



9600 Wilshire Boulevard Specific Plan

Draft Environmental Impact Report

prepared by

City of Beverly Hills

Planning Division, Department of Community Development

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Table of Contents

Executive Summary.....	ES-1
Project Synopsis.....	ES-1
Summary of Alternatives	ES-7
Areas of Known Controversy	ES-8
Issues to be Resolved	ES-8
Issues Not Studied in Detail in the EIR.....	ES-9
Summary of Impacts and Mitigation Measures	ES-9
1 Introduction.....	1-1
1.1 Environmental Impact Report Background	1-1
1.2 Purpose and Legal Authority	1-2
1.3 Scope and Content.....	1-15
1.4 Issues Not Studied in Detail in the EIR.....	1-15
1.5 Lead, Responsible, and Trustee Agencies.....	1-20
1.6 Environmental Review Process.....	1-20
2 Project Description	2-1
2.1 Project Applicant.....	2-1
2.2 Lead Agency Contact Person	2-1
2.3 Project Location	2-1
2.4 Existing Site Characteristics	2-5
2.4.1 Current Land Use Designation and Zoning.....	2-6
2.4.2 Surrounding Land Uses	2-9
2.5 Project Characteristics	2-9
2.5.1 9600 Wilshire Boulevard Specific Plan	2-9
2.5.2 Conceptual Plan	2-29
2.5.3 Analysis Scenarios.....	2-50
2.5.4 Construction and Operation	2-52
2.5.5 Project Design Features	2-55
2.6 Project Objectives.....	2-55
2.7 Required Approvals and Intended Uses of the EIR.....	2-57
3 Environmental Setting	3-1
3.1 Regional Setting.....	3-1
3.2 Project Site Setting.....	3-2
3.3 Cumulative Development	3-2
4 Environmental Impact Analysis	4-1
4.1 Air Quality	4.1-1
4.1.1 Regulatory Setting	4.1-1
4.1.2 Environmental Setting	4.1-16
4.1.3 Impact Analysis	4.1-22
4.1.4 Cumulative Impacts	4.1-50

9600 Wilshire Boulevard Specific Plan

4.2	Biological Resources	4.2-1
4.2.1	Regulatory Setting	4.2-1
4.2.2	Environmental Setting	4.2-3
4.2.3	Impact Analysis	4.2-5
4.2.4	Cumulative Impacts	4.2-10
4.3	Cultural Resources	4.3-1
4.3.1	Regulatory Setting	4.3-1
4.3.2	Environmental Setting	4.3-7
4.3.3	Impact Analysis	4.3-21
4.3.4	Cumulative Impacts	4.3-31
4.4	Energy	4.4-1
4.4.1	Regulatory Setting	4.4-1
4.4.2	Environmental Setting	4.4-10
4.4.3	Impact Analysis	4.4-13
4.4.4	Cumulative Impacts	4.4-27
4.5	Geology and Soils	4.5-1
4.5.1	Regulatory Setting	4.5-1
4.5.2	Environmental Setting	4.5-4
4.5.3	Impact Analysis	4.5-7
4.5.4	Cumulative Impacts	4.5-16
4.6	Greenhouse Gas Emissions	4.6-1
4.6.1	Regulatory Setting	4.6-1
4.6.2	Environmental Setting	4.6-8
4.6.3	Impact Analysis	4.6-14
4.6.4	Cumulative Impacts	4.6-31
4.7	Hazards and Hazardous Materials	4.7-1
4.7.1	Regulatory Setting	4.7-1
4.7.2	Environmental Setting	4.7-3
4.7.3	Impact Analysis	4.7-3
4.7.4	Cumulative Impacts	4.7-7
4.8	Land Use and Planning	4.8-1
4.8.1	Regulatory Setting	4.8-1
4.8.2	Environmental Setting	4.8-4
4.8.3	Impact Analysis	4.8-6
4.8.4	Cumulative Impacts	4.8-43
4.9	Noise	4.9-1
4.9.1	Regulatory Setting	4.9-1
4.9.2	Environmental Setting	4.9-6
4.9.3	Impact Analysis	4.9-15
4.9.4	Cumulative Impacts	4.9-46
4.10	Population and Housing	4.10-1
4.10.1	Regulatory Setting	4.10-1
4.10.2	Environmental Setting	4.10-4
4.10.3	Impact Analysis	4.10-6

4.10.4	Cumulative Impacts	4.10-11
4.11	Transportation	4.11-1
4.11.1	Regulatory Setting	4.11-1
4.11.2	Environmental Setting	4.11-5
4.11.3	Impact Analysis	4.11-13
4.11.4	Cumulative Impacts	4.11-34
4.12	Tribal Cultural Resources	4.12-1
4.12.1	Regulatory Setting	4.12-1
4.12.2	Environmental Setting	4.12-4
4.12.3	Impact Analysis	4.12-4
4.12.4	Cumulative Impacts	4.12-10
4.13	Utilities and Service Systems	4.13-1
4.13.1	Regulatory Setting	4.13-1
4.13.2	Environmental Setting	4.13-13
4.13.3	Impact Analysis	4.13-21
4.13.4	Cumulative Impacts	4.13-33
5	Other CEQA Required Discussions.....	5-1
5.1	Significant and Unavoidable Impacts	5-1
5.2	Reasons Why the Project is Being Proposed, Notwithstanding Significant Unavoidable Impacts	5-1
5.3	Significant Irreversible Environmental Changes.....	5-3
5.3.1	Building Materials and Solid Waste	5-3
5.3.2	Water	5-4
5.3.3	Energy Consumption.....	5-4
5.3.4	Environmental Hazards.....	5-5
5.3.5	Conclusion.....	5-6
5.4	Growth Inducement.....	5-7
5.4.1	Population Growth	5-7
5.4.2	Economic Growth	5-8
5.4.3	Removal of Obstacles to Growth.....	5-8
5.5	Potential Secondary Effects of Mitigation Measures	5-9
5.5.1	Air Quality	5-9
5.5.2	Biological Resources	5-9
5.5.3	Cultural Resources	5-10
5.5.4	Geology and Soils.....	5-10
5.5.5	Noise	5-11
5.5.6	Transportation	5-11
5.5.7	Tribal Cultural Resources	5-11
6	Alternatives.....	6-1
6.1	Introduction	6-1
6.2	Summary of Alternatives	6-2
6.3	Alternatives Considered but Rejected.....	6-7

9600 Wilshire Boulevard Specific Plan

6.3.1	No Mixed Use (Commercial/Retail in Wilshire Boulevard District Only)	6-7
6.3.2	Alternative Site Alternative	6-7
6.4	Alternatives Analysis Format and Methodology	6-7
6.5	Alternative 1: No Project/No Build Alternative	6-14
6.5.1	Description	6-14
6.5.2	Impact Analysis	6-14
6.5.3	Comparison of Impacts	6-22
6.5.4	Relationship of the Alternative to Project Objectives	6-22
6.6	Alternative 2: No Project/Zoning Compliant Buildout	6-24
6.6.1	Description	6-24
6.6.2	Impact Analysis	6-27
6.6.3	Comparison of Impacts	6-44
6.6.4	Relationship of the Alternative to the Project Objectives	6-45
6.7	Alternative 3: Reduced Density	6-48
6.7.1	Description	6-48
6.7.2	Impact Analysis	6-50
6.7.3	Comparison of Impacts	6-66
6.7.4	Relationship of the Alternative to Project Objectives	6-66
6.8	Alternative 4: Increased Residential Conversion	6-69
6.8.1	Description	6-69
6.8.2	Impact Analysis	6-71
6.8.3	Comparison of Impacts	6-88
6.8.4	Relationship of the Alternative to Project Objectives	6-88
6.9	Alternative 5: Reduced Nighttime Construction	6-92
6.9.1	Description	6-92
6.9.2	Impact Analysis	6-92
6.9.3	Comparison of Impacts	6-107
6.9.4	Relationship of the Alternative to Project Objectives	6-107
6.10	Alternative 6: Retail Emphasis with Reduced Restaurant and Office	6-108
6.10.1	Description	6-108
6.10.2	Impact Analysis	6-110
6.10.3	Comparison of Impacts	6-127
6.10.4	Relationship of the Alternative to Project Objectives	6-127
6.11	Environmentally Superior Alternative	6-130
7	References	7-1
7.1	Bibliography	7-1
7.2	List of Preparers	7-20

Tables

Table ES-1 Specific Plan Area Identification ES-2

Table ES-2 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts ES-10

Table 1-1 NOP Comments and EIR Response 1-2

Table 1-2 Issues Not Studied in the EIR 1-16

Table 2-1 Specific Plan Area Identification 2-5

Table 2-2 Existing and Proposed General Plan Land Use and Zoning Designations..... 2-6

Table 2-3 Specific Plan – Permitted Permanent Uses 2-12

Table 2-4 Specific Plan — Building Height and Floor Area Regulations 2-16

Table 2-5 Conceptual Plan – Development Summary 2-31

Table 2-6 Anticipated Construction Schedule 2-52

Table 2-7 Conceptual Plan - Operating Hours and Access Standards 2-54

Table 3-1 Cumulative Projects List..... 3-3

Table 4.1-1 Federal and State Ambient Air Quality Standards..... 4.1-2

Table 4.1-2 Representative Annual Ambient Air Quality Data 4.1-21

Table 4.1-3 Existing Air Pollutant Emissions on the Project Site 4.1-22

Table 4.1-4 SCAQMD Regional Significance Thresholds..... 4.1-23

Table 4.1-5 SCAQMD LSTs for Construction and Operation..... 4.1-24

Table 4.1-6 Anticipated Construction Equipment List..... 4.1-27

Table 4.1-7 Anticipated Construction Schedule 4.1-30

Table 4.1-8 Unmitigated Annual and Hourly Construction Emissions 4.1-30

Table 4.1-9 Project Construction Emissions 4.1-39

Table 4.1-10 Project Operational Emissions – Conceptual Plan..... 4.1-40

Table 4.1-11 Project Operational Emissions – Specific Plan Buildout Scenario 1 (No Residential Conversion) 4.1-40

