater runoff and then dispose of it via metered discharge to the City's system. Stormwater will be pre-treated with an approved pretreatment structure prior to entering the cistern. The implementation of the rainwater harvesting system would target the pollutants that could potentially be carried in stormwater runoff. As the Project Site currently does not have structural BMPs for the treatment of stormwater runoff from the existing impervious surfaces, implementation of the proposed BMPs would result in an improvement in surface water quality runoff from the Project Site. Therefore, with implementation of the proposed BMPs, operation of the Project would not result in discharges that would violate any surface water quality standards or waste discharge requirements. Impacts to surface water quality during operation of the Project would be less than significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

Groundwater Quality

Construction

As provided in the Geotechnical Investigation included in Appendix IS-2 of this Initial Study, groundwater beneath the Project Site was encountered at a depth of 50 feet below grade. In addition, the historically highest groundwater in the Project Site area is estimated to be 40 feet below the ground surface. Development of the Project would include excavations to a maximum depth of 44 feet below grade. Therefore, groundwater may be encountered during Project construction and dewatering operations could occur. Dewatering operations are practices that discharge non-stormwater, such as groundwater, which must be removed from a given work location to proceed with construction. Discharges from dewatering operations can contain high levels of fine sediments, which if

not properly treated, could lead to exceedance of the NPDES requirements. In the event groundwater is encountered during Project construction, a temporary dewatering system such as dewatering tanks, sand media particulate, pressurized bag filters, and cartridge filters would be utilized in accordance with NPDES requirements. Any discharge of groundwater during construction of the Project would occur pursuant to, and comply with, the applicable NPDES permit or industrial user sewer discharge permit requirements. Pursuant to such requirements, the groundwater extracted would be chemically analyzed to determine the appropriate treatment and/or disposal methods. Additionally, the Project would comply with Beverly Hills Municipal Code Section 9-4-610 which establishes a permitting process and options for dewatering properties. These options include:

- Replenish the ground water basin. The dewaterer will have to adhere to all state and federal laws to implement ground water replenishment.
- Put the water to reasonable and beneficial use on the property. A permit and an annual consumption and usage report will be required for any dewaterer that uses its ground water for beneficial use.
- Deliver the ground water to the City. An agreement will be established between the dewaterer and the City under this option.
- If the first three options are impracticable, obtain a permit and pay a replenishment fee.

As such, groundwater quality would not be impacted from these potential dewatering activities.

Other potential effects to groundwater quality could result from the presence of an underground storage tank (UST) or during the removal of a UST. While no UST or USTs are anticipated to be present within the Project Site, in the unlikely event that USTs are found, suspect materials would be removed in accordance with all applicable federal, state, and local regulations. Therefore, USTs would not pose a significant hazard on groundwater quality. There are also risks associated with contaminated soil impacting groundwater quality. As previously discussed, in the event contaminated soils are encountered during construction, the nature and extent of the contamination would be determined and appropriate handling, disposal, and/or treatment would be implemented in accordance with applicable regulatory requirements, including SCAQMD Rule 1166. Therefore, compliance with existing regulations would ensure the Project would not create a significant hazard to groundwater quality associated with potentially contaminated soil.

During on-site grading and building construction, hazardous materials, such as fuels, oils, paints, solvents, and concrete additives, could be used and would therefore require proper management and, in some cases, disposal. The management of any resultant

hazardous wastes could increase the potential for hazardous materials to be released into groundwater. Compliance with all applicable federal, state, and local requirements concerning the handling, storage and disposal of hazardous waste, would reduce the potential for the construction of the Project to release contaminants into groundwater.

Based on the above, construction of the Project would not result in discharges that would violate any groundwater quality standard or waste discharge requirements. Therefore, construction-related impacts on groundwater quality would be less than significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

Operation

The Project does not include the installation or operation of water wells, or any extraction or recharge system that is in the vicinity of the coast, an area of known groundwater contamination or seawater intrusion, a municipal supply well or spreading ground facility. Operational activities that could affect groundwater quality include spills of hazardous materials and leaking underground storage tanks. However, operation of the Project's hotel and commercial uses would not generate a significant use of hazardous materials, as previously discussed in the Hazards and Hazardous Materials section above. In addition, surface spills from the handling of hazardous materials most often involve small quantities and are cleaned up in a timely manner, thereby resulting in little threat to groundwater. Other types of risks such as leaking underground storage tanks have a greater potential to affect groundwater. No underground tanks or other potential hazardous structures are proposed as part the Project. The Project is not anticipated to result in releases or spills of contaminants that could reach a groundwater recharge area or spreading ground or otherwise reach groundwater through percolation. Therefore, operation of the Project would not result in discharges that would violate any groundwater quality standard or waste discharge requirements. The Project's potential impact on groundwater quality during operation would be less than significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

b. Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Less Than Significant Impact. As provided by the following analysis, the Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin.

Construction

No water supply wells are located at the Project Site or within 1 mile of the Project Site that could be impacted by construction, nor would the Project include the construction of water supply wells. Development of the Project would include excavations to a maximum depth of approximately 44 feet below ground surface. As provided in the Geotechnical Investigation included in Appendix IS-2 of this Initial Study, groundwater beneath the Project Site was encountered at a depth of 50 feet below grade. In addition, the historically highest groundwater in the Project Site area is estimated to be 40 feet below the ground surface. Accordingly, groundwater may be encountered during construction and dewatering may be required. In the event dewatering is required, due to the limited and temporary nature of dewatering operations, impacts to groundwater supplies and management of the basin are not considered to be significant. Notwithstanding, the Project would comply with Beverly Hills Municipal Code Section 9-4-610 which establishes a permitting process and options for dewatering properties. These options include:

- Replenish the ground water basin. The dewaterer will have to adhere to all state and federal laws to implement ground water replenishment.
- Put the water to reasonable and beneficial use on the property. A permit and an annual consumption and usage report will be required for any dewaterer that uses its ground water for beneficial use.
- Deliver the ground water to the City. An agreement will be established between the dewaterer and the City under this option.
- If the first three options are impracticable, obtain a permit and pay a replenishment fee.

Furthermore, the Project Site is 100 percent impervious under existing conditions and no substantial groundwater recharge occurs. Therefore, construction of the Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin. Impacts would be less than significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

Operation

As provided in the Hydrology Report, the Project would decrease the amount of impervious area on the Project Site from 100 percent to approximately 87 percent as a result of additional stormwater capture that would occur on-site, resulting in a slight increase in the amount of groundwater recharge. Specifically, the Project would implement landscape planters and tree wells with substantial soil depth for incidental stormwater

treatment, which would be considered pervious areas. In addition, the Project's BMPs would control stormwater runoff with no increase in runoff resulting from the Project. Furthermore, the Project would not include the installation of water supply wells and there are no existing wells or spreading ground within 1 mile of the Project Site. Therefore, the Project would not decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin. Impacts would be less than significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

c. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i. Result in substantial erosion or siltation on- or off-site;

Less Than Significant Impact. No streams or rivers cross the Project Site. Construction activities for the Project would include demolition of existing structures and hardscape and the excavation and removal of soil. These activities have potential to temporarily alter existing drainage patterns and flows on the Project Site by exposing the underlying soils, modifying flow direction, and making the Project Site temporarily more permeable. Exposed and stockpiled soils could be subject to erosion and conveyance into nearby storm drains during storm events. In addition, on-site watering activities to reduce airborne dust could contribute to pollutant loading in runoff. However, as discussed above, the Project would be required to obtain coverage under the NPDES Construction General Permit. In accordance with the requirements of this permit, the Project would implement a SWPPP that specifies BMPs and erosion control measures to be used during construction to manage runoff flows and prevent pollution. These BMPs would be designed to contain stormwater or construction watering on the Project Site such that runoff does not impact off-site drainage facilities or receiving waters. Thus, through compliance with all NPDES Construction General Permit requirements, including preparation of a SWPPP, implementation of BMPs, and compliance with applicable City grading regulations, construction of the Project would not substantially alter the Project Site drainage patterns in a manner that would result in substantial erosion or siltation on- or off-site. Impacts would be less than significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

As previously discussed, the Project Site is currently comprised of approximately 100 percent impervious surfaces under existing conditions. At buildout of the Project, the Project Site would be considered to contain approximately 87 percent impervious areas. Specifically, the Project would implement landscape planters and tree wells with substantial soil depth for incidental stormwater treatment, which would be considered pervious areas. Accordingly, similar to existing conditions, there would be a limited potential for erosion or

siltation to occur from exposed soils or large expanses of pervious areas. Therefore, the Project would not substantially alter the existing drainage pattern of the Project Site or surrounding area such that substantial erosion or siltation on-site or off-site would occur. Operational impacts would be less than significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;

Less Than Significant Impact. As previously discussed, construction activities have the potential to temporarily alter existing drainage patterns and flows on the Project Site by exposing the underlying soils, modifying flow direction, and making the Project Site temporarily more permeable. As discussed above in Response to Checklist Question X.a, the Project would implement a SWPPP that specifies BMPs and erosion control measures used during construction to manage runoff flows. These BMPs are designed to contain stormwater or construction watering on the Project Site such that runoff does not impact off-site drainage facilities or receiving waters. Thus, through compliance with all NPDES General Construction Permit requirements and compliance with applicable City grading permit regulations, construction activities for the Project would not substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site. As such, construction-related impacts would be less than significant, and no mitigation measures are required. No further analysis of this topic in an EIR is required.

Existing impervious surfaces include buildings and impervious pavements for pedestrian and vehicular circulation. There are no pervious areas currently on the Project Site. The Project Site is currently comprised of approximately 100 percent impervious surfaces. Development of the Project would include development of a new building, paved areas, and landscaped areas, and would result in a decrease in impervious surface area from 100 percent to approximately 87 percent as a result of additional stormwater capture that would occur on-site. Specifically, the Project would implement landscape planters and tree wells with substantial soil depth for incidental stormwater treatment, which would be considered pervious areas. Runoff would follow new discharge paths and drain to on-site storm drain infrastructure, including storm drain inlets internal to the site and within the private driveways, to convey onsite runoff to a stormwater treatment system. As detailed in the Hydrology Report, as a result of the decrease in impervious surface area, a comparison of the pre- and post-Project peak flow rates indicates that stormwater flows from the Project Site would be reduced by approximately 0.08 cubic feet per second from 3.71 cubic feet per second under existing conditions to 3.63 cubic feet per second with implementation of the Project, a 2 percent reduction. Therefore, the Project would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. Operation impacts would be less than significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or

Less Than Significant Impact. As discussed above in Response to Checklist Question 10.c.ii, the Project would result in a decrease in stormwater flows from the Project Site. Consequently, the Project would decrease the amount of stormwater runoff discharging into the existing storm drainage infrastructure. In addition, the implementation of BMPs, as described previously, would target the pollutants that could potentially be carried in stormwater runoff. Therefore, the Project would not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Impacts would be less than significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

iv. Impede or redirect flood flows?