Table 4.1-12 Project Operational Emissions – Specific Plan Buildout Scenario 2 (Maximum Residential Conversion)..... 4.1-41

Table 4.1-13 Project Construction Emissions - Mitigated 4.1-42

Table 4.1-14 Unmitigated Project LST Construction Emissions..... 4.1-43

Table 4.1-15 Health Risks Associated with Unmitigated Construction Activity 4.1-44

Table 4.1-16 Unmitigated Project LST Operational Emissions – Conceptual Plan 4.1-45

Table 4.1-17 Unmitigated Project LST Operational Emissions – Specific Plan Buildout Scenario 1 (No Residential Conversion)..... 4.1-45

Table 4.1-18 Unmitigated Project LST Operational Emissions – Specific Plan Buildout Scenario 2 (Maximum Residential Conversion) 4.1-45

Table 4.1-19 Unmitigated Project LST Construction Emissions..... 4.1-48

9600 Wilshire Boulevard Specific Plan

Table 4.1-20	Mitigated Risk Associated with Construction Activity.....	4.1-48
Table 4.1-21	Mitigated Project LST Operational Emissions.....	4.1-49
Table 4.4-1	Estimated Fuel Consumption during Construction	4.4-19
Table 4.4-2	Conceptual Plan Estimated Annual Operational Energy Consumption.....	4.4-21
Table 4.4-3	Specific Plan Buildout Scenario 1 (No Residential Conversion) Estimated Annual Operational Energy Consumption.....	4.4-21
Table 4.4-4	Specific Plan Buildout Scenario 2 (Maximum Residential Conversion) Estimated Annual Operational Energy Consumption	4.4-22
Table 4.6-1	Existing Project Site GHG Emissions	4.6-11
Table 4.6-2	Consistency with Applicable 2022 Scoping Plan GHG Emission Reduction Strategies.....	4.6-21
Table 4.6-3	Consistency with Applicable 2020-2045 RTP/SCS Strategies	4.6-27
Table 4.6-4	Estimated Construction Emissions of Greenhouse Gases	4.6-30
Table 4.6-5	Combined Net Annual Emissions of Greenhouse Gases	4.6-31
Table 4.8-1	Project Consistency with Beverly Hills General Plan Goals and Policies	4.8-9
Table 4.9-1	Significance of Changes in Ambient Noise Levels.....	4.9-2
Table 4.9-2	Land Use Noise Compatibility Matrix	4.9-4
Table 4.9-3	Criteria for Vibration Damage Potential.....	4.9-10
Table 4.9-4	Short-Term Noise Measurement Results	4.9-11
Table 4.9-5	LT-1 24-hour Noise Measurement Results (May 30-31, 2023)	4.9-12
Table 4.9-6	LT-2 24-hour Noise Measurement Results (May 30-31, 2023)	4.9-12
Table 4.9-7	LT-3 24-hour Noise Measurement Results (May 30-31, 2023)	4.9-13
Table 4.9-8	Heavy-Duty Construction Traffic	4.9-19
Table 4.9-9	Construction Noise Levels at Sensitive Receptors.....	4.9-22
Table 4.9-10	Nighttime Construction Noise Levels at Sensitive Receptors.....	4.9-23
Table 4.9-11	Estimated Operational Noise Levels.....	4.9-29
Table 4.9-12	Conceptual Plan Via Open - Project and Future Traffic Noise Increases	4.9-30
Table 4.9-13	Conceptual Plan, Via Closed - Project and Future Traffic Noise Increases	4.9-32
Table 4.9-14	Specific Plan Buildout Scenario 1 (No Residential Conversion), Via Open - Project and Future Traffic Noise Increases.....	4.9-33
Table 4.9-15	Specific Plan Buildout Scenario 1 (No Residential Conversion), Via Closed - Project and Future Traffic Noise Increases.....	4.9-35
Table 4.9-16	Specific Plan Buildout Scenario 2 (Maximum Residential Conversion), Via Open - Project and Future Traffic Noise Increases.....	4.9-36

Table 4.9-17 Specific Plan Buildout Scenario 2 (Maximum Residential Conversion), Via Closed - Project and Cumulative Traffic Noise Increases 4.9-38

Table 4.9-18 Vibration Levels at Sensitive Receptors..... 4.9-44

Table 4.10-1 Beverly Hills 2021-2029 Regional Housing Needs Assessment 4.10-4

Table 4.10-2 Beverly Hills Population, Households, and Employment Projections 4.10-5

Table 4.10-3 Land Use and Population/Employment Assumptions for Project Scenarios..... 4.10-8

Table 4.10-4 Employment Generation for Project Scenarios..... 4.10-10

Table 4.10-5 Cumulative Population, Housing, and Employment..... 4.10-11

Table 4.11-1 Baseline VMT for City of Beverly Hills..... 4.11-16

Table 4.11-2 City of Beverly Hills VMT Impact Thresholds..... 4.11-17

Table 4.11-3 SCAG Growth Assumptions for Project Site TAZs..... 4.11-29

Table 4.11-4 VMT Screening Summary for Project Scenarios 4.11-30

Table 4.11-5 SCAG Growth Assumptions for Project Site TAZs..... 4.11-36

Table 4.13-1 Landfill Capacities 4.13-16

Table 4.13-2 Conceptual Plan Estimated Operational Water Consumption 4.13-28

Table 4.13-3 Specific Plan Buildout Scenario 1 Estimated Operational Water Consumption..... 4.13-28

Table 4.13-4 Specific Plan Buildout Scenario 2 Estimated Operational Water Consumption..... 4.13-29

Table 6-1 Summary of Development Proposed by the Alternatives1..... 6-6

Table 6-2 Comparison of Impacts Associated with the Alternatives..... 6-9

Table 6-3 Alternative 2 Development Summary 6-26

Table 6-4 Alternative 2 Operational Emissions 6-28

Table 6-5 Alternative 2 LST Operational Emissions 6-29

Table 6-6 Alternative 3 Development Summary 6-49

Table 6-7 Alternative 4 Development Summary 6-70

Table 6-8 Alternative 4 Operational Emissions 6-72

Table 6-9 Alternative 4 LST Operational Emissions 6-73

Table 6-10 Alternative 6 Development Summary 6-109

Table 6-11 Alternative 6 Operational Emissions 6-111

Table 6-12 Alternative 6 LST Operational Emissions 6-112

Figures

Figure 2-1	Regional Location.....	2-2
Figure 2-2	Project Site Location	2-3
Figure 2-3	Specific Plan Boundary.....	2-4
Figure 2-4	Existing General Plan Land Use Designations.....	2-7
Figure 2-5	Existing Zoning Designations	2-8
Figure 2-6	Specific Plan Districts	2-11
Figure 2-7	Specific Plan Circulation Improvements	2-18
Figure 2-8	Wilshire Boulevard Street Sections	2-20
Figure 2-9	South Peck Drive Street Sections.....	2-21
Figure 2-10	South Camden Drive Street Sections.....	2-23
Figure 2-11	South Bedford Drive Street Sections	2-25
Figure 2-12	Specific Plan Loading Areas	2-28
Figure 2-13	Conceptual Plan — Site Plan.....	2-33
Figure 2-14	Conceptual Plan — Building Elevations	2-34
Figure 2-15	Conceptual Plan — Circulation	2-42
Figure 2-16	Conceptual Plan — Proposed Utilities Plan.....	2-43
Figure 2-17	Conceptual Plan — Landscaping Plan and Planting Palette	2-47
Figure 3-1	Cumulative Projects Map.....	3-5
Figure 4.1-1	Construction Source and Receptors	4.1-33
Figure 4.3-1	Saks Fifth Avenue Building Units #1-3 and Additions.....	4.3-13
Figure 4.5-1	Fault Zones in Project Vicinity.....	4.5-6
Figure 4.9-1	A-Weighted Decibel Scale.....	4.9-9
Figure 4.9-2	Noise Measurement Locations	4.9-14
Figure 4.9-3	Outdoor Dining Areas	4.9-27
Figure 4.9-4	Temporary Noise Barrier Locations	4.9-40
Figure 4.11-1	Existing Roadways.....	4.11-6
Figure 4.11-2	Existing Transit Services.....	4.11-10
Figure 4.11-3	Existing Pedestrian Crossings.....	4.11-12
Figure 4.11-4	Low VMT Screening for Residential Uses	4.11-26
Figure 4.11-5	TPA Screening for Commercial Zones.....	4.11-28
Figure 4.13-1	Existing Water, Sewer, and Stormdrain Infrastructure	4.13-14
Figure 4.13-2	Existing Electricity Infrastructure.....	4.13-17
Figure 4.13-3	Existing Natural Gas Infrastructure.....	4.13-18
Figure 4.13-4	Existing AT&T Infrastructure.....	4.13-19
Figure 4.13-5	Existing Spectrum Infrastructure	4.13-20
Figure 4.13-6	Conceptual Sewer Plan	4.13-25

Appendices

Appendix A	Initial Study, NOP, and Scoping Comments
Appendix B	Air Quality and Greenhouse Gas Emissions Modeling
Appendix C	Historical Resource Evaluation Report
Appendix D	Energy Calculations
Appendix E	Fault Rupture Hazard Investigations
Appendix F	Noise Modeling
Appendix G	Transportation Reports
Appendix H	Utilities Studies and Will Serves

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Executive Summary

In accordance with California Environmental Quality Act (CEQA)¹ Guidelines² Section 15123, this section of this Draft Environmental Impact Report (EIR) contains a brief summary of the 9600 Wilshire Boulevard Specific Plan Project (proposed project or project) and its potential environmental effects. More detailed information regarding the project and its potential environmental effects is provided in the following sections of this Draft EIR. Also included in this section is a description of the organization of this Draft EIR, a general description of the project, a summary of the alternatives to the project evaluated in this Draft EIR, including identification of the Environmentally Superior Alternative, and a general description of known areas of controversy.

Project Synopsis

Project Applicant

Saks & Company/Street-Works Development
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Project Location

The Specific Plan Area (or project site) is approximately four-acres in size and is located south of Wilshire Boulevard, between Bedford Drive to the west and Camden Drive to the east, in the southwestern portion of the City of Beverly Hills. The Specific Plan Area generally consists of two rectangular blocks bisected by South Peck Drive. For purposes of this analysis, the Specific Plan Area is divided into two districts (Wilshire Boulevard District, and Neighborhood District) and six subareas (9570 Wilshire, Parcel A, Parcel B, Saks Rehabilitation, Neighborhood East, and Neighborhood West). The Assessor's Parcel Numbers for the project site are identified in Table ES-1.

¹ Public Resources Code (PRC) Section 21000 et seq.

² Title 14 California Code of Regulations Section 1500 et seq.

Table ES-1 Specific Plan Area Identification

Subarea	Assessor’s Parcel Numbers	Addresses
Existing 9570 Wilshire	4328-026-030, -039	9570 Wilshire Boulevard
Parcel A	4328-026-003, -004	9588-9596 Wilshire Boulevard
Saks Rehabilitation	4328-021-001, -002	9600-9610 Wilshire Boulevard
Parcel B	4328-021-019	9620 Wilshire Boulevard
Neighborhood East	4328-026-006, -007, -008, -013, -014, -015	133 South Camden Drive
Neighborhood West	4328-021-020, -021, -022, -023	128 South Bedford Drive

Existing Project Site Conditions

The Specific Plan Area currently contains three existing commercial structures (one with a 309-stall subterranean parking facility), an ancillary loading facility, and three surface parking lots. The Specific Plan Area also contains a portion of South Peck Drive and three alleyways that are currently in use, including, an approximately 27-foot-wide alley that runs along the southwestern boundary of the site between South Bedford Drive and South Peck Drive, an approximately 20-foot-wide alley in the southeastern portion of the site that connects to South Camden Drive, and an existing residential alley to the south of the Specific Plan Area, and an alley that runs behind the Existing 9570 Wilshire and Parcel “A”. One of the buildings on the project site, the Saks Women’s Building, which has been identified as eligible for listing in the National Register of Historic Places, the California Register of Historical Resources, and local designation as a City of Beverly Hills Landmark. The project site is currently designated in the City’s General Plan as Low Density General Commercial or Medium Density Retail and High Density Multi-Family Residential. The project site contains the following zones: Commercial (C-3), Residential Parking Zone (R-4-P), Multiple Residential Zone (R-4X2), and Multiple Residential (R-4-P and R-4) with a Commercial Retail Planned Development (C-R-PD) Overlay and Mixed Use Overlay.

Project Description

The project proposes the creation of the 9600 Wilshire Boulevard Specific Plan (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. The Specific Plan would facilitate: the rehabilitation and adaptive reuse of the existing Saks Women’s Building, the retention of the existing commercial building at 9570 Wilshire for continued commercial use (including Retail Department Store), and the development of residential, retail, office, hospitality, social club, boutique hotel, open space, and related uses within the Specific Plan Area. To allow for development of the project, the existing Saks Shoe Building would be demolished. The Specific Plan would permit up to 642,000 sf of total floor area, for a maximum aggregate floor area ratio (FAR) of 3.7 averaged over the entire Specific Plan Area, as detailed further below.

The Specific Plan would permit a range of commercial and other related uses in the Wilshire Boulevard District, including retail, restaurant, boutique hotel, social club, and office uses.

No more than 50 suites would be permitted within the Specific Plan. Up to 400,000 sf of floor area would be permitted within the Wilshire Boulevard District, of which 166,000 sf would be net new floor area. In an effort to maintain flexibility to respond to changing community needs and shifts in market conditions, the Specific Plan would provide that up to a total of 150,000 sf of floor area (located above the ground floor) across the Saks Rehabilitation and Parcel B could be converted to residential uses, enabling the potential creation of up to 75 residential units (referred to as Residential Conversion Units) provided that certain conditions and approvals are met. No Residential Conversion Units would be authorized in Parcel A. Residential Conversion Units would not be developed at 9570 Wilshire unless an express finding based on substantial objective evidence in the record is submitted by the project Applicant that Retail Department Store uses on the second floor and above are no longer viable at the subject location. The maximum building height in the Wilshire Boulevard District would be 98 feet, consistent with the approximately 98-foot height of the existing Saks Women's Building.

The Specific Plan would permit a limited range of uses in the Neighborhood District, including multi-family residential and small shop/boutique retail uses.³ The Specific Plan would permit a maximum of 242,000 sf of floor area across the Neighborhood District, which could include a maximum of 70 residential condominium or apartment dwellings, together with lobby, lounge, and other residential amenity spaces. A maximum of 15,000 sf on the ground floor of the Neighborhood District could be utilized for small shop/boutique retail. The Specific Plan would require that a minimum of 2,000 sf within the Neighborhood District must be small shop/boutique retail space, with a minimum of 1,000 sf in each of the two subareas located within this District. The building height maximum in the Neighborhood District would be 78 feet.

The Specific Plan Area would be serviced by two subterranean parking structures: (1) the existing approximately 309-space subterranean parking structure on the eastern portion of the Specific Plan Area below 9570 Wilshire, and (2) the newly proposed subterranean parking structure developed under the Specific Plan Area, portions of which may be located under the public rights-of-way within the Specific Plan Area. The Specific Plan would establish automobile parking requirements based on current Beverly Hills Municipal Code (BHMC) regulations, or at the election of an applicant, through a shared parking analysis, including derived parking rates, and parking management plan prepared at the Applicant's expense and approved by the City to ensure that parking is sufficient and efficiently arranged.

As described above, the Specific Plan would allow for up to a total of 150,000 sf of floor area (located above the ground floor), across the Saks Rehabilitation and Parcel B, to be converted to residential uses. This would enable the potential creation of up to 75

³ Small shop/boutique retail includes retail sale of food and beverages for on- and off-site consumption (a bakery, café or similar use may prepare and cook its food on site); hardware; pharmaceutical products; small personal convenience items, such as apothecary, toiletries, magazines, plants, and flowers; specialty food stores; personal convenience services, such as barber and beauty care, shoe repair, alterations, locksmiths, small appliance repair, and laundry or dry-cleaning pick-up facilities; artisanal and crafts uses; boutique retail shops; and, other uses which are generally characterized as creating a lively pedestrian environment and connectivity.

9600 Wilshire Boulevard Specific Plan

Residential Conversion Units if all of the proposed 150,000 sf of floor area were to be converted.

The Specific Plan regulations summarized above would be implemented through a discretionary approval process referred to as a “Conceptual Plan” which would prescribe the detailed building plans and configuration of uses. A Conceptual Plan, described in Section 2.5.2, *Conceptual Plan*, has also been proposed. Therefore, this EIR analyzes the potential environmental effects of buildout of the Specific Plan at a programmatic level including with and without the Residential Conversion Units. This EIR also performs a project-level review of the proposed Conceptual Plan. These scenarios are summarized below:

- **Conceptual Plan Buildout:** Consistent with the description provided under Section 2.5.2, *Conceptual Plan*, the Wilshire Boulevard District would consist of approximately 261,722 square feet of commercial space, in addition to the continued commercial use of the existing 107,000 sf at 9570 Wilshire. Additionally, the Neighborhood District would have 68 residential units and 10,581 sf of ground floor Small Shop/Boutique Retail.
- **Specific Plan Buildout Scenario 1, Maximum Buildout of the Specific Plan with No Residential Conversion:** Consistent with the description provided under Section 2.5.1.1, *Floor Area*, in addition to approximately 107,000 sf of commercial uses at 9570 Wilshire, the Wilshire Boulevard District would contain 293,000 sf of commercial uses of which 166,000 sf would be net new floor area. The Neighborhood District would contain 70 residential units and 15,000 sf of ground floor Small Shop/Boutique Retail.
- **Specific Plan Buildout Scenario 2, Maximum Buildout of the Specific Plan with Maximum Residential Conversion:** 250,000 sf of commercial floor area (which includes approximately 107,000 sf of existing floor area at 9570 Wilshire) would be included in the Wilshire Boulevard District, of which 16,000 sf would be net new floor area. As contemplated in the Specific Plan, 75 Residential Conversion Units consisting of 150,000 sf of floor area located above the ground floor would be developed across the Saks Rehabilitation and Parcel B subareas. In addition, 70 residential units and 15,000 sf of ground floor Small Shop/Boutique Retail would be developed in the Neighborhood District. This scenario assumes that no Residential Conversion Units would be developed on the 9570 Wilshire subarea, because while permissible in concept pursuant to the proposed Specific Plan, express findings under a conditional use permit, which the Applicant is not seeking at this time, and additional environmental review and clearance would be required in order to authorize any such conversion to be made. A total of 265,000 sf of commercial uses and 145 residential units would be developed across the project site.

The types of land uses, siting, footprint, mass, overall layout of structures, locations of street and publicly accessible open spaces, and appearance of the proposed buildings within the proposed mixed-use project would be substantially the same under the proposed Conceptual Plan and under both of the Specific Plan build out scenarios.

Construction of the development anticipated by the analysis scenarios would follow the same timeline. Construction would commence in 2024 and is anticipated to be completed in 2028, with project operation occurring in late 2028.