No Impact. The Project Site is not located within a 100-year flood hazard area as mapped by the Federal Emergency Management Agency (FEMA).[37] Thus, the Project would not impede or redirect flood flows. No impacts would occur, and no mitigation measures are required. No further analysis of this topic in an EIR is required.

d. In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?

Less Than Significant Impact. As discussed above, the Project Site is not located within a 100-year flood hazard area as mapped by FEMA. In addition, the Project Site is located approximately 7 miles inland of the Pacific Ocean; therefore, the risk of a tsunami is negligible. The Project Site is also flat and surrounded by residential and commercial development. There are no standing bodies of water near the Project Site that may experience a seiche. Therefore, the Project Site is located in a low hazard area for a tsunami and seiche.

Earthquake-induced flooding can also result from the failure of dams or other water-retaining structures resulting from earthquakes. According to the General Plan's Safety Element, the City lies in the inundation path of the Lower Franklin Canyon Reservoir, which is located north of the City. As discussed in the General Plan's Safety Element, in the event of a breach of this reservoir, the residential area north of Carmelita Drive would be

[37] *Federal Emergency Management Agency, Flood Insurance Rate Maps, Panel Numbers 06037C1320F and 06037C1340F, effective September 26, 2008.*

exposed to immediate and severe danger. Below that point, the danger diminishes rapidly although flooding of most structures in the inundation path would occur. Dam safety regulations are the primary means of reducing damage or injury due to inundation occurring from dam failure. Dam safety regulations are enforced by various governmental agencies, including the State of California Division of Safety of Dams, the U.S. Army Corps of Engineers, and the Department of Water Resources. Dams in the state are continually monitored by these agencies to guard against the threat of dam failure. Specifically, the California Division of Safety of Dams regulates the siting, design, construction, and periodic review of all dams in the State. Inspectors would require dam owners to perform work, maintenance or implement controls if issues are found with the safety of the dam. Given the oversight by the Division of Safety of Dams, including regular inspections, the potential for seismically-induced flooding to affect the Project Site due to dam failure is low. Additionally, as discussed above, the Project would include new structural BMPs throughout the Project Site which would reduce the amount of pollutants entering the stormwater system and groundwater. Impacts would be less than significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

e. Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Less Than Significant Impact. Under Section 303(d) of the Clean Water Act, states are required to identify water bodies that do not meet their water quality standards. Biennially, the Los Angeles Regional Water Quality Control Board (LARWQCB) prepares a list of impaired waterbodies in the region, referred to as the 303(d) list. The 303(d) list outlines the impaired waterbody and the specific pollutant(s) for which it is impaired. All waterbodies on the 303(d) list are subject to the development of a Total Maximum Daily Load (TMDL). As discussed in the City's General Plan Open Space Element, the City is located within the Ballona Creek Watershed. According to the State Water Resources Control Board (SWRCB), constituents of concern listed for the Ballona Creek Watershed under California's Clean Water Act Section 303(d) List include cadmium (sediment), chlordane (tissue and sediment), copper (dissolved), cyanide, lead, PCBs, silver, toxicity, trash, viruses (enteric), and zinc.

The County of Los Angeles and all other cities in watershed areas within the County of Los Angeles are responsible for the implementation of watershed improvement plans or Enhanced Watershed Management Programs (EWMP) to improve water quality and assist in meeting the TMDL milestones. The objective of the EWMP Plan for the Ballona Creek is to determine the network of control measures (often referred to as best management practices) that will achieve required pollutant reductions while also providing multiple benefits to the community and leveraging sustainable green infrastructure practices.

Potential pollutants generated by the Project would be typical of commercial uses and may include sediment, nutrients, pesticides, trash and debris, oil and grease, and metals. The implementation of BMPs would target these pollutants that could potentially be carried in stormwater runoff. Since the existing Project Site does not have any structural BMPs to treat or infiltrate stormwater, implementation of the proposed BMPs as part of the Project would result in an improvement in surface water quality runoff as compared to existing conditions. As such, the Project would not introduce new pollutants or an increase in pollutants that could conflict with or obstruct any water quality control plans for the Ballona Creek Watershed.

With respect to groundwater, as discussed above in Checklist Question X.b, the Project would not result in impacts related to groundwater recharge. Therefore, the Project would not interfere with sustainable groundwater management of the basin.

Based on the above, with compliance with existing regulatory requirements and implementation of BMPs, the Project would not conflict with or obstruct implementation of a water quality control plan or a sustainable groundwater management plan. Impacts would be less than significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

11. Land Use and Planning

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Physically divide an established community?	☐	☐	☒	☐
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☒	☐	☐	☐

a. Would the project physically divide an established community?

Less Than Significant Impact. The approximately 1.277-acre (55,608 square feet) Project Site encompasses property located at 468 and 456 North Rodeo Drive, 461 through 465 North Beverly Drive, and 449, 451, and 453 North Beverly Drive in the City of Beverly Hills. The Project Site is bounded by South Santa Monica Boulevard to the north, North Beverly Drive to the east, commercial buildings to the south, and by North Rodeo Drive to

the west.[38] An existing alley bisects the Project Site. The alley runs north-south through the Project Site and is accessible from South Santa Monica Boulevard. The Project Site is currently developed with commercial and institutional buildings and parking. The Project Site is located within the northern portion of the Beverly Hills Business Triangle. Land uses surrounding the Project Site include a mix of retail uses and restaurants. Specifically, north of the Project Site, across South Santa Monica Boulevard are a collection of small retail stores and restaurants as well as an art gallery. East of the Project Site, across North Beverly Drive is the 9-story Bank of America Financial Center building, which primarily contains office space and vacant commercial space on the ground floor fronting North Beverly Drive and South Santa Monica Boulevard. Immediately south of the Project Site fronting North Rodeo Drive is a 3-story building, which contains Ralph Lauren and Giorgio Armani stores on floors 1-2 and a doctor's office and other commercial office tenants on the 3rd floor. The area immediately south of the Project Site near North Beverly Drive is developed with two 2-story buildings. The building that fronts North Beverly Drive has small retail stores and restaurants on the ground floor and office space on the second floor. The building that fronts the alley contains warehouse space on the ground floor with office space on the second floor. To the west of the Project Site, across North Rodeo Drive, are a collection of luxury clothing stores. Local access to the Project Site is provided by several local streets and avenues, including Santa Monica Boulevard and Wilshire Boulevard.

The Project would demolish the existing buildings and associated parking for development of the proposed hotel, private club, and commercial uses. These uses would be consistent with other commercial developments located adjacent to and in the general vicinity of the Project Site. All proposed development would also occur within the boundaries of the Project Site. In addition, the Project does not propose a freeway or other large infrastructure that would divide the existing surrounding community. Therefore, the Project would not physically divide an established community. Impacts related to the physical division of an established community would be less than significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

b. Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Potentially Significant Impact. As discussed above in the Description of the Project, the Project requires several discretionary approvals. The Project could potentially conflict with land use plans, policies or regulations that were adopted for the purpose of

[38] *For ease of reference, these directions consider that South Santa Monica Boulevard is due north of the Project Site.*

avoiding or mitigating an environmental effect. Therefore, further evaluation of this topic in an EIR is required.

12. Mineral Resources

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

a. Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

No Impact. No mineral extraction operations currently occur on the Project Site. The Project Site is located within an urbanized area and has been previously disturbed by development. As such, the potential for mineral resources to occur on-site is low. In addition, the Project Site is not located within a mineral producing area as classified by the CGS.[39] The Project Site is also not located within a City-designated oil field or oil drilling area.[40] Therefore, the Project would not result in the loss of availability of a mineral resource or a mineral resource recovery site. No impact would occur, and no mitigation measures are required. No further analysis of this topic in an EIR is required.

b. Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

No Impact. No mineral extraction operations currently occur on the Project Site. Furthermore, the Project Site is not located within a City-designated Mineral Resource Zone where significant mineral deposits are known to be present, or within a mineral producing area as classified by the CGS. The Project Site is also not located within a City

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[39] *California Geological Survey, Aggregate Sustainability in California, Fifty-Year Aggregate Demand Compared to Permitted Aggregate Reserves, 2012.*

[40] *City of Beverly Hills, General Plan Conservation Element, January 2010, Figure CON5, Oil Fields, p. 139.*

designated oil field or oil drilling area. Therefore, the Project would not result in the loss of availability of a mineral resource or a mineral resource recovery site. No impact would occur, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

13. Noise

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☒	☐	☐	☐
b. Generation of excessive groundborne vibration or groundborne noise levels?	☒	☐	☐	☐
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

a. Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Potentially Significant Impact. During construction activities associated with the Project, the use of heavy equipment (e.g., bulldozers, backhoes, cranes, loaders, etc.) would generate noise on a short-term basis. In addition, noise levels from on-site sources may increase during operation of the Project, including from proposed amplified outdoor music. Furthermore, traffic attributable to the Project has the potential to increase noise levels along adjacent roadways. Therefore, further evaluation of this topic will be provided in the EIR. Noise-sensitive uses in the vicinity of the Project Site include residential uses and the Beverly Gardens linear park to the north of the Project Site, north of N. Santa Monica Boulevard. The Project's noise analysis will be conducted in accordance with the City's General Plan Noise Element and associated noise policies and the City's noise regulations in the City's Municipal Code.

b. Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

Potentially Significant Impact. Construction of the Project could generate groundborne noise and vibration associated with demolition, site grading and excavation, other clearing activities, the installation of building footings, and construction truck travel. As such, the Project would have the potential to generate excessive groundborne vibration and noise levels during short-term construction activities. Therefore, further evaluation of this topic will be provided in the EIR.

c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

No Impact. The Project Site is not located within the vicinity of a private airstrip or airport land use plan, nor within 2 miles of a public airport or public use airport. The nearest airport to the Project Site is the Santa Monica Airport located approximately 4.4 miles southwest of the Project Site. Therefore, the Project would not expose people residing or working on the Project Site to excessive airport noise. No impact would occur, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

14. Population and Housing

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

a. Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Less Than Significant Impact. The Project is a commercial development consisting of hotel, private club, and commercial (retail/restaurant) uses. Since the Project does not propose a housing component, it would not directly induce a new residential population that would contribute to population growth in the vicinity of the Project Site. Additionally, while construction of the Project would create temporary construction-related jobs, the work requirements of most construction projects are highly specialized so that construction workers remain at a job site only for the time in which their specific skills are needed to complete a particular phase of the construction process. Thus, Project-related construction workers would not be anticipated to relocate their household's place of residence as a consequence of working on the Project and, therefore, no new permanent residents would be generated during construction of the Project.