Project Objectives

The underlying purpose of the project is to revitalize the two city blocks fronting Wilshire Boulevard and transform the project site from a primarily vehicular-oriented area to a pedestrian-oriented area by creating a mixed-use, compact and pedestrian-friendly development, and preserve the historic Saks Women's Building in accordance with the Secretary of the Interior's Standards. Additional goals and objectives include the following:

- Respond to the reality that retail department stores and office have experienced substantial modification in their utilization of physical space due to changing consumer and other economic demands by creating a framework for a range of new uses that can evolve over time in response to further changes in the economic landscape; facilitate retention of existing landmark structures in an economically viable manner; restore economic activity to the Specific Plan Area; and provide for uses that will serve the needs of the nearby community, including (among others) cafes, restaurants, artisanal food, clothiers and similar uses, and neighborhood services.
- Require the preservation and adaptive reuse of the Saks Women's Building at an anchor location on Wilshire Boulevard and ensure its structural stability (including seismic requirements), economic viability, and accessibility by requiring its rehabilitation in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties. Enact development standards that meet or satisfy City design standards as further articulated in the Specific Plan, while also allowing for transit-adjacent and pedestrian-friendly development.
- Enhance the architectural and aesthetic character of Wilshire Boulevard by providing a contiguous building edge along each of the two blocks on Wilshire Boulevard, at a scale that is informed by the massing and height of the approximately 98-foot-tall Saks Women's Building.
- Create an active and pedestrian-friendly environment by developing well-designed and attractive buildings, streets, sidewalks and publicly accessible open space. To achieve this broad goal, the Specific Plan is intended to provide for each of the following: an identifiable sense of place through development standards that are unique to the Specific Plan Area; open space areas that can facilitate programs that serve the local neighborhood (including but not limited to farmer's markets), as well as residents, restaurants, retailers, and other uses within the Specific Plan Area; and pedestrian-friendly street designs that include appropriately-scaled sidewalks, attractive landscaping, and neighborhood-serving ground floor commercial and restaurant uses.

9600 Wilshire Boulevard Specific Plan

- Support neighborhood character, transition and connectivity by replacing commercial surface parking lots and sparsely planted alleyways with a cohesive blend of commercial and residential uses, as well as enhanced landscaping along South Bedford Drive, South Peck Drive, and South Camden Drive to create an appealing transition between the Specific Plan Area and the existing multi-family residential neighborhood to the south.
- Create an environment accessible from the City’s major shopping areas and close to the City’s major streets that can attract high-quality, major employers to support and attract new businesses and sustain employment, well-paying jobs, and a high level of economic activity.
- Concentrate new housing and amenities near existing and anticipated transportation nodes and stations to encourage the use of alternative modes of transportation to automobile travel.
- Generate additional annual tax revenues for the City of Beverly Hills, including property taxes, sales taxes, and transient occupancy taxes.
- Protect and enhance the residential character of existing neighborhoods south of the Specific Plan Area by replacing surface commercial parking lots with a newly established Neighborhood District between Wilshire Boulevard and the existing multi-family residences south of the Specific Plan Area, and transforming existing alleys along the southern boundary of the Specific Plan Area into an enhanced “South Drive” featuring improved landscaping.
- Introduce high-quality housing options designed to cater to residents wanting to stay in Beverly Hills as their housing needs change over time, with the convenience of full-service, amenitized housing.
- Improve the streetscape along South Peck Drive, South Camden Drive, and South Bedford Drive in keeping with the City’s Complete Streets Plan and in a manner that both calms traffic and creates a safe pedestrian environment for neighbors to walk to and enjoy, while discouraging cut-through traffic on residential streets by incorporating improved landscaping, canopy trees, raised crosswalks, sidewalk enhancements, and specialized paving.
- Implement a parking strategy that reduces the visual impact of parking spaces by emphasizing subterranean parking in lieu of large expanses of surface parking.
- Support the growth of the City’s economic base by creating a significant number of construction jobs and permanent jobs.
- Develop buildings that will integrate active and passive sustainability practices, including drought-tolerant landscaping, high-efficiency equipment, gray water systems, and other sustainable strategies to reduce city and regional dependency on fossil fuels, minimize the use of water, and achieve a Leadership in Energy and Environmental Design (“LEED”) Silver V4.1 equivalency.

Summary of Alternatives

This Draft EIR examined six alternatives to the project in detail, which include the No Project Alternative (Alternative 1), the No Project/Zoning Compliant Alternative (Alternative 2), the Reduced Density Alternative (Alternative 3), the Increased Residential Conversion Alternative (Alternative 4), the Reduced Nighttime Construction Alternative (Alternative 5), and the Retail Emphasis with Reduced Restaurant and Office Alternative (Alternative 6). The Draft EIR also considered but rejected two alternatives as infeasible, including a No Mixed Use Alternative and Alternative Site Alternative.

Refer to Section 6, *Alternatives*, of this Draft EIR for a more detailed description of these alternatives, a comparative analysis of the impacts of these alternatives with those of the proposed project, the extent to which the alternatives meet the project objectives, and a description of the alternatives considered but rejected as infeasible. Based on the alternatives analysis included in Section 6, *Alternatives*, of this Draft EIR, Alternative 3 was determined to be the environmentally superior alternative. A general description of these alternatives is provided below.

- Alternative 1, No Project/No Build: Alternative 1 assumes that the project would not be implemented, no new permanent development would occur within the project site, and the existing environment would be maintained. Thus, the physical conditions of the project site would remain as they are today.
- Alternative 2, No Project/Zoning Compliant Buildout: Alternative 2 considers development of the project site in accordance with its existing land use and zoning designations. Alternative 2 would eliminate the boutique hotel, social club, office, and spa uses proposed as part of the project, and would develop the site with a mix of residential, retail, and restaurant uses.
- Alternative 3, Reduced Density: Alternative 3 assumes that the Specific Plan would be modified to reduce the maximum new development on the site by 25 percent, resulting in a one-story reduction in new building heights as compared to the proposed project.
- Alternative 4, Increased Residential Conversion: Alternative 4 assumes that the Specific Plan would be modified to permit additional residential conversion units within the Wilshire Boulevard District, resulting in development of 100 residential units in the Wilshire Boulevard District and 70 residential units in the Neighborhood District. The maximum permitted development would remain consistent with the proposed project. As a result of the increased residential development, the boutique hotel, social club, and office uses part of the project would be eliminated, and Alternative 4 would include only retail, restaurant, spa, and residential uses.
- Alternative 5, Reduced Nighttime Construction: Alternative 5 would involve adoption of the Specific Plan as proposed by the project and described in Section 2, *Project Description*. The only difference between Alternative 5 and the proposed project would be that the number of days with nighttime construction would be reduced from 27 days to 22 days.

9600 Wilshire Boulevard Specific Plan

- Alternative 6, Retail Emphasis with Reduced Restaurant and Office: Alternative 6 assumes that the Specific Plan would be modified to limit the amount of restaurant use permitted. The maximum permitted development and permitted land uses would be the same as the proposed project, but an increased proportion of the commercial square footage would be occupied by retail uses rather than restaurant and office uses.

Areas of Known Controversy

Based on the Notice of Preparation (NOP) comment letters provided in Appendix A of this Draft EIR, along with verbal comments received during the Scoping Meeting, issues known to be of concern include, but are not limited to, project impacts associated with air quality, GHG emissions, land use and planning, noise, and transportation and traffic. Refer to Table 1-1 for a summary of the comments received and Appendix A of this Draft EIR for copies of the NOP comment letters.

Issues to be Resolved

The proposed project would require discretionary approval of the City of Beverly Hills. Unless otherwise indicated, the City's Planning Commission will provide a recommendation to the City Council. The City Council has the project approval authority. Specifically, the following approvals would be required:

- Certification of the Final EIR
- General Plan Amendment
- Specific Plan Adoption
- Zoning Map and Zone Text Amendment
- Development Agreement
- Other approvals as required by the City and other agencies:
 - Vesting Tentative Tract Map
 - Encroachment permits for work affecting the adjacent roadways
 - Approval of a Conceptual Plan
 - City approval for potable and fire water as well as sewer and stormdrain
 - Southern California Edison (SCE) and Sempra Energy (SoCal Gas)
 - Caltrans approval of construction haul route

In addition to the entitlements identified above, additional or subsequent discretionary and/or ministerial approvals may also be required for the project, including (but not limited to) architectural review, signage and lighting permits, vacation and relocation of existing alleys and easements, demolition permit, haul route permit, excavation permit, shoring permit, grading permit, foundation permit, and various building permits. The project would also require approval of encroachment permits by Metro for any construction work that occurs within 100-feet of a Metro right-of-way, including the planned Purple Line subway tunnel below Wilshire Boulevard.

Issues Not Studied in Detail in the EIR

Based on the review of the proposed project and analysis completed as part of the Initial Study, as well as a review of comments received during the NOP process, the City of Beverly Hills determined that the project would not have the potential to cause or otherwise result in significant environmental effects related to aesthetics; agriculture and forestry resources; biological resources (except for special status species); cultural resources (human remains); geology and soils (except for earthquake fault rupture, seismic ground shaking, expansive soil, and paleontological resources); hazards and hazardous materials (except for emergency response and evacuation); hydrology and water quality; land use and planning (division of an established community); mineral resources; noise (airports); population and housing (displacement of people or housing); public services; recreation; and wildfires. Therefore, these areas are not analyzed further in this Draft EIR as they have been fully evaluated in the Initial Study. The Initial Study, which provides evidence supporting the conclusions that no significant impacts would occur for these issue areas, is included in Appendix A of this Draft EIR.

Summary of Impacts and Mitigation Measures

Table ES-2 summarizes the environmental impacts of the proposed project, proposed mitigation measures, and residual impacts (the impact after application of mitigation, if required). Impacts are categorized as follows:

- **Significant and Unavoidable.** An impact that cannot be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires a Statement of Overriding Considerations to be issued if the project is approved per Section 15093 of the CEQA Guidelines.
- **Less than Significant with Mitigation Incorporated.** An impact that can be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires findings under Section 15091 of the CEQA Guidelines.
- **Less than Significant.** An impact that may be adverse but does not exceed the threshold levels and does not require mitigation measures. However, mitigation measures that could further lessen the environmental effect may be suggested if readily available and easily achievable.
- **No Impact.** The proposed project would have no effect on environmental conditions or would reduce existing environmental problems or hazards.

Table ES-2 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Impact	Mitigation Measure (s)	Residual Impact
Air Quality		
<p>Impact AQ-1. The project would potentially generate criteria pollutant emissions during construction that exceed South Coast Air Quality Management District (SCAQMD) regional thresholds for criteria pollutants, conflicting with the Air Quality Management Plan. This impact would be potentially significant. Project operation would not conflict with applicable Air Quality Management Plan and operational impacts would be less than significant.</p>	<p>AQ-1 NO_x and PM Emissions Reductions. Prior to construction activity and issuance of grading permits, the City Building Official shall confirm that the grading plan, building plans, and specifications stipulate that the project shall equip Tier 4 engines as follows:</p> <ul style="list-style-type: none"> ▪ Crawler tractors, excavators, loaders (front end and rubber tired), backhoes, and off-highway trucks all construction phases (as applicable). ▪ Bore/drill rigs, concrete/industrial saws, and air compressors during the excavation phase. ▪ Rubber tired dozers during building construction phase. 	<p>Less than significant with mitigation</p>
<p>Impact AQ-2. Construction of the project would potentially generate criteria pollutant emissions that exceed SCAQMD regional thresholds and impacts would be potentially significant. Operation of the project would result in less than significant regional air pollutant emissions.</p>	<p>AQ-1 NO_x and PM Emissions Reductions. See above</p>	<p>Less than significant with mitigation</p>
<p>Impact AQ-3. Construction of the proposed project would result in potentially significant impacts related to localized significance thresholds and TAC emissions would exceed the excess cancer risk threshold. Construction would result in potentially significant impacts to sensitive receptors. Operation of the project would result in emissions that would potentially exceed the SCAQMD localized significance thresholds, and operation would result in potentially significant impacts to sensitive receptors.</p>	<p>AQ-1 NO_x and PM Emissions Reductions. See above</p> <p>AQ-2 Operational PM_{2.5} Emissions Reduction. The project shall only conduct maintenance testing on a maximum of three of the seven emergency generators per day, for a total of 60 minutes per day.</p>	<p>Less than significant with mitigation</p>
<p>AQ-4. Construction and operation of the proposed project would not result in other emissions, such as those leading to odors, that would affect a substantial number of people. Impacts would be less than significant</p>	<p>None required</p>	<p>Less than significant</p>

Impact	Mitigation Measure (s)	Residual Impact
Biological Resources		
<p>BIO-1. Project construction has the potential to result in significant impacts to protected nesting birds and roosting bats.</p>	<p>BIO-1 Pre-construction Nesting Bird Surveys. The project applicant/contractor shall conduct all demolition, grading, excavation, ground disturbance, construction, and vegetation clearing activities (collectively referred to as “construction activities”) in such a way as to avoid protected nesting birds. To that end, no construction activities shall be initiated during the avian breeding and nesting season (February 1 – August 31), unless in compliance with following requirements.</p> <p>If construction activity is initiated during the avian breeding and nesting season (February 1 – August 31), a pre-construction survey shall be conducted by a qualified biologist for active bird nests (those containing eggs or nestlings, or with juvenile birds still dependent on the nest). The survey shall be conducted by a qualified biologist no more than seven days prior to the initiation of construction activities. The nesting bird survey shall cover the construction footprint plus a buffer of up to 300 feet, where accessible. Adjacent private, off-site areas can be surveyed from the project site with binoculars or other means if access is not otherwise granted.</p> <p>Any active nests that are present during the pre-construction survey 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.</p> <p>If construction activities are delayed after the survey has been conducted, the qualified biologist shall conduct an additional nesting bird survey (or surveys) such that no more than seven days have elapsed between the last survey and the commencement of construction activities.</p> <p>BIO-2 Pre-construction Roosting Bat Surveys. A pre-construction bat survey shall be conducted within two weeks prior to demolition (interior and exterior) of the existing buildings and the removal of any trees on-site to determine whether bats are roosting. If bats are confirmed absent, the buildings and trees may be removed.</p> <p>If bats are determined to be present during the pre-construction clearance survey, prior to demolition of the building (interior or exterior) or</p>	<p>Less than significant with mitigation</p>

Impact	Mitigation Measure (s)	Residual Impact
	<p>trees, a qualified bat biologist shall install or directly supervise installation of humane eviction devices and exclusionary material to evict bats that are present and to prevent bats from roosting in the building or trees. Implementation of the humane eviction/exclusions is typically performed in the fall (September or October) preceding construction activity at each structure to avoid impacts to hibernating bats during the winter months or during the maternity season (typically from April 1 through August 31 in Southern California), when flightless young are present. Humane evictions/exclusions cannot be performed during the bat maternity season because this would result in “take” of juvenile bats and shall be avoided during the winter because bats are not consistently active and may be hibernating. Any humane eviction/exclusion devices must be installed at least 14 days prior to the demolition of a structure or trees housing bats to allow sufficient time for the bats to vacate the roost(s).</p> <p>If the pre-construction bat survey determines maternity colonies use the buildings or their use of the buildings cannot be ruled out, no demolition activities may occur inside or outside of the building until a qualified biologist determines that there are no bats actively using the building as a maternity roost. Any bats that may still be using the building as a day roost shall be passively relocated by installing suitable exclusionary devices, such as one-way doors.</p> <p>BIO-3 Permanent Bat Boxes. If it is determined that there is maternity roosting activity onsite, bat roosting boxes shall be installed onsite. The bat roosting boxes shall be installed as close to the building(s) as feasible and shall be permanent and maintained by the property owner in perpetuity. The design of the bat roosting boxes shall be developed in coordination with a bat biologist who has experience designing roosting habitat mitigation to ensure that appropriate crevice sizes and adequate thermal characteristics are included in the specifications. The aspect and location of the roost structures shall also be determined in coordination with a bat biologist and subject to CDFW approval.</p> <p>If no maternity roosts are found onsite, then permanent bat boxes would not be required.</p>	

Impact	Mitigation Measure (s)	Residual Impact
Cultural Resources		
<p>Impact CUL-1. The project site contains one historical resource, the Saks Fifth Avenue building, and there are numerous buildings surrounding the project site that could potentially be considered historical resources based on their age. Project construction has the potential to result in significant impacts to these historical resources.</p>	<p>CUL-1 SOI Standards for Rehabilitation Design Review. A SOI Standards design review shall be implemented to ensure that the project remains in compliance with the SOI Standards for Rehabilitation as its design progresses. The project team shall retain a qualified professional who meets the Secretary of the Interior’s Professional Qualifications Standards in historic architecture and possesses a minimum of five years of experience in historic preservation (qualified professional). Input from the qualified professional as to the proposed design’s compliance with the SOI Standards for Rehabilitation shall be solicited at multiple points in the design process, including at (a) the conceptual and schematic phases, and (b) during design development. The qualified professional shall be provided with the 2022 HRG report and shall rely on that report in regard to the identification and preservation of character-defining features. The SOI Standards for Rehabilitation recognize the need to alter a historical resource to meet the needs of continuing use while maintaining its historic character through the ten standards listed below:</p> <ol style="list-style-type: none"> 1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships. 2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided. 3. Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken. 4. Changes to a property that have acquired historic significance in their own right will be retained and preserved. 5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved. 	<p>Less than significant with mitigation</p>

Impact	Mitigation Measure (s)	Residual Impact
	<ol style="list-style-type: none"> 6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence. 7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used. 8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken. 9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment. 10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired (Grimmer 2017). 	
	<p>The recommendations of the qualified professional shall be integrated into the design as it progresses. The qualified professional shall perform a formal review of detailed project plans prior to submittal of construction drawings for building permits. Prior to the issuance of building permits, the qualified professional shall prepare a Standards Review Memorandum to document the project’s compliance with the SOI Standards. This memorandum shall be submitted to the City of Beverly Hills for review, comment, and acceptance and shall be included in the case file upon finalization. Acceptance of the memorandum is required prior to the issuance of building permits. The City may elect to retain a third-party expert to peer review the memorandum at the developer’s expense.</p>	

Impact	Mitigation Measure (s)	Residual Impact
	<p>CUL-2 Mothballing Plan. In the event that the Saks Fifth Avenue Building is vacant (and is not undergoing rehabilitation and construction efforts contemplated by the project) for over six months, a Mothballing Plan shall be developed and implemented. The plan shall be developed by a qualified professional who meets the SOI's Professional Qualifications Standards in architectural history or historic architecture (the "Qualified Professional"). The Qualified Professional shall develop a Mothballing Plan for the Saks Fifth Avenue Building to prepare the site for a sustained period of vacancy and minimize harm to the building. Unless an alternative approach is identified by the Mothballing Plan, the Mothballing Plan shall (a) require that, at minimum, when the building is vacant (and is not undergoing rehabilitation and other construction and maintenance activities) the building shall be locked, the windows shall be closed and secured, and the temperature shall be set above freezing, and (b) provide for periodic checks to confirm the building is secure and stabilized. Protective fencing and other measures identified by the Qualified Professional and approved by the City may be implemented as determined by the City with input from the Qualified Professional if required to minimize harm to the building during a sustained period of vacancy. The Mothballing Plan shall take effect if the building is vacant for over six months (and is not undergoing rehabilitation and/or construction). The Mothballing Plan shall follow guidance outlined in the National Park Service (NPS) <i>Preservation Brief 31: Mothballing Historic Buildings</i> (NPS 1993).</p> <p>NOI-2 Construction Vibration Monitoring Program. Prior to any project-related construction activities, the Applicant shall prepare a construction vibration monitoring program. Since the Saks building is a historic resource, the program shall be prepared and implemented by a structural engineer with a minimum of five years of experience in the rehabilitation and restoration of historic buildings and a historic preservation architect meeting the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation, Professional Qualifications Standards. The program shall include the following:</p>	