Operation of the Project would generate new employment positions, which could result in increased population growth in the area. This increase in employment would be a beneficial impact to the City and would not be expected to induce substantial indirect population or housing growth. Specifically, some of the employment opportunities generated by the proposed commercial uses may be filled to some extent by employees already residing in the vicinity of the Project Site. In addition, while it is also possible that some of the jobs created by the proposed uses would be filled by persons moving into the surrounding area, creating a demand for housing, it is anticipated that some of this demand would be filled by then-existing vacancies in the housing market, and some from other new units in other developments. Therefore, given that the Project would not directly contribute to population growth in the Project area and as some of the employment opportunities generated by the Project would be filled by people already residing in the vicinity of the Project Site, the potential growth associated with Project employees who may relocate their place of residence would not be substantial. As such, the Project would not result in a notable increase in demand for new housing, and any new demand, should it occur, would be minor in the context of forecasted growth for the City. Further, as the Project would be located in a highly developed area with an established network of roads and other urban infrastructure, the Project would not require the extension of such infrastructure in a manner that would indirectly induce substantial population growth.

Based on the above, the Project would not induce substantial population or housing growth. Impacts would be less than significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

b. Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

No Impact. As no housing currently exists on the Project Site, the Project would not cause the displacement of any existing people or housing and therefore would not require

the construction of replacement housing elsewhere. No impact would occur, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

15. Public Services

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Fire protection?	☐	☐	☒	☐
b. Police protection?	☐	☐	☒	☐
c. Schools?	☐	☐	☒	☐
d. Parks?	☐	☐	☒	☐
e. Other public facilities?	☐	☐	☒	☐

a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection services?

Less Than Significant Impact. Fire protection, rescue services, and emergency medical (paramedic) services are provided by the Beverly Hills Fire Department (BHFD). The fire stations closest to the Project Site are the BHFD headquarters (Fire Station No. 1), located approximately 0.4 mile northeast of the Project Site at 445 N. Rexford Drive, and Fire Station No. 3, located at 180 S. Doheny Drive, approximately 1.1 miles southeast of the Project Site.

As previously discussed, the Project would not include housing which would result in a direct increase in the City's population that would be served by the BHFD. However, the Project would result in a net increase of approximately 155,247 square feet to 164,162 square feet (under the Specific Plan maximums) of new floor area on the Project Site and would generate transient occupants (hotel guests) and additional employees. As the Project would increase the building area and daytime and nighttime (transient occupants) population of the Project Site compared to existing conditions, the Project could increase

the demand for BHFD services. Notwithstanding, the proposed commercial uses would be expected to generate a range of fire service calls similar to what occurs under existing conditions in the vicinity of the Project Site. The Project would not include any unique or especially hazardous uses, such as industrial facilities, that use or generate large quantities of hazardous and/or toxic materials that could pose an extreme risk of serious accident or fire at the Project Site. The types of fires that could potentially occur within the Project Site would be adequately suppressed with the fire equipment found at the fire stations nearest the Project Site. Additionally, the Project would be required to comply with the California Fire Code, Universal Building Code, and BHFD standards, including specific construction specifications, access design, location of fire hydrants, and other design requirements. Compliance with applicable regulatory requirements, including BHFD's fire/life safety plan review, would ensure that adequate fire prevention features would be provided that would reduce the demand on BHFD facilities and equipment resulting from the Project.

Based on the above, the Project would not require the addition of a new fire station or the expansion of an existing facility in order to maintain service. Therefore, operation of the Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities (fire protection), the construction of which would cause significant environmental impacts, in order to maintain acceptable fire protection services. Project impacts would be less than significant, and no mitigation measures are required. No further analysis of this topic in an EIR is required.

b. Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection services?

Less Than Significant Impact. Police protection is provided by the Beverly Hills Police Department (BHPD). Protection services include emergency and non-emergency police response, routine police patrols, investigative services, traffic enforcement, traffic investigation, and parking code enforcement. The station closest to the Project Site is the BHPD headquarters located at 464 North Rexford Drive, approximately 0.3 mile northeast of the Project Site.

As previously noted, the Project does not include the development of residential uses. Therefore, the Project would not directly affect the existing officer-to-resident ratio within the BHPD headquarters. However, the Project would introduce a new employee and visitor population to the Project Site, which could result in an indirect demand for police services. These employment opportunities would include a range of full-time and part-time positions, which may be filled, in part, by employees already residing in the vicinity of the Project Site and who are already included in the residential population of the BHPD

headquarters. Other positions may be filled by persons who would commute and who would not relocate their place of residence as a result of working on the Project Site. Overall, given the BHPD's metrics for evaluating service capacity based on residential population, the Project's increase in the police service population would not affect the officer-to-resident ratio for the BHPD headquarters. Additionally, the Project would incorporate security features to reduce the demand for police protection services. These features would include sufficient lighting throughout the Project Site to ensure safety and visibility and well illuminated entryways, walkways, lobbies, and parking areas to eliminate areas of concealment. In addition to the implementation of these design features, which would help offset the Project-related increase in demand for police services, the Project would generate revenues to the City's General Fund (in the form of property taxes, transient occupancy taxes, sales revenue, etc.) that could be applied toward the provision of new police facilities and related staffing in the community, as deemed appropriate. Overall, the Project would not generate a demand for additional police protection services that would exceed the BHPD's capacity to serve the Project Site. Therefore, Project operation would not necessitate the provision of new or physically altered government facilities, the construction of which would cause significant environmental impacts, in order to maintain BHPD's capability to serve the Project Site. Impacts to police protection services would be less than significant, and no mitigation measures are required. No further analysis of this topic in an EIR is required.

c. Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives for schools?

Less Than Significant Impact. The Project Site is located within the boundaries of the Beverly Hills Unified School District (BHUSD). As previously discussed, the Project does not propose the development of residential uses. Therefore, implementation of the Project would not result in a direct increase in the number of students within the service area of the BHUSD from the introduction of a residential population. In addition, not all new employees of the Project would necessarily relocate to the vicinity of the Project Site, which could otherwise trigger a demand for new or expanded school facilities. Furthermore, even if there were new school facilities that would need to be built, pursuant to Senate Bill 50, the Project Applicant would be required to pay development fees for schools to BHUSD prior to the issuance of building permits. Pursuant to Government Code Section 65995, the payment of these fees is considered mitigation of Project-related school impacts. Therefore, impacts would be less than significant, and no mitigation measures are required. No further analysis of this issue in an EIR is required.

d. Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for park services?

Less Than Significant Impact. Parks and recreational facilities in the vicinity of the Project Site are primarily operated and maintained by the Beverly Hills Department of Community Services, Recreation and Parks Division. Nearby parks and recreational facilities within an approximate 2-mile radius of the Project Site include: Beverly Gardens Park (a linear park parallel to North Santa Monica Boulevard, located approximately 315 feet west of the Project Site), Rexford Mini Park (located 0.3 mile northeast of the Project Site), Beverly Canons Park (located 0.3 mile southeast of the Project Site), and Crescent Drive Mini-Park (located 0.6 mile southeast of the Project Site).

As previously discussed, the Project does not propose the development of residential uses. Therefore, implementation of the Project would not result in on-site residents who would utilize nearby parks and/or recreational facilities. Additionally, the new employment opportunities that would be generated by the Project may be filled, in part, by employees already residing in the vicinity of the Project Site who already utilize existing parks and recreational facilities. Furthermore, while the transient occupants of the hotel may use local parks, such use would be temporary as any use of local parks would be limited to their stay at the hotel. In addition, hotel guests would be anticipated to use the various guest amenities that would be provided within the hotel. Therefore, only a fraction of the new employees generated by the Project could create a demand for parks. While it is possible that some of these employees may utilize local parks and recreational facilities, such use would be anticipated to be limited due to work obligations and the amount of time it would take for employees to access off-site local parks. In addition, Project employees would be more likely to use parks near their homes during non-work hours. Furthermore, the Project proposes on-site amenities such as employee facilities on the first basement level with seating for use by employees, reducing the likelihood they would use local parks. Therefore, the Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered parks or the need for new or physically altered parks. Impacts would be less than significant, and no mitigation measures are required. No further analysis of this issue in an EIR is required.

e. Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for other public facilities?

Less Than Significant Impact. Other public facilities available include libraries. The Beverly Hills Public Library (BHPL) provides library services to the City of Beverly Hills through its Main Library and Roxbury Book Nook, as well as through Web-based resources.[41] The Project area is served by these two libraries, with the former located 0.4 mile from the Project Site and the latter located 1.3 miles from the Project Site.

As previously discussed, the Project does not propose the development of residential uses. Therefore, implementation of the Project would not result in a direct increase in the number of residents within the service population of the Beverly Hills Main Library of the Roxbury Book Nook. In addition, Project employees would have internet access to BHPL and other web-based resources, decreasing the demand on library facilities. Furthermore, as Project employees would be more likely to use library facilities near their homes during non-work hours and given that some of the employment opportunities generated by the Project would be filled by people already residing in the vicinity of the Project Site, Project employees and the potential indirect population generation that could be attributable to those employees would generate minimal demand for library services. Finally, any use of local libraries by the transient occupants of the hotel would be temporary and limited to the duration of their stay. Therefore, the Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered library facilities or the need for new or physically altered library facilities. Impacts would be less than significant, and no mitigation measures are required. No further analysis of this issue in an EIR is required.