Impact	Mitigation Measure (s)	Residual Impact
	<ul style="list-style-type: none"> ▪ Prepare an existing conditions study to establish the baseline condition of the vibration sensitive resources (i.e., the Saks building and the 9570 Wilshire Boulevard building) in the form of written descriptions with a photo survey, elevation survey, and crack-monitoring survey for the vibration-sensitive building or structure. The photo survey shall include internal and external crack monitoring in the structure, settlement, and distress, and document the condition of the foundation, walls and other structural elements in the interior and exterior of the building or structure. Where receptors are historic resources, the study shall describe the physical characteristics of the resources that convey their historic significance. ▪ Determine the number, type, and location of vibration sensors and establish a vibration velocity limit (as determined based on a detailed review of the sensitive building), for monitoring vibrations during construction, monitoring schedule, and method for alerting responsible persons who have the authority to halt construction should limits be exceeded or damaged observed. Construction contingencies shall be identified for when vibration levels approach the limits. If vibration levels approach or exceed limits, suspend construction and implement contingencies to either lower vibration levels or secure the affected structure. ▪ Perform monitoring surveys prior to, in regular intervals during, and after completion of all vibration-generating activities and report any changes to existing conditions, including, but not limited to, expansion of existing cracks, new spalls, other exterior deterioration, or any problems with character-defining features of a historic resource are discovered. The City shall establish the frequency of monitoring and reporting, based upon the recommendations of the qualified acoustical consultant or structural engineer or, for historic buildings, the historic architect and structural engineer. Monitoring reports shall be submitted to the City and the construction manager. ▪ Report substantial adverse impacts to vibration sensitive buildings including historic resources related to construction activities that are found during construction to the City and construction manager. The construction contractor shall 	

Impact	Mitigation Measure (s)	Residual Impact
	<p>adhere to the monitoring team’s recommendations for corrective measures, including halting construction or using different methods, in situations where construction activities would imminently endanger historic resources. The City and construction manager would respond to any claims of damage by inspecting the affected property promptly, but in no case more than five working days after the claim was filed and received. Any new cracks or other damage to any of the identified properties shall be compared to pre-construction conditions and a determination would be made as to whether the proposed project could have caused such damage. In the event that the project is demonstrated to have caused any damage, such damage would be repaired to the pre-existing condition at the expense of the project Applicant. Site visit reports and documents associated with claims processing would be provided to the City, as necessary.</p> <ul style="list-style-type: none"> ▪ Prepare a construction vibration monitoring report that summarizes the results of all vibration monitoring and submit the report after the completion of each phase identified in the project construction schedule. The vibration monitoring report shall include a description of measurement methods, equipment used, calibration certificates, and graphics as required to clearly identify vibration-monitoring locations. An explanation of all events that exceeded vibration limits shall be included together with proper documentation supporting any such claims. The construction vibration monitoring report shall be submitted to the City within two weeks upon completion of each phase identified in the project construction schedule. 	
<p>Impact CUL-2. Construction of the proposed project would involve ground-disturbing activities such as grading and surface excavation, which have the potential to unearth or adversely impact previously unidentified archaeological resources. Impacts would be potentially significant.</p>	<p>CUL-3 Worker’s Environmental Awareness Program. A qualified archaeologist shall be retained to conduct Worker Environmental Awareness Program training on archaeological sensitivity for all construction personnel prior to the commencement of any ground-disturbing activities. The training shall be conducted by an archaeologist who meets or exceeds the Secretary of Interior’s Professional Qualification Standards for archaeology (NPS 1983). Archaeological sensitivity training shall include a description of the types of cultural material that may be encountered,</p>	<p>Less than significant with mitigation</p>

Impact	Mitigation Measure (s)	Residual Impact
	<p>cultural sensitivity issues, regulatory issues, and the proper protocol for treatment of the materials in the event of a find.</p> <p>CUL-4 Archaeological Monitoring. Prior to project initiation, a qualified archaeologist (as defined below) shall be retained to provide periodic archaeological monitoring for the project, with the precise frequency to be established by the City in consultation with the archaeologist based on factors such as the rate of excavation or grading activities and the materials being excavated. Archaeological monitoring shall be performed under the direction of an archaeologist meeting the Secretary of the Interior’s Professional Qualification Standards for archaeology (NPS 1983). The archaeological monitor shall have the authority to halt and redirect work should any archaeological resources be identified during monitoring. If archaeological resources are encountered during ground-disturbing activities, work within 50 feet of the find shall halt and the find shall be evaluated for listing in the CRHR and NRHP. Archaeological monitoring may be reduced or halted at the discretion of the monitors, with approval of the lead agency, as warranted by conditions such as encountering bedrock, sediments being excavated are fill, or negative findings during the first 50 percent of ground-disturbance. If monitoring is reduced to spot-checking, spot-checking shall occur when ground-disturbance moves to a new location within the project site and when ground disturbance will extend to depths not previously reached (unless those depths are within bedrock). Furthermore, monitoring may be terminated in the event that it is determined that the soils within the project site do not have the potential to contain cultural resources, with approval of the lead agency.</p> <p>CUL-5 Unanticipated Discovery of Archaeological Resources. In the event that archaeological resources are unexpectedly encountered during ground-disturbing activities, work within 50 feet of the find shall halt and the qualified archaeologist shall be contacted immediately to evaluate the resource. If the resource is determined by the qualified archaeologist to be prehistoric, then a Native American representative from the project’s consulting tribes shall also be contacted to participate in the evaluation of the resource. If the qualified archaeologist and/or Native American</p>	

Impact	Mitigation Measure (s)	Residual Impact
	<p>representative determines it to be appropriate, archaeological testing for CRHR eligibility shall be completed.</p> <p>If the resource proves to be eligible for the CRHR and significant impacts to the resource cannot be avoided via project redesign, the qualified archaeologist shall prepare a data recovery plan tailored to the physical nature and characteristics of the resource, per the requirements of CCR Section 15126.4(b)(3)(C). The data recovery plan shall identify data recovery excavation methods, measurable objectives, and data thresholds to reduce any significant impacts to cultural resources related to the resource. Pursuant to the data recovery plan, the qualified archaeologist and Native American representative, as appropriate, shall recover and document the scientifically consequential information that justifies the resource’s significance. The City shall review and approve the treatment plan and archaeological testing as appropriate, and the resulting documentation shall be submitted to the regional repository of the California Historical Resources Information System, per CCR Section 15126.4(b)(3)(C). Work shall not recommence within 50 feet of the find until the data recovery plan is implemented in accordance with its terms and the same is verified by the City. In the event that unexpectedly encountered archaeological resources are determined to be Tribal Cultural Resources, the mitigation measures outlined in Section 4.12, <i>Tribal Cultural Resources</i>, of this EIR shall be implemented.</p>	
Energy		
<p>Impact E-1. The proposed project would implement energy efficiency features and would not result in wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation. Impacts would be less than significance.</p>	<p>None required</p>	<p>Less than significant</p>

City of Beverly Hills
9600 Wilshire Boulevard Specific Plan

Impact	Mitigation Measure (s)	Residual Impact
<p>E-2. The project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency, including Senate Bill 1020, the 2020-2045 RTP/SCS, Beverly Hills Sustainable City Plan, and Beverly Hills Green Building Standards Code. Impacts would be less than significant.</p>	<p>None required</p>	<p>Less than significant</p>
<p>Geology and Soils</p>		
<p>Impact GEO-1. The project site is partially within an Alquist-Priolo fault zone; however, a site-specific fault rupture hazard investigation determined that the potential for fault rupture at the project site is low. The potential of substantial adverse effects involving rupture of a known earthquake fault is low. Thus, the proposed project would not be subject to substantial risk of ground rupture and impacts would be less than significant.</p>	<p>None required</p>	<p>Less than significant</p>
<p>Impact GEO-2. As is common in Southern California, the project could result in exposure of people or structures to a risk of loss, injury, or death involving strong seismic ground shaking. However, the geotechnical investigation determined that the potential of substantial adverse effects involving ground shaking is low with compliance with the applicable codes and standards and implementation of the geotechnical investigation's recommendations. Therefore, impacts would be less than significant.</p>	<p>None required</p>	<p>Less than significant</p>
<p>Impact GEO-3. The geotechnical investigation determined there is a minimal risk of expansive soils on the project site. Therefore, impacts associated with expansive soils would be less than significant.</p>	<p>None required</p>	<p>Less than significant</p>

Impact	Mitigation Measure (s)	Residual Impact
<p>Impact GEO-4. The project is anticipated to impact sediments with high paleontological sensitivity and impacts to paleontological resources would be potentially significant during construction.</p>	<p>GEO-1 Paleontological Worker Environmental Awareness Program. Prior to the start of ground disturbing construction activities (e.g., grading, trenching, boring) that extend more than 2 feet below the surface within previously undisturbed sediments, the Applicant shall retain a Qualified Professional Paleontologist, as defined by the SVP (2010). The Qualified Professional Paleontologist or their designee shall conduct a paleontological Worker Environmental Awareness Program (WEAP) training approved by the City for construction personnel regarding the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction personnel.</p> <p>GEO-2 Paleontological Monitoring. The Applicant shall retain a Paleontological Resources Monitor to conduct full-time paleontological monitoring during ground-disturbing construction activities (e.g., grading, trenching, boring) that extend more than 2 feet below the surface within previously undisturbed sediments. The Paleontological Resources Monitor shall have experience with collection and salvage of paleontological resources and shall meet the minimum standards of the SVP (2010) for a Paleontological Resources Monitor. The Qualified Professional Paleontologist may recommend that monitoring be reduced in frequency or ceased entirely based on geologic observations. In the event of a fossil discovery by the paleontological monitor or construction personnel, all construction activity within 50 feet of the find shall cease, and the Qualified Professional Paleontologist shall evaluate the find. If the fossil(s) is (are) not scientifically significant, then construction activity may resume. If it is determined that the fossil(s) is (are) scientifically significant, the following shall be completed:</p> <ul style="list-style-type: none"> ▪ Fossil Salvage. The paleontological monitor shall salvage (i.e., excavate and recover) the fossil to protect it from damage/destruction. Typically, fossils can be safely salvaged quickly by a single paleontological monitor with minimal disruption to construction activity. In some cases, larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. Bulk matrix sampling may be necessary to recover small invertebrates or microvertebrates from within paleontologically 	<p>Less than significant with mitigation</p>