16. Recreation

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

[41] *Beverly Hills Public Library, Branches and Hours, www.beverlyhills.org/departments/communityservices/beverlyhillspubliclibrary/contactus/brancheshours/, accessed August 6, 2020.*

a. Would the project Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?

Less Than Significant Impact. As described above in Response to Checklist Question 15.d, nearby parks and recreational facilities within an approximate 2-mile radius of the Project Site include Beverly Gardens Park (a linear park parallel to North Santa Monica Boulevard, located approximately 315 feet west of the Project Site), Rexford Mini Park (located 0.3 mile northeast of the Project Site), Beverly Canons Park (located 0.3 mile southeast of the Project Site) and Crescent Drive Mini-Park (located 0.6 mile southeast of the Project Site). As previously discussed, the Project does not propose the development of residential uses which would create a demand on nearby parks and/or recreational facilities. Additionally, the new employment opportunities that would be generated by the Project may be filled, in part, by employees already residing in the vicinity of the Project Site who already utilize existing parks and recreational facilities. Furthermore, any use of the local parks by the transient occupants of the hotel would be temporary and limited to the duration of their stay. Therefore, only a fraction of the new employees generated by the Project could create a demand for parks and recreational facilities. While it is possible that some of these employees may utilize local parks and recreational facilities, such use would be anticipated to be limited due to work obligations and the amount of time it would take for employees to access off-site local parks and recreational facilities. In addition, Project employees would be more likely to use parks near their homes during non-work hours.

Based on the above, the Project would not substantially increase the demand for off-site public parks and recreational facilities such that substantial physical deterioration of those facilities would occur or be accelerated. The impact on parks and recreational facilities would be less than significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

No Impact. The Project does not include any residential uses and therefore would not result in any direct substantial population growth that would increase use of existing recreational facilities. Therefore, the Project would not necessitate construction of new recreational facilities. The Project would provide approximately 45,356 square feet of open space, including the publicly accessible 825-square-foot pedestrian plaza proposed at the ground floor. The remaining open space areas would be primarily for private use by hotel guests and club members but may also be used by restaurant guests, and would include the 4,760 square feet of outdoor restaurant and bar spaces on levels six and seven, the

742-square-foot outdoor terrace on the seventh level, hotel room balcony/patio areas, pool deck, wellness center outdoor area, and penthouse pool deck. These Project features are part of the overall Project design. The construction of these recreational amenities as part of the Project would take place at the same time as the rest of the construction processes and would have no additional adverse physical effects on the environment. Therefore, no impact would occur, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

17. Transportation

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	☒	☐	☐	☐
b. Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	☒	☐	☐	☐
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d. Result in inadequate emergency access?	☐	☐	☒	☐

a. Would the project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

Potentially Significant Impact. Operation of the proposed uses would generate vehicle and transit trips throughout the day. The resulting increase in the use of the area's transportation facilities could conflict with an applicable plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. Therefore, further analysis of this issue will be provided in the EIR.

b. Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

Potentially Significant Impact. SB 743, which went into effect in January 2014, requires the Governor's Office of Planning and Research to change the way public agencies evaluate transportation impacts of projects under CEQA. Under SB 743, the focus of transportation analysis has shifted from vehicle delay, which is typically measured

by traffic level of service (LOS), to a new measurement (vehicle miles traveled) that better addresses the state's goals on reduction of greenhouse gas emissions, creation of a multi-modal transportation, and promotion of mixed-use developments. CEQA Guidelines Section 15064.3 states that vehicle miles traveled (VMT) is the most appropriate measure of transportation impacts, replacing LOS.

On October 10, 2019, the City of Beverly Hills adopted the CEQA Transportation Analysis Update, which sets forth the revised thresholds of significance for evaluating transportation impacts as well as screening and evaluation criteria for determining impacts. The CEQA Transportation Analysis Update establishes VMT as the City's formal method of evaluating a project's transportation impacts. As part of this update, the City adopted its *Local Transportation Assessment Guidelines* (October 2019), which defines the methodology for analyzing a project's transportation impacts in accordance with SB 743.

The Project would develop new commercial uses on the Project Site. As a result, VMT would increase over existing conditions. Therefore, further analysis of this issue will be provided in the EIR.

c. Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Less Than Significant Impact. The roadways adjacent to the Project Site are part of the urban roadway network and contain no sharp curves or dangerous intersections. Additionally, as concluded by the Alley Study completed by Hirsch Green on April 28, 2020, included in Appendix IS-9 of this Initial Study, the vacation and realignment of a portion of the private alley currently bisecting the Project Site would not substantially increase hazards or result in an incompatible use. Although there would be an increase of eastbound traffic traveling through the intersection of South Santa Monica Boulevard and North Beverly Drive in order to enter the alley using the newly created west alley entrance, the increase would be nominal, amounting to one or two new vehicles per signal cycle. The Alley Study also included supplemental vehicle turning movement evaluations to assess whether vehicles using the alley, as well as vehicles that are anticipated to use it such as fire trucks and other emergency vehicles, can maneuver the 90-degree turn the realignment would create. The results of these evaluations concluded that they would be able to do so, although it is recommended that the deliveries are scheduled for off-peak times. As concluded in the Alley Study, no significant impacts to vehicular access or to the operations of the alley are expected, and the location and operations of the Project's loading bays will not significantly impact the alley. In addition, the Project would not result in incompatible uses as the proposed uses are consistent with the types of commercial uses already present in the surrounding area. Thus, no impacts related to increased

hazards due to a design feature or incompatible use would occur, and no further analysis of this topic in the EIR is required.

d. Would the project result in inadequate emergency access?

Less Than Significant Impact. While it is expected that the majority of construction activities for the Project would primarily be confined on-site, limited off-site construction activities may occur in adjacent street rights-of-way during certain periods of the day for the installation or upgrading of local infrastructure. Such activities could potentially require temporary lane closures adjacent to the Project Site. However, if lane closures are necessary, the remaining travel lanes would be maintained in accordance with standard construction management plans that would be implemented to ensure adequate circulation and emergency access. With regard to operation, the Project does not propose the permanent closure of any local public streets and primary access to the Project Site would continue to be provided from the surrounding streets. In addition, the Project would comply with BHFD access requirements and applicable BHFD regulations regarding safety. In addition, as discussed above, the Alley Study completed for the Project concluded that while fire trucks and other emergency vehicles would be able to maneuver the 90-degree turn the alley realignment would create,. As concluded in the Alley Study, no significant impacts to vehicular access or to the operations of the alley are expected. Therefore, the Project would not result in inadequate emergency access to the Project Site or surrounding uses. Impacts regarding inadequate emergency access would be less than significant, and no mitigation measures are required. No further analysis of this topic in an EIR is required.

18. Tribal Cultural Resources

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☒	☐	☐	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☒	☐	☐	☐

a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1 (k)?

b. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

Potentially Significant Impact (a and b). Approved by Governor Edmund G. "Jerry" Brown on September 25, 2014, AB 52 establishes a formal consultation process for California Native American Tribes to identify potential significant impacts to Tribal Cultural Resources, as defined in PRC Section 21074, as part of CEQA. As specified in AB 52, lead agencies must provide notice to tribes that are traditionally and culturally affiliated with the geographic area of a proposed project if the tribe has submitted a written request to be notified. The tribe must respond to the lead agency within 30 days of receipt of the notification if it wishes to engage in consultation on the project, and the lead agency must begin the consultation process within 30 days of receiving the request for consultation.

Additionally, California Government Code Section 65352.3 (adopted pursuant to the requirements of Senate Bill 18) requires local governments to contact, refer plans to, and

consult with tribal organizations prior to making a decision to adopt or amend a general or specific plan. The tribal organizations eligible to consult have traditional lands in a local government's jurisdiction, and are identified, upon request, by the Native American Heritage Commission (NAHC). As noted in the California Office of Planning and Research's Tribal Consultation Guidelines (2005), "The intent of SB 18 is to provide California Native American tribes an opportunity to participate in local land use decisions at an early planning stage, for the purpose of protecting, or mitigating impacts to, cultural places." As required by SB 18, the Native American Heritage Commission (NAHC) was contacted to request a Sacred Lands File (SLF) search of the Project Site and a 0.25-mile radius surrounding it. The purpose of the SLF search is to identify lands or resources important to Native Americans and to assess the potential for Project-related development to impact Native American resources. A request for a list of California Native American Tribes traditionally affiliated with the project area was submitted to the NAHC. On October 9, 2020, the NAHC provided the contact information for seven tribes culturally affiliated with the project area: Soboba Band of Luiseño Indians, Gabrielino-Tongva Tribe, Gabrielino Tongva Indians of California Tribal Council, Gabrielino/Tongva Nation, Gabrieleño/Tongva San Gabriel Band of Mission Indians, Gabrieleño Band of Mission Indians – Kizh Nation, and Santa Rosa Band of Cahuilla Indians. On October 16, 2020 the City mailed and emailed a notification letter to the seven tribes requesting consultation.

As noted above, the Project would require grading and excavations up to 44 feet below grade. These construction activities could have the potential to disturb existing but undiscovered tribal cultural resources. Therefore, the potential exists for the Project to significantly impact a site, feature, place, cultural landscape, sacred place, or object with cultural value to a California Native American Tribe. In compliance with AB 52 and SB 18, the City will notify all applicable tribes, and the City will participate in any requested consultations for the Project. Therefore, further analysis of this topic will be provided in the EIR.

19. Utilities and Service Systems

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☒	☐	☐	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

The following analysis is based, in part, on the Utility Memorandum prepared for the Project by Kimley Horn dated October 16, 2020, and included as Appendix IS-10 of this Initial Study.

a. Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Potentially Significant Impact. The Project would not result in a potentially significant impact with respect to water, wastewater treatment, stormwater drainage, and telecommunications facilities, as discussed below. However, due to the increased floor area and type of uses, the Project would generate an increased demand for electricity and natural gas services provided by SoCal Edison and the Clean Power Alliance and the Southern California Gas Company, respectively. Therefore, further analysis of the Project's demand on existing energy resources will be provided in the EIR.