Impact	Mitigation Measure (s)	Residual Impact
	<p>sensitive deposits. After the fossil(s) is (are) salvaged, construction activity may resume.</p> <ul style="list-style-type: none"> ▪ Fossil Preparation and Curation. Fossils shall be identified to the lowest (i.e., most-specific) possible taxonomic level, prepared to a curation-ready condition, and curated in a scientific institution with a permanent paleontological collection along with all pertinent field notes, photos, data, and maps. Fossils of undetermined significance at the time of collection may also warrant curation at the discretion of the Qualified Professional Paleontologist. <p>Upon completion of ground-disturbing activities (or laboratory preparation and curation of fossils, if necessary), the Qualified Professional Paleontologist shall prepare a final report describing the results of the paleontological monitoring efforts. The report shall include a summary of the field and laboratory methods employed; an overview of project geology; and, if fossils were discovered, an analysis of the fossils, including physical description, taxonomic identification, and scientific significance. The report shall be submitted to the City and, if fossil curation occurred, the designated scientific institution. Each determination and decision identified in this Measure by the Qualified Professional Paleontologist shall be subject to review and approval by the City.</p>	
Greenhouse Gas Emissions		
<p>Impact GHG-1. Although construction and operation of the proposed project would generate GHG emissions, the project would incorporate features that reduce GHG emissions and align with the goals of the applicable plans, policies, and regulations related to GHG emissions. The proposed project would not conflict with the applicable plans, policies, and regulations adopted for the purpose of reducing GHG emissions. Impacts would be less than significant.</p>	<p>None required</p>	<p>Less than significant</p>

Impact	Mitigation Measure (s)	Residual Impact
Hazards and Hazardous Materials		
<p>Impact HAZ-1. Project construction would not affect any designated disaster routes but may result in temporary delays and lane closures along South Bedford Drive, South Peck Drive, South Camden Drive, and Wilshire Boulevard. Therefore, project construction could result in potentially significant impacts related to emergency response and evacuation. The project design would comply with City and BHFD requirements regarding site access and emergency vehicle access, and project operation would not significantly interfere with vehicular circulation, emergency response, or evacuation routes.</p>	<p>T-1 Construction Management Plan. A final Construction Management Plan will be submitted to the City for approval prior to the start of demolition, grading, or construction whichever occurs first. The final Construction Management Plan shall include a Traffic Control Plan and Construction Worker Parking Plan that will facilitate safe traffic and pedestrian movement, minimize the potential conflicts between construction activities, street traffic, public transit operations, bicyclists and pedestrians, and ensure appropriate parking for construction workers is provided. Furthermore, the final Construction Management Plan shall include, but not be limited to, the following measures:</p> <ul style="list-style-type: none"> ▪ Implement a Traffic Control Plan that limits obstruction of traffic lanes to the extent feasible (while allowing for the specific closures identified above) and routes vehicular traffic, emergency vehicles, transit, bicyclists, and pedestrians around any lane and/or sidewalk closures; ▪ Establish a haul route plan for heavy trucks; ▪ Schedule delivery and hauling of construction materials outside of peak travel periods to the maximum extent feasible; ▪ Implement safety precautions for pedestrians and bicyclists through such measures as alternate routing and protection barriers as appropriate; ▪ Minimize obstructions to uses in proximity to the project site during construction, including temporary traffic constraints, temporary loss of access, and temporary loss of bus stops or rerouting of bus lines; ▪ Establish requirements for loading/unloading and storage of construction materials on the project site to minimize traffic disruptions and impacts to adjacent land uses; ▪ Coordinate with the Beverly Hills Police Department (BHPD) and Beverly Hills Fire Department (BHFD) to ensure adequate emergency vehicle access to the project site and surrounding roadways and land uses; ▪ Coordinate with Metro to ensure that construction does not impact Metro facilities or construction activities in the vicinity of the project site; 	<p>Less than significant with mitigation</p>

Impact	Mitigation Measure (s)	Residual Impact
	<ul style="list-style-type: none"> ▪ Coordinate with other nearby projects, such as Cumulative Project Nos. 1, 15, 18, 19, and 20, under construction to address construction traffic, deliveries, and worker parking, as necessary; ▪ Implement a Construction Worker Parking Plan that provides adequate on- and/or off-site parking for construction workers and prohibits on-street parking; ▪ Maintain emergency response access on South Bedford Drive, South Camden Drive, and Wilshire Boulevard throughout construction, and provide detour routes for vehicles and pedestrians traveling on South Peck Drive; and ▪ A copy of the Construction Management Plan shall be maintained on-site and submitted to local emergency response agencies and Metro and these agencies shall be notified no later than 14-days prior to commencement of construction activities that would partially or fully obstruct public roadways. 	

Land Use and Planning

<p>Impact LU-1. The project requires approval of a General Plan Amendment, zoning map and Zone Text Amendment, and adoption of the proposed Specific Plan. As described herein, the proposed project is generally consistent with and would not conflict with the applicable plans, policies, and regulations adopted for the purpose of avoiding or mitigation environmental effects. With approval of the required discretionary actions, the proposed project would not conflict with the City’s General Plan and Municipal Code. Impacts related to conflicts with plans, policies, and regulations would therefore be less than significant.</p>	<p>None required</p>	<p>Less than significant</p>
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Impact	Mitigation Measure (s)	Residual Impact
Noise		
<p>Impact NOI-1. Construction of the project during the City’s allowed construction hours (8:00 a.m. to 6:00 p.m., excluding weekends and public holidays) would not generate a substantial temporary increase in ambient noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. Construction activities that occur outside the City’s allowed construction hours during continuous pours would result in an increase of at least 5 dBA above ambient noise levels and impacts would be potentially significant. Operational noise would not generate a substantial permanent increase in ambient noise levels in excess of standards established in the City’s General Plan, and operational noise impacts would be less than significant.</p>	<p>NOI-1 Construction Management Plan. Prior to issuance of grading permits, the Developer shall include the following in the Construction Management Plan:</p> <ul style="list-style-type: none"> ▪ Prior to the initiation of nighttime construction activities at the project site, the applicant shall install temporary noise barriers/blankets along the southern construction site boundaries near residential receivers. The temporary barriers/blankets shall have a minimum height of 20 feet to block the line of sight between the construction source and the adjacent multi-story residential receptors to the south and to the east. Barriers shall be constructed with a solid material that has a density of at least 1 pound per square foot with no gaps from the ground to the top of the barrier and be lined on the construction side with acoustical blanket, curtain or equivalent absorptive material rated STC 32 or higher. The approximate noise barrier locations are shown in Figure 4.9-4. ▪ Prior to the start of construction, the project applicant shall retain a qualified acoustical consultant to conduct construction noise monitoring during the nighttime construction periods at select locations in the surrounding neighborhood consistent with the monitoring locations identified in this analysis. Additional monitoring positions may be determined by City staff in consultation with the acoustical consultant. All sound level meters used during monitoring shall satisfy the American National Standards Institute (ANSI) standard of Type 2 instrumentation or higher. All measurements shall be at least five feet above the ground and away from reflective surfaces. The noise monitoring data and results shall be submitted in a memorandum to the City on a weekly basis during the nighttime construction periods requiring monitoring, along with comparison to the 46 dBA <i>L_{eq}</i> nighttime construction noise limit at residences to the south and to the 51 dBA <i>L_{eq}</i> nighttime construction noise limit at residences to the east. If exceedances of the construction noise limit are found, the applicant’s construction contractor shall modify construction techniques and equipment to reduce the construction noise below the limits, to the degree feasible. 	<p>Significant and unavoidable</p>

Impact	Mitigation Measure (s)	Residual Impact
	<ul style="list-style-type: none"> ▪ At least 10 days prior to the start of nighttime construction activities, a sign shall be posted at each construction site entrance, or other conspicuous location, that includes a 24-hour telephone number for project information, and a procedure in which a construction manager will respond to and investigate noise complaints and take corrective action, if necessary, in a timely manner. The sign shall conform to the City’s construction sign standards for commercial and residential districts (BHMC Sections 10-4-504 and 10-4-612) and have a minimum dimension of 48 inches wide by 24 inches high with a one-inch minimum font height and shall also include contact information for Community Development Department staff. The sign shall be placed five feet above ground level. ▪ At least 21 days prior to the start of construction activities, all off-site businesses and residents within 500 feet of the project site shall be notified of the planned construction activities. The notification shall include a brief description of the project, the activities that would occur, the hours when construction would occur, and the construction period’s overall duration. The notification shall include the telephone numbers of the City’s and contractor’s authorized representatives that are assigned to respond in the event of a noise complaint. ▪ If a construction noise complaint is registered and if City code enforcement is not available to make noise measurements, the Applicant, if and as directed by the City, shall retain a City-approved noise consultant to conduct noise measurements at the properties that registered the complaint. The noise measurements shall be conducted for a minimum of one hour. The consultant shall prepare a letter report for code enforcement summarizing the measurements, calculation data used in determining impacts, and potential measures to reduce noise levels to the maximum extent feasible. ▪ Prior to the start of and for the duration of construction, the contractor shall properly maintain and tune all construction equipment in accordance with the manufacturer’s recommendations to minimize noise emissions. 	

Impact	Mitigation Measure (s)	Residual Impact
	<ul style="list-style-type: none"> ▪ Prior to use of any construction equipment, the contractor shall fit all equipment with properly operating mufflers, air intake silencers, and engine shrouds no less effective than as originally equipped by the manufacturer. ▪ Staging and delivery areas shall be located as far as feasible from existing residences. ▪ Material hauling and deliveries shall be coordinated by the construction contractor to reduce the potential of trucks waiting to unload for protracted periods of time. ▪ To the extent feasible, hydraulic equipment shall be used instead of pneumatic impact tools, and electric-powered equipment shall be used instead of diesel-powered equipment. ▪ Stationary noise sources (e.g., generators) shall be located as far from sensitive receptors as practicable, and they shall be muffled and enclosed within temporary sheds, or insulation barriers with a minimum STC rating of 32. ▪ The use of bells, whistles, alarms, and horns shall be restricted to safety warning purposes only. ▪ Signs shall be posted at the job site entrance(s), within the on-site construction zones, and along queueing lanes (if any) to reinforce the prohibition of unnecessary engine idling. All other equipment shall be turned off if not in use for more than five minutes. The construction manager shall be responsible for enforcing this. 	
	<p>NOI-3 Cumulative Construction Noise Reduction.</p>	
	<ul style="list-style-type: none"> ▪ Prior to the start of construction and during construction, the applicant shall coordinate with the 319 North Rodeo Drive commercial project applicant regarding the following: <ul style="list-style-type: none"> ▪ All temporary roadway closures shall be coordinated to limit overlap of roadway closures; and ▪ All major deliveries for the projects shall be coordinated to limit the occurrence of simultaneous deliveries. The project applicants shall ensure that deliveries of items such as concrete and other high-volume items will not be done simultaneously. 	