Water

Water service to the Project Site would continue to be supplied by the City's Department of Public Works for domestic and fire protection uses. As discussed in the Utility Memorandum, existing water lines in the vicinity of the Project Site include: a 12-inch water line along South Santa Monica Boulevard; a 16-inch line located within Brighton Way; and an 8-inch water line within the existing alley that bisects the Project Site, which

connects to the 12-inch line in South Santa Monica Boulevard and the 16-inch line in Brighton Way. There are seven existing water meters around the Project Site, all of which are located within the alley bisecting the Project Site and are serviced by the existing 8-inch water main line in the alley. There is one fire hydrant near the northwestern corner of the property line along South Santa Monica Boulevard. As indicated in the Utility Memorandum, based on required service size and location of firewater infrastructure within the proposed building, it is anticipated that the firewater service would connect to either the 8-inch water line in the alley or the 12-inch water line in South Santa Monica Boulevard. The Project Site would also continue to be served by the existing fire hydrant adjacent to the Project Site. As part of the Project, the existing 8-inch water line within the alley will be removed and rerouted where it is in conflict with the proposed development. This would include capping the water line at the terminus of the alley at Santa Monica Boulevard, which would not impact other properties using the water line because an existing water line already exists along Santa Monica Boulevard. Looping of the water line within the alley to tie back into the main line on Brighton Way is proposed as part of the Project. The City Public Works Water Division has preliminarily reviewed the proposed conceptual water system design and approved this component of the Project. In any event, the Project would comply with the applicable requirements of the City for installation of the final plans for relocation of the water line. Overall, as concluded in the Utility Memorandum, based on the existing infrastructure in the vicinity of the Project Site, there is sufficient capacity to serve the Project under either the proposed conceptual site plan or the Specific Plan area maximums.

Based on the above, the Project would not exceed the available capacity within the water distribution infrastructure that would serve the Project site. Accordingly, the Project would not require or result in the relocation or construction of new or expanded water facilities, except to loop the water line within the alley to tie back into the main line on Brighton Way, as previously described. Therefore, the Project's impacts on water infrastructure would be less than significant, and no mitigation measures are required. No further analysis of this issue in an EIR is required.

Wastewater

Wastewater generated by the Project would be conveyed via the existing wastewater conveyance systems for treatment at the Hyperion Water Reclamation Plant (HWRP). The HWRP has a capacity of 450 million gallons per day (mgd),[42] and current

[42] *LASAN, Water Reclamation Plants, Hyperion Water Reclamation Plant, www.lacitysan.org/san/faces/wcnav_externalId/s-lsh-wwd-cw-p-hwrp?_adf.ctrl-state=vm8qwyj80_4&_afrLoop=18606279438697733#!, accessed January 2, 2020.*

average wastewater flows are at approximately 275 mgd.[43] Accordingly, the remaining available capacity at the HWRP is approximately 175 mgd. As shown in Table 2 on page 110, the Project would generate a net increase in wastewater flow from the Project Site of approximately 55,795 gpd, or approximately 0.055 mgd. The Project's increase in average daily wastewater flow of 0.056 mgd would represent approximately 0.03 percent of the current estimated 175 mgd of remaining available capacity at the HWRP. Therefore, the Project-generated wastewater would be accommodated by the existing capacity of the Hyperion Water Reclamation Plant. Furthermore, wastewater flows would be typical of commercial developments. No industrial discharge into the wastewater system would occur. Discharge of effluent from the HWRP into Santa Monica Bay is also regulated by permits issued under the NPDES and is required to meet LARWQCB requirements.

As discussed in the Utility Memorandum, existing sewer lines in the vicinity of the Project Site include an existing 8-inch sewer main line located at the centerline of the alley that bisects the Project Site. The 8-inch sewer main connects to an 18-inch sewer main at an existing manhole within Wilshire Boulevard. Based on the Utility Memorandum, it is anticipated that the portion of the existing 8-inch sewer main line that runs beneath the Project Site would be removed and two new 8-inch sewer laterals will be proposed for the Project. One would connect to the existing 8-inch sewer line in the alley and the other to the new 8-inch line extension in South Santa Monica Boulevard to compensate for the removal of a section of the sewer line that currently flows under the Project Site. As calculated in the Utility Memorandum, the existing sewer capacity was estimated based on commercial acreage and Los Angeles County zoning coefficients for estimated average daily sewage flow (0.015 cubic feet per second for commercially zoned properties). Based on the estimated 14.0 acres of commercial development between North Rodeo Drive and North Beverly Drive that discharge to the existing 8-inch sewer main in the alley, it was determined that the total peak flow currently within the 8-inch sewer main is 0.48 cubic feet per second (310,200 gallons per day). With addition of the peak flow estimated for the Project (approximately 0.24 cubic feet per second), the flow in the existing 8-inch sewer main in the alley would increase to approximately 0.70 cubic feet per second, or approximately at 41.5 percent of its capacity. Therefore, as concluded in the Utility Memorandum, the existing 8-inch sewer main in the alley would have adequate capacity to serve the Project under either the proposed conceptual site plan or Specific Plan area maximums.

As previously described, the Project would require construction of new on-site infrastructure to serve new buildings, and potential upgrades and/or relocations of existing

[43] *LASAN, Hyperion Water Reclamation Plant, www.lacitysan.org/san/faces/wcnav_externalId/s-lsh-wwd-*
(Footnote continued on next page)

Table 2
Estimated Project Wastewater Generation

Land Use	Floor Area	Wastewater Generation Rate (gpd/unit)[a]	Wastewater Generation (gpd)
Existing to Be Removed			
Retail	33,436 sf	100 gpd/1,000 sf	3,344
Institutional	23,351 sf	100 gpd/1,000 sf	2,335
Total Existing			***5,679***
Proposed			
Hotel	115 rooms	150 gpd/room	17,250
Retail	24,976 sf	100 gpd/1,000 sf	2,498
Restaurant	20,334 sf	1,000 gpd/1,000 sf	20,334
Office (employee facilities, BOH, club conference room, lobbies, etc.)	53,379 sf	200 gpd/1,000 sf	10,676
Wellness Center and Spa	17,860 sf	600 gpd/1,000 sf	10,716
Proposed Wastewater Generation			**61,474**
Less Existing to be Removed			(5,679)
Net Additional Wastewater Generation (Proposed – Existing to be Removed)			**55,795**

sf = square feet

gpd = gallons per day

[a] *Wastewater generation rates are based on County of Los Angeles Sewage Generation Table.*

Source: Kimley Horn, 2020.

infrastructure. Construction impacts associated with wastewater infrastructure would include the installation of a new sewer line extension in South Santa Monica Boulevard as well as trenching for miscellaneous utility lines and connections to the public infrastructure. Installation of wastewater infrastructure would include on-site wastewater distribution, the installation of a new sewer line extension in Santa Monica Boulevard to compensate for the removal of the section of sewer line that currently flows under the Project Site, and minor off-site work associated with connections to the public main. Although no upgrades to the public main are anticipated, a new sewer line extension would be installed in South Santa Monica Boulevard, as previously stated, and minor off-site work would be required in order to connect the on-site distribution system to the public main. Overall, when considering impacts resulting from the installation of any required wastewater infrastructure, impacts would be of a relatively short-term duration and would cease to occur once the installation is complete.

cw-p-hwrp?_adf.ctrl-state=grj40dmqj_1780&_afrLoop=3950078628628745#!, accessed January 2, 2020.

Based on the above, the Project would not require or result in the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which would cause significant environmental effects. Therefore, impacts would be less than significant, and mitigation measures are not required. No further analysis of this topic in an EIR is required.

Stormwater Drainage

With regard to stormwater drainage, as discussed above in Response to Checklist Question 10.c.ii, the Project would result in a decrease in impervious areas and stormwater flows. As such, the Project would not require or result in the relocation or construction of new or expanded stormwater drainage. Impacts would be less than significant, and no mitigation measures are required. No further analysis of this issue in an EIR is required.

Telecommunications Facilities

With respect to telecommunications facilities, the Project would require construction of new on-site telecommunications infrastructure to serve the new building and potential upgrades and/or relocation of existing telecommunications infrastructure. Construction impacts associated with the installation of telecommunications infrastructure would primarily involve trenching in order to place the lines below surface. Such activities could involve temporary closure of portions of sidewalks or travel lanes. However, the Project would ensure vehicle and pedestrian access is maintained throughout construction. In addition, when considering impacts resulting from the installation of any required telecommunications infrastructure, all impacts are of a relatively short duration (i.e., months) and would cease to occur when installation is complete. Installation of new telecommunications infrastructure would be limited to on-site telecommunications distribution and minor off-site work associated with connections to the public system. No upgrades to main off-site telecommunications systems are anticipated. Any work that may affect services to the existing telecommunications lines would be coordinated with service providers and the City, as applicable. As such, the Project would not require or result in the relocation or construction of new or expanded telecommunications facilities. Impacts would be less than significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

b. Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Less Than Significant Impact. The City's water supply consists mostly of imported water purchased from the Metropolitan Water District of Southern California, with some groundwater pumping from the Hollywood Basin. As described in the Description of the

Project above, upon completion, the Project would result in a net new floor area of approximately 155,247 square feet to 164,162 square feet (under the Specific Plan maximums) on the Project Site. As such, development of the Project would result in an increase in long-term water demand for consumption, operational uses, maintenance, and other activities on the Project Site.

As provided in Table 3 on page 113, the Project is estimated to result in a net new increase in water demand of approximately 68,090 gpd. The City's 2015 Urban Water Management Plan forecasts adequate water supplies to meet all projected water demands in the City for normal, single-dry, and multiple-dry years through the year 2040.[44] Furthermore, as outlined in the 2015 Urban Water Management Plan, the City is committed to providing a reliable water supply for the City. The 2015 Urban Water Management Plan takes into account climate change and the concerns of drought and dry weather and notes that the City will meet all new demand for water due to projected population growth through a combination of water conservation and water recycling. By focusing on demand reduction and alternative sources of water supplies, the City would further ensure that long-term dependence on MWD supplies will not be exacerbated by potential future shortages. Additionally, water conservation and recycling will play an increasing role in meeting future water demands in the City.

The 2015 Urban Water Management Plan (UWMP) utilized SCAG's 2016 RTP/SCS data that provide for reliable water demand forecasts, taking into account changes in population, housing units, and employment. As discussed above, the Project would not generate a new residential or household population on the Project Site, although the Project would result in an increase in employment opportunities. According to the UWMP, the total water use for the City of Beverly Hills is projected to increase from 10,431 acre-feet per year (afy) in 2015 to 11,428 afy in 2040 (an increase of 9.6 percent). The net increase in water demand for the Project equals 76 afy, which represents approximately 7.6 percent of the anticipated increase in water use for the City between 2015 and 2040. In addition, the Project's potential employment growth would be a beneficial aspect of the Project. Therefore, the Project would be well within SCAG's growth projections for the City.

Based on the above, the City Public Works Division would have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years. Impacts would be less than significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

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[44] *City of Beverly Hills, 2015 Urban Water Management Plan, www.beverlyhills.org/cbhfiles/storage/files/115079846772769831/FinalCityofBeverlyHills2015UWMPReport.pdf, accessed September 10, 2020.*

Table 3
Estimated Project Water Demand

Land Use	Quantity/Unit	Water Use Factor (gpd/unit)[a]	Water Demand (gpd)
Existing to Be Removed			
Retail	33,436 sf	100 gpd/1,000 sf	3,344
Institutional	23,351 sf	100 gpd/1,000 sf	2,335
Total Existing			***5,679***
Proposed			
Hotel	115 rooms	150 gpd/room	17,250
Retail	24,976 sf	100 gpd/1,000 sf	2,498
Restaurant	20,334 sf	1,000 gpd/1,000 sf	20,334
Office (employee facilities, BOH, club conference room, etc.)	53,379 sf	200 gpd/1,000 sf	10,676
Wellness Center and Spa	17,860 sf	600 gpd/1,000 sf	10,716
Proposed Water Demand			**61,474**
20% Adjustment for Conservative Estimation of Water Demand			**12,295**
Total Proposed Water Demand			***73,769***
Less Existing to be Removed			(5,679)
Net Additional Water Demand (Proposed – Existing to be Removed)			**68,090**

sf = square feet

gpd = gallons per day

[a] *Wastewater generation rates are based on County of Los Angeles Sewage Generation Table.*

Source: Kimley Horn, 2020.

c. Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Less Than Significant Impact. As shown above in Table 2 on page 110, the Project would generate a net increase in wastewater flow from the Project Site of approximately 55,795 gpd, or approximately 0.056 mgd. The Project's increase in average daily wastewater flow of 0.056 mgd would represent approximately 0.03 percent of the current estimated 175 mgd of remaining available capacity at the HWRP. Therefore, the Project-generated wastewater would be accommodated by the existing capacity of the Hyperion Water Reclamation Plant.

Various factors, including future development of new treatment plants, upgrades and improvements to existing treatment capacity, development of new technologies, etc., will ultimately determine the available capacity of the Hyperion Water Reclamation Plant in

2026, the year by which construction of the Project is expected to be completed. It is conservatively assumed that no new improvements to the wastewater treatment plant would occur prior to 2026. Thus, based on this conservative assumption, the 2026 effective capacity of the HWRP in 2026 would continue to be 450 mgd.

Based on average flow projections for the HWRP, it is anticipated that average flows in 2026, the Project build-out year, would be approximately 267 mgd.[45] Accordingly, the future remaining available capacity in 2026 would be approximately 183 mgd. The Project's increase in average daily wastewater flow of 0.056 mgd would represent approximately 0.03 percent of the estimated future remaining available capacity of 183 mgd at the HWRP. Therefore, wastewater generated under the Project would be accommodated by the future capacity of the HWRP.

Additionally, the Project's net increase in average daily wastewater generation of 0.056 mgd plus the current average flows of approximately 275 mgd to the HWRP would represent approximately 61.1 percent of the HWRP's capacity of 450 mgd. With regard to future flows, the Project's net increase of 0.056 mgd plus the projected flows of approximately 267 mgd to the HWRP would represent approximately 59.3 percent of the HWRP's assumed future capacity of 450 mgd.

Based on the above, there is adequate treatment capacity to serve the Project's projected demand in addition to existing commitments of the HWRP. As such, the Project would result in a determination by the wastewater treatment provider, which would serve the Project, that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments. Impacts would be less than significant, and no mitigation measures are required. No further analysis of this topic in an EIR is required.

d. Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Less Than Significant Impact. The Beverly Hills Public Works Department, Solid Waste Division is responsible for solid waste collection in the City. The City contracts with Athens Environmental Services for waste hauling and collection services. Solid waste transported is either recycled, reused, or transformed at a waste-to-energy facility, or

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[45] *Los Angeles Department of Water and Power, One Water LA 2040 Plan-Volume 2, Table ES.1, Projected Wastewater Flows. Based on a straight-line interpolation of the projected flows for the Hyperion Water Reclamation Plant for 2020 (approximately 256 mgd) and 2030 (approximately 275 mgd). The 2026 value is extrapolated from 2020 and 2030 values: [(275 mgd – 256 mgd) ÷ 10) * 6] + 256 = ~ 267.4 mgd.*

disposed of at a landfill. Landfills within the County are categorized as either Class III or inert waste landfills. Non-hazardous municipal solid waste is disposed of in Class III landfills, while inert waste such as construction waste, yard trimmings, and earth-like waste are disposed of in inert waste landfills.[46] Nine Class III landfills and one inert waste landfill with solid waste facility permits are currently serving the County.[47] In addition, there is one solid waste transformation facility within Los Angeles County that converts, combusts, or otherwise processes solid waste for the purpose of energy recovery.

Based on the 2018 Countywide Integrated Waste Management Plan (CoIWMP) Annual Report, the most recent report available, the total remaining permitted Class III landfill capacity in the County is estimated at 163.39 million tons. The permitted inert waste landfill serving the County is Azusa Land Reclamation. This facility currently has 57.72 million tons of remaining capacity and an average daily in-County disposal rate of 1,148 tons per day.[48] Los Angeles County continually evaluates landfill disposal needs and capacity through preparation of the CoIWMP Annual Reports. Within each annual report, future landfill disposal needs over the next 15-year planning horizon are addressed in part by determining the available landfill capacity.[49]

Based on the 2018 CoIWMP Annual Report, the countywide cumulative need for Class III landfill disposal capacity through the year 2033 will exceed the 2018 remaining permitted Class III landfill capacity of 163.39 million tons. The 2018 CoIWMP Annual Report evaluated seven scenarios to increase capacity and determined that the County would be able to meet the disposal needs of all jurisdictions through the 15-year planning period with existing capacity under six of the seven scenarios. The 2018 CoIWMP Annual Report concluded that in order to maintain adequate disposal capacity, individual jurisdictions must continue to pursue strategies to maximize waste reduction and recycling; expand existing landfills; promote and develop alternative technologies; expand transfer and processing infrastructure; and use out of county disposal, including waste by rail. To this end, the City of Beverly Hills implements a number of source reduction and recycling

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[46] *Inert waste is waste which is neither chemically or biologically reactive and will not decompose. Examples of this are sand and concrete.*

[47] *County of Los Angeles, Department of Public Works, Los Angeles County Integrated Waste Management Plan 2018 Annual Report, December 2019. The 9 Class III landfills serving the County include the Antelope Valley Landfill, the Burbank Landfill, the Calabasas Landfill, Chiquita Canyon Landfill, Lancaster Landfill, Pebbly Beach Landfill, Savage Canyon Landfill, the Scholl Canyon Landfill, and the Sunshine Canyon City and County Landfill. Azusa Land Reclamation is the only permitted Inert Waste Landfill in the County that has a full solid waste facility permit.*

[48] *County of Los Angeles, Department of Public Works, Los Angeles County Integrated Waste Management Plan 2018 Annual Report, December 2019.*

[49] *County of Los Angeles, Department of Public Works, Los Angeles County Integrated Waste Management Plan 2018 Annual Report, December 2019.*

programs such as integrated curbside recycling, composting demonstration programs, and construction and demolition debris recycling.[50,51] The City currently recycles more than 70 percent of the residential and commercial garbage and composts its green waste such as yard clippings.

The following analysis quantifies the Project's construction and operation solid waste generation.

Construction

As discussed above, the Project Site is currently developed with commercial and institutional uses. Construction of the Project would include the removal of 56,787 square-feet of commercial/institutional uses within the Project Site and the development of a luxury hotel with up to 115 guest rooms, a private club, and appurtenant uses. As shown in Table 4 on page 117, based on construction and debris rates established by the USEPA, it is anticipated that construction of the Project would generate a total of approximately 9,221 tons of demolition debris and 859 tons of construction debris, for a combined total of 10,080 tons of construction-related waste.

Pursuant to the requirements of Senate Bill 1374, the Project would implement a construction waste management plan to recycle and/or salvage a minimum of 75 percent of non-hazardous demolition and construction debris. Materials that could be recycled or salvaged include asphalt, glass, and concrete. Debris not recycled could be accepted at the unclassified landfill (Azusa Land Reclamation) within Los Angeles County. As shown in Table 4, after accounting for mandatory recycling, the Project would result in approximately 2,520 tons of construction and demolition waste. This amount of construction and debris waste would represent approximately 0.004 percent of the Azusa Land Reclamation Landfill's existing remaining disposal capacity of 57.72 million tons. Thus, the total amount of construction and demolition waste generated by the Project would represent a small fraction of the remaining capacity at this permitted inert landfill serving Los Angeles County. Given the remaining permitted capacity at the Azusa Land Reclamation facility as well as the remaining 163.39 million tons of capacity at the Class III landfills open to the City, the landfills serving the Project Site would have sufficient capacity to accommodate the Project's construction solid waste disposal needs.

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[50] *The City of Beverly Hills, Greystone Demonstration Garden; www.beverlyhills.org/departments/communityservices/cityparks/greystonemansiongardens/demonstrationgarden/?NFR=1, accessed August 13, 2020.*

[51] *The City of Beverly Hills, Recycling and Conservation; www.beverlyhills.org/departments/publicworks/recyclingandconservation/, accessed August 13, 2020.*

Table 4
Project Demolition and Construction Waste Generation

Land Use	Size	Generation Rate (lbs/sf)[a]	Total (tons)[b]
Construction Waste			
Commercial	220,949 sf	3.89	859
Construction Waste Subtotal			859
Demolition Waste			
Commercial	33,436 sf	165	5,517
Institutional	20,351 sf	182	3,704
Demolition Waste Subtotal			*9,221*
Total for Construction and Demolition Waste			***10,080***
Total After 75-Percent Recycling			**2,520**

lbs = pound

sf = square feet

[a] *U.S. Environmental Protection Agency, Report No. EPA530-98-010, Characterization of Building-Related Construction and Demolition Debris in the United States, June 1998, Table 3, Table 4, and Table 6. Generation rates used in this analysis are based on an average of individual rates assigned to specific building types.*

[b] *Totals may not sum due to rounding.*

Source: Eyestone Environmental, 2020.

Operation

As shown in Table 5 on page 118, upon full buildout, the Project would result in solid waste generation of 1,440 tons per year. The estimated solid waste is conservative because the waste generation factors used do not account for recycling or other waste diversion measures, such as compliance with AB 341, which requires California commercial enterprises and public entities that generate 4 cubic yards or more per week of waste, and multi-family housing with five or more units, to adopt recycling practices. The estimated annual increase in solid waste that would be generated by the Project of 1,440 tons per year represents approximately 0.001 percent of the remaining capacity (163.39 million tons) for the County's Class III landfills. Notwithstanding, the County will continue to address landfill capacity through the preparation of CoIWMP annual reports. The preparation of each annual report provides sufficient lead time (15 years) to address potential future shortfalls in landfill capacity. Solid waste disposal is an essential public service that must be provided without interruption in order to protect public health and safety, as well as the environment. Jurisdictions in the County of Los Angeles continue to implement and enhance the waste reduction, recycling, special waste, and public education programs identified in their respective planning directives. These efforts, together with countywide and regional programs implemented by the County and the cities, acting in

Table 5
Estimated Project Solid Waste Generation

Land Use	Waste Disposed (tons/year)	Waste Disposed (tons/day)
Hotel	1,128[a]	3.1
Restaurant	19[b]	0.05
Retail	141[c]	0.39
Office	50[d]	0.14
Wellness Center and Spa	102[e]	0.28
Total	**1,440**	**3.96**

[a] *(104,400 sf/1,000 sf) 10.80 tons/year; CalEEMod, www.aqmd.gov/docs/default-source/caleemod/05_appendix-d2016-3-2.pdf?sfvrsn=4, accessed August 14, 2020.*

[b] *(20,334 sf/1,000 sf) 0.91 tons/year; CalEEMod, www.aqmd.gov/docs/default-source/caleemod/05_appendix-d2016-3-2.pdf?sfvrsn=4, accessed August 14, 2020.*

[c] *(24,976 sf/1,000 sf) 5.64 tons/year; CalEEMod, www.aqmd.gov/docs/default-source/caleemod/05_appendix-d2016-3-2.pdf?sfvrsn=4, accessed August 14, 2020.*

[d] *(53,379 sf/1,000 sf) 0.93 tons/year; CalEEMod, www.aqmd.gov/docs/default-source/caleemod/05_appendix-d2016-3-2.pdf?sfvrsn=4, accessed August 14, 2020.*

[e] *(17,860 sf/1,000 sf) 5.70 tons/year; CalEEMod, www.aqmd.gov/docs/default-source/caleemod/05_appendix-d2016-3-2.pdf?sfvrsn=4, accessed August 14, 2020.*

Source: Eyestone Environmental, 2020.

concert or independently, have achieved significant, measurable results, as documented in the 2018 Annual Report. As discussed below, the Project would be consistent with and would further City policies that reduce landfill waste streams. Such policies and programs serve to implement the strategies outlined in the 2018 Annual Report to adequately meet countywide disposal needs without capacity shortages.

Based on the above, the landfills that serve the Project Site would have sufficient permitted capacity to accommodate the solid waste that would be generated by the construction and operation of the Project. Therefore, impacts would be less than significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

e. Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Less Than Significant Impact. Solid waste management in the State is primarily guided by AB 939, the California Integrated Waste Management Act of 1989, which emphasizes resource conservation through reduction, recycling, and reuse of solid waste. AB 939 establishes an integrated waste management hierarchy consisting of (in order of

priority): (1) source reduction; (2) recycling and composting; and (3) environmentally safe transformation and land disposal. In addition, AB 1327 provided for the development of the California Solid Waste Reuse and Recycling Access Act of 1991, which requires the adoption of an ordinance by any local agency governing the provision of adequate areas for the collection and loading of recyclable materials in development projects. Furthermore, AB 341, which became effective on July 1, 2012, requires businesses and public entities that generate 4 cubic yards or more of waste per week and multi-family dwellings with five or more units, to recycle. The purpose of AB 341 is to reduce greenhouse gas emissions by diverting commercial solid waste from landfills and expand opportunities for recycling in California. In October 2014, Governor Jerry Brown signed AB 1826, requiring businesses to recycle their organic waste[52] on and after April 1, 2016, depending on the amount of waste generated per week. Specifically, beginning April 1, 2016, businesses that generate 8 cubic yards of organic waste per week were required to arrange for organic waste recycling services. In addition, beginning January 1, 2017, businesses that generate 4 cubic yards of organic waste per week were required to arrange for organic waste recycling services.

The Project would be consistent with the applicable regulations associated with solid waste. Specifically, the Project would comply with AB 939, AB 341, AB 1826, as applicable, by providing clearly marked, source-sorted receptacles to facilitate recycling. Since the Project would comply with federal, State, and local management and reduction statutes and regulations related to solid waste, impacts would be less than significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

20. Wildfire

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	☒

[52] *Organic waste refers to food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste.*

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒

a. Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

b. Due to slope, prevailing winds, and other factors, would the project exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

c. Would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

d. Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

No Impact (a through d). The Project Site is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones. Therefore, these thresholds would not apply to the Project. As discussed above, the Project Site is located in an urbanized area, and there are no wildlands located in the vicinity of the Project Site. Therefore, no impacts regarding wildfire risks would occur, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

21. Mandatory Findings of Significance

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☒	☐	☐	☐
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☒	☐	☐	☐
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☒	☐	☐	☐

a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Potentially Significant Impact. As discussed above, the Project Site is located in an urbanized area and does not serve as habitat for fish or wildlife species. No sensitive plant or animal community or special status species occur on the Project Site. However, the Project does have the potential to degrade the quality of the environment or affect important examples of California's history or prehistory. Therefore, further evaluation of this topic will be provided in the EIR.

b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Potentially Significant Impact. Located in the vicinity of the Project Site are other past, current and probable future projects, the development of which may have cumulative impacts. Potential cumulative impacts will be addressed in the EIR for the following environmental factors: air quality; cultural resources; energy; geology and soils (paleontological resources); greenhouse gas emissions; land use and planning; noise; transportation; tribal cultural resources, and utilities and service systems (electricity and natural gas).

Regarding cumulative aesthetics impacts, related projects would be reviewed on a case-by-case basis by the City to comply with Beverly Hills Municipal Code requirements regarding building heights, setbacks, massing and lighting or, for those projects that require discretionary actions, to undergo site-specific review regarding building density, design, and light and glare effects. Related projects would also be subject to the City's design review process and review for consistency with zoning and regulatory documents governing scenic quality. Regardless, pursuant to Senate Bill 743, Public Resources Code Section 21099, and Zoning Information File ZI No. 2452, the Project's aesthetics impacts cannot be considered significant. Given the Project Site's location in a transit priority area, other residential, mixed-use, and employment center development projects located in the vicinity of the Project Site are anticipated to be of similar aesthetic character and would not have incremental combined effects that could create a cumulatively considerable impact. Thus, cumulative impacts associated with aesthetics would be less than significant.

With regard to cumulative effects on agriculture and forestry resources, biological resources, and mineral resources, no such resources are located on the Project Site or in the surrounding area. Due to the urbanized and developed nature of the Project Site and surrounding area, no agriculture and forestry resources, sensitive biological species or natural communities, or mineral resources are present within the Project Site or in the surrounding area. In addition, where applicable, other developments would be required to comply with the Migratory Bird Treaty Act to avoid impacts to nesting birds. Also, similar to the Project, where the removal of onsite trees and street trees is proposed, such developments would be required to comply with City regulations regarding tree replacement. Overall, the Project would have no impact on these resources, and therefore could not combine with other projects to result in cumulative impacts. Therefore, cumulative impacts to agriculture and forestry resources, biological resources, and mineral resources would be less than significant.

As discussed above, the Project would not result in significant impacts to geology and soils (except for potential impacts to paleontological resources, which will be addressed in the EIR). Thus, the Project would not contribute to any cumulative impacts associated with geology and soils. In addition, due to their site-specific nature, geology and soils impacts are typically assessed on a project-by-project basis or for a particular localized area. Therefore, as with the Project, related projects would address site-specific

geologic hazards through the implementation of site-specific geotechnical recommendations and/or mitigation measures. While cumulative development would expose a greater number of people to seismic hazards, as with the Project, related projects would be subject to local, state, and federal regulations and standards for seismic safety. Thus, Project impacts related to geology and soils would not be cumulatively considerable and would be less than significant.

Due to their site-specific nature, hazards and hazardous materials impacts are typically assessed on a project-by-project basis. Therefore, as with the Project, related projects would address site-specific hazards through the implementation of site-specific recommendations and/or mitigation measures. In addition, as with the Project, all related development located in the vicinity of the Project Site would be subject to local, regional, State, and federal regulations pertaining to hazards and hazardous materials. Therefore, with adherence to such regulations, the Project and related projects would not result in significant cumulative impacts with regard to hazards and hazardous materials. As such, the Project's contribution would not be cumulatively considerable, and cumulative impacts would be less than significant.

Related projects could potentially result in an increase in surface water runoff and contribute point and non-point source pollutants to nearby water bodies. However, as with the Project, related projects would be subject to the City's LID requirements. In addition, construction projects greater than one acre would be subject to NPDES permit requirements, including development of a SWPPP, SUSMP requirements during operation, and other local requirements pertaining to hydrology and surface water quality. It is anticipated that related projects would also be evaluated on an individual basis by the Department of Public Works to determine appropriate BMPs and treatment measures to avoid significant impacts to hydrology and surface water quality. With respect to groundwater, as described above, no water supply wells, spreading grounds, or injection wells are located within a 1-mile radius of the Project Site. In addition, Project development would not involve the temporary or permanent extraction of groundwater from the Project Site or otherwise utilize the groundwater. Furthermore, compliance with all applicable existing regulations at the Project Site would prevent the Project from affecting or expanding any potential areas affected by contamination, increasing the level of contamination, or causing regulatory water quality standards at an existing production well to be violated. As with the Project, other future development projects would be unlikely to cause or increase groundwater contamination because compliance with existing statutes and regulations would similarly prevent the future development projects from affecting or expanding any potential areas affected by contamination, or increasing the level of contamination, or causing regulatory water quality standards at an existing production well to be violated. Thus, Project impacts related to hydrology and water quality would not be cumulatively considerable and, cumulative impacts would be less than significant.

In terms of population and housing, while the Project would not include residential uses, some related projects could include residential uses that would directly generate a new population and provide additional housing in the vicinity of the Project Site. Other related projects like the Project would not include residential uses that would directly contribute to population growth. However, as with the Project, such related projects could generate an increased demand for housing in the area due to the relocation of housing by employees in proximity to their place of work. As with the Project, such demand for housing in the area would be anticipated to be limited as some employees may already live in the area and other employees would choose to commute. To the extent employees decide to relocate to the area, such demand for housing would be met by existing vacancies and by other related projects that include residential uses. With regard to the displacement of housing or people, while the Project would not displace housing or people, other projects might displace existing housing and people residing in them. However, even if construction of replacement housing were required elsewhere, such developments would likely occur on infill sites within the City and the appropriate level of environmental review would be conducted to analyze the extent to which the related projects could cause significant environmental impacts. Overall, the Project's contribution would not be cumulatively considerable, and cumulative impacts related to population and housing would be less than significant.

With regard to BHFD facilities and equipment, the related projects and other development in the City would be required to implement all applicable City Building Code and Fire Code requirements regarding structural design, building materials, site access, fire flow, storage and management of hazardous materials, alarm and communications systems, etc. Compliance with applicable City Building Code and Fire Code requirements would be demonstrated as part of BHFD's fire/life safety plan review and BHFD's fire/life safety inspection, prior to the issuance of a building permit. Compliance with applicable regulatory requirements, including BHFD's fire/life safety plan review and BHFD's fire/life safety inspection, would ensure that adequate fire prevention features would be provided that would reduce the demand on BHFD facilities and equipment. Related projects may include the installation of automatic fire sprinklers to enhance fire safety, which would further reduce the demand placed on the BHFD facilities and equipment. The Project, as well as the related projects, would also generate revenues to the City's Municipal Fund (in the form of property taxes, sales revenue, etc.) that could be applied toward the provision of new fire station facilities and related staffing, as deemed appropriate. Through the City's regular budgeting efforts, BHFD's resource needs would be identified and allocated according to the priorities at the time. Therefore, although an increase in service may be anticipated to serve staff and transient hotel occupants, the Project and related projects would not result in significant cumulative impacts with respect to fire protection. As such, the Project's contribution would not be cumulatively considerable, and cumulative impacts would be less than significant.

With regard to BHPD protection services, the Project would not introduce a new residential population to the Project Site, although an increase in service may be anticipated to serve staff and transient hotel occupants. To help reduce any on-site increase in demand for police services, the Project and related projects would implement comprehensive safety and design features to enhance public safety and reduce the demand for police services. In addition, the Project, as well as the related projects, would generate revenues to the City's Municipal Fund (in the form of property taxes, sales revenue, etc.) that could be applied toward the provision of new facilities and related staffing, as deemed appropriate. Through the City's regular budgeting efforts, the BHPD's resource needs would be identified and monies allocated according to the priorities at the time. Therefore, the Project and related projects would not result in significant cumulative impacts with respect to police protection. As such, the Project's contribution would not be cumulatively considerable, and cumulative impacts would be less than significant.

With regard to other public services such as schools, parks and recreation, and libraries, the Project would not generate a residential population that could increase the demand for schools, parks and recreational facilities, and libraries, nor would staff and transient hotel occupants significantly impact demand. Therefore, the Project would not contribute to an increased demand for these services. Other related projects could increase the demand for these services and facilities. However, the applicants for those projects would be required to pay mitigation impact fees for identified impacts under applicable regulatory requirements. Specifically, in the case of schools, the applicants for some related projects may be required to pay school impact fees, which would offset any potential impact to schools associated with the related projects. Similarly, in the case of parks and recreation (i.e., existing neighborhood and regional parks), some related projects would be required to include open space and amenity spaces (e.g. gyms, outdoor decks with pools, etc.) and pay park in-lieu fees (as required), which would help reduce the demand on neighborhood and regional parks, thereby reducing the likelihood that there would be substantial deterioration of parks. Employees generated by the non-residential related projects would be more likely to use parks and library facilities near their homes during non-work hours, as opposed to patronizing local facilities on their way to or from work or during their lunch hours. In addition, each related project would generate revenues to the City's General Fund (in the form of property taxes, sales tax, business tax, transient occupancy tax, etc.) that could be applied toward the provision of enhancing park facilities and library services in the City, as deemed appropriate. These revenues to the City's General Fund would help offset the increase in demand for park facilities and library services as a result of the Project and the related projects. Therefore, the Project and related projects would not result in significant cumulative impacts with respect to schools, parks, libraries, and recreation. As such, the Project's contribution would not be cumulatively considerable, and cumulative impacts would be less than significant.

Due to the shared urban infrastructure, the Project and related projects would cumulatively increase water consumption, wastewater generation, and stormwater discharge. As concluded in the City's 2015 Urban Water Management Plan, projected water demand for the City would be met by the available supplies during an average year, single-dry year, and multiple-dry year through the year 2040. Further, with respect to additional growth within the service area, through the City's Urban Water Management Plan process, the City will meet all new demand for water due to projected population growth through a combination of water conservation and water recycling. Therefore, the City would be able to supply the demands of the Project and projected future growth through 2040 and beyond. In addition, in accordance with the City's Green Building Ordinance, certain water conservation measures are required to be implemented by the City. Such measures would reduce water use associated with the Project and related projects. Furthermore, certain large related projects meeting the thresholds under Senate Bill 610 would be required to prepare and receive approval of a Water Supply Assessment that demonstrates how the project's water demand will be met. Therefore, the Project and related projects would not result in significant cumulative impacts with respect to water supply. As such, the Project's contribution would not be cumulatively considerable, and cumulative impacts would be less than significant.

Development of the related projects would result in an increase in the demand for sanitary sewer service in the HWRP. As described above in Response to Checklist Question No. 19.a, the existing design capacity of the HWRP is approximately 450 mgd and current wastewater flow levels are at 275 mgd. Based on the future wastewater flow and the wastewater treatment capacity of the HWRP, sufficient wastewater treatment capacity would be available to serve the Project and related projects. In addition, the City would continue to monitor wastewater flows and update infrastructure, as necessary, to accommodate the growth within the City. New development projects occurring in the vicinity of the Project Site, including the related projects, would also be required to coordinate with the City to determine adequate sewer capacity. Therefore, the Project and related projects would not result in significant cumulative impacts with respect to the wastewater treatment systems. As such, the Project's contribution would not be cumulatively considerable, and cumulative impacts would be less than significant.

With regard to stormwater infrastructure, as with the Project, related projects would be required to comply with City requirements and implement BMPs to capture a specified amount of runoff within the Project Site and reduce the potential impact of increased runoff to existing drainage systems. Therefore, the Project and related projects would not result in significant cumulative impacts with respect to stormwater infrastructure. As such, the Project's contribution would not be cumulatively considerable, and cumulative impacts would be less than significant.

Development of the Project and related projects could require new or expanded telecommunications infrastructure. As with the Project, the installation of any required telecommunications infrastructure associated with the related projects would occur during a relatively short duration and would be limited to on-site telecommunications distribution and minor off-site work associated with connections to the public system. Therefore, the Project and related projects would not result in significant cumulative impacts with respect to telecommunication infrastructure. As such, the Project's contribution would not be cumulatively considerable, and cumulative impacts would be less than significant.

The Project in conjunction with related projects would increase the need for solid waste disposal during their respective construction periods. However, given the urbanized and built-out nature of most of the City, it is anticipated that other projects would similarly represent a minor percentage of the remaining capacity of the County's Class III landfills open to the City. Additionally, the demand for landfill capacity is continually evaluated by the County through preparation of the Countywide Integrated Waste Management Plan annual reports. Each annual Countywide Integrated Waste Management Plan report assesses future landfill disposal needs over a 15 year planning horizon. Based on the 2018 Countywide Integrated Waste Management Plan Annual Report, the County anticipates that future disposal needs can be adequately met for the next 15 years (i.e., 2033) with implementation of strategies to maximize waste reduction and recycling, expand existing landfills, promote and develop alternative technologies, expand transfer and processing infrastructure, and use out of county disposal, including waste by rail. The preparation of each annual Countywide Integrated Waste Management Plan provides sufficient lead time (15 years) to address potential future shortfalls in landfill capacity. Therefore, cumulative impacts with respect to solid waste would be less than significant.

Lastly, as discussed above, the Project Site is located in an urbanized area, and no wildlands are located in the vicinity of the Project Site. The Project Site is not located within a City-designated Very High Fire Hazard Severity Zone. Related projects would be located in the same urban environment as the Project Site and it is unlikely the projects would expose people or buildings to wildfire. Therefore, cumulative impacts with respect to wildfire would be less than significant.

c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Potentially Significant Impact. Based on the analysis contained in this Initial Study, the Project could result in potentially significant impacts with regard to the following topics: air quality; cultural resources; energy; geology and soils (paleontological resources); greenhouse gas emissions; land use and planning; noise; transportation; tribal cultural resources; and utilities and service systems (electricity and natural gas). As a result, these potential effects will be analyzed further in the EIR.

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