Impact	Mitigation Measure (s)	Residual Impact
<p>Impact NOI-2. Project construction would intermittently generate groundborne vibration on-site, which may affect nearby sensitive receptors that could cause architectural damage if unmitigated. Construction impacts would be potentially significant. Operation would not include substantial sources of vibration, and impacts would be less than significant.</p>	<p>NOI-2 Construction Vibration Monitoring Program.</p> <p>Prior to any project-related construction activities, the applicant shall prepare a construction vibration monitoring program. Since the Saks Rehabilitation Building is eligible for listing as a historical resource, the program shall be prepared and implemented by a structural engineer with a minimum of five years of experience in the rehabilitation and restoration of historic buildings and a historic preservation architect meeting the Secretary of the Interior’s Standards and Guidelines for Archeology and Historic Preservation, Professional Qualifications Standards. The program shall include the following:</p> <ul style="list-style-type: none"> ▪ Prepare an existing conditions study to establish the baseline condition of the vibration sensitive resources identified herein (e.g., the Saks Rehabilitation Building, residential structures adjacent to the south, and the 9570 Wilshire Boulevard building, and residential structures adjacent to the south) in the form of written descriptions with a photo survey, elevation survey, and crack-monitoring survey for the vibration-sensitive building or structure to the extent written permission is granted by the owner. The photo survey shall include internal and external crack monitoring in the structure, settlement, and distress, and document the condition of the foundation, walls and other structural elements in the interior and exterior of the building or structure. Where receptors are historic resources, the study shall describe the physical characteristics of the resources that convey their historic significance. ▪ Determine the number, type, and location of vibration sensors and establish a vibration velocity limit (as determined based on a detailed review of the sensitive building), for monitoring vibrations during construction, monitoring schedule, and method for alerting responsible persons who have the authority to halt construction should limits be exceeded or damaged observed. Construction contingencies shall be identified for when vibration levels approach the limits. If vibration levels approach or exceed limits, suspend construction and implement contingencies to either lower vibration levels or secure the affected structure. 	<p>Less than significant with mitigation</p>

Impact	Mitigation Measure (s)	Residual Impact
	<ul style="list-style-type: none"> ▪ Perform monitoring surveys prior to, in regular intervals during, and after completion of all vibration-generating activities and report any changes to existing conditions, including, but not limited to, expansion of existing cracks, new spalls, other exterior deterioration, or any problems with character-defining features of a historic resource are discovered. The City shall establish the frequency of monitoring and reporting, based upon the recommendations of the qualified acoustical consultant or structural engineer or, for historic buildings, the historic architect and structural engineer. Monitoring reports shall be submitted to the City and the construction manager. ▪ Report substantial adverse impacts to vibration sensitive buildings including historic resources related to construction activities that are found during construction to the City and construction manager. The construction contractor shall adhere to the monitoring team’s recommendations for corrective measures, including halting construction or using different methods, in situations where construction activities would imminently endanger historic resources. The City and construction manager would respond to any claims of damage by inspecting the affected property promptly, but in no case more than five working days after the claim was filed and received. Any new cracks or other damage to any of the identified properties shall be compared to pre-construction conditions and a determination would be made as to whether the proposed project could have caused such damage. In the event that the project is demonstrated to have caused any damage, such damage would be repaired to the pre-existing condition at the expense of the project Applicant. Site visit reports and documents associated with claims processing would be provided to the City as necessary. ▪ Prepare a construction vibration monitoring report that summarizes the results of all vibration monitoring and submit the report after the completion of each phase identified in the project construction schedule. The vibration monitoring report shall include a description of measurement methods, equipment used, calibration certificates, and graphics as required to clearly identify vibration-monitoring locations. An explanation of all events that 	

Impact	Mitigation Measure (s)	Residual Impact
<p>exceeded vibration limits shall be included together with proper documentation supporting any such claims. The construction vibration monitoring report shall be submitted to the City within two weeks upon completion of each phase identified in the project construction schedule.</p>		
<p>Population and Housing</p>		
<p>Impact POP-1. Population and household growth generated by the residential units proposed by the project would not exceed the SCAG 2020-2045 RTP/SCS projections and the 2021-2029 RHNA. Similarly, employment generated by the proposed project would not exceed SCAG projections for the city. The project would also not include new infrastructure or increase the capacity of existing infrastructure that could result in indirect population growth. Therefore, the project would not induce substantial unplanned growth directly or indirectly, and impacts would be less than significant.</p>	<p>Not required</p>	<p>Less than significant</p>
<p>Transportation and Traffic</p>		
<p>Impact TRA-1. Project construction activities could conflict with a program, plan, ordinance, or policy addressing the circulation system, including roadway, transit, bicycle, and pedestrian facilities during construction. Project operation would not conflict with policies addressing the circulation system.</p>	<p>T-1 Construction Management Plan. A final Construction Management Plan will be submitted to the City for approval prior to the start of demolition, grading, or construction, whichever occurs first. The final Construction Management Plan shall include a Traffic Control Plan and Construction Worker Parking Plan that will facilitate safe traffic and pedestrian movement, minimize the potential conflicts between construction activities, street traffic, public transit operations, bicyclists and pedestrians, and ensure appropriate parking for construction workers is provided. Furthermore, the final Construction Management Plan shall include, but not be limited to, the following measures:</p> <ul style="list-style-type: none"> ▪ Implement a Traffic Control Plan that limits obstruction of traffic lanes to the extent feasible (while allowing for the specific closures identified above) and routes vehicular traffic, emergency vehicles, transit, bicyclists, and pedestrians around any lane and/or sidewalk closures; 	<p>Less than significant with mitigation</p>

Impact	Mitigation Measure (s)	Residual Impact
	<ul style="list-style-type: none"> ▪ Establish a haul route plan for heavy trucks; ▪ Schedule delivery and hauling of construction materials outside of peak travel periods to the maximum extent feasible; ▪ Implement safety precautions for pedestrians and bicyclists through such measures as alternate routing and protection barriers as appropriate; ▪ Minimize obstructions to uses in proximity to the project site during construction, including temporary traffic constraints, temporary loss of access, and temporary loss of bus stops or rerouting of bus lines; ▪ Establish requirements for loading/unloading and storage of construction materials on the project site to minimize traffic disruptions and impacts to adjacent land uses; ▪ Coordinate with the Beverly Hills Police Department (BHPD) and Beverly Hills Fire Department (BHFD) to ensure adequate emergency vehicle access to the project site and surrounding roadways and land uses; ▪ Coordinate with Metro to ensure that construction does not impact Metro facilities or construction activities in the vicinity of the project site; ▪ Coordinate with other nearby projects, such as Cumulative Project Nos. 1, 15, 18, 19, and 20, under construction to address construction traffic, deliveries, and worker parking, as necessary; ▪ Implement a Construction Worker Parking Plan that provides adequate on- and/or off-site parking for construction workers and prohibits on-street parking; ▪ Maintain emergency response access on South Bedford Drive, South Camden Drive, and Wilshire Boulevard throughout construction, and provide detour routes for vehicles and pedestrians traveling on South Peck Boulevard; and ▪ A copy of the Construction Management Plan shall be maintained on-site and submitted to local emergency response agencies and Metro and these agencies shall be notified no later than 14-days prior to commencement of construction activities that would partially or fully obstruct public roadways. 	

City of Beverly Hills
9600 Wilshire Boulevard Specific Plan

Impact	Mitigation Measure (s)	Residual Impact
<p>Impact TRA-2. Project components are screened out from VMT analysis when evaluated against criteria related to locally serving retail, low VMT areas, and Transit Priority Areas. Therefore, the project would be consistent with CEQA Guidelines Section 15064.3, subdivision (b), and impacts would be less than significant.</p>	<p>None required</p>	<p>Less than significant</p>
<p>Impact TRA-3. Construction of the project could increase hazards due to geometric design and incompatible uses and impacts would be potentially significant. Project driveways would provide adequate site access and would not create hazardous traffic conditions. Project operation also would not develop incompatible uses and result in related hazards. Operational impacts would be less than significant.</p>	<p>T-1 Construction Management Plan. See above.</p>	<p>Less than significant with mitigation</p>
<p>Impact TRA-4. Project construction may result in temporary delays and lane closures along South Bedford Drive, South Peck Drive, South Camden Drive, and Wilshire Boulevard, resulting in potentially significant impacts related to emergency access. The project design would comply with City, including Beverly Hills Police Department, and Beverly Hills Fire Department requirements regarding site access and emergency vehicle access. project operation would not significantly interfere with vehicular circulation or emergency access. Therefore, operational impacts related to inadequate emergency access would be less than significant.</p>	<p>T-1 Construction Management Plan. See above.</p>	<p>Less than significant with mitigation</p>

Impact	Mitigation Measure (s)	Residual Impact
Tribal Cultural Resources		
<p>Impact TCR-1. Grading and excavation required for the project would have the potential to adversely impact previously undiscovered Tribal Cultural Resources. Impacts would be potentially significant.</p>	<p>TCR-1 Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities.</p> <ul style="list-style-type: none"> ▪ The project applicant/lead agency shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation (“Kizh Nation” or “Tribe”). The monitor shall be retained prior to the commencement of any “ground-disturbing activity” for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). “Ground-disturbing activity” shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching. ▪ A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity. ▪ The monitor shall complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs shall identify and describe any discovered tribal cultural resources, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or “TCR”), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs shall be provided to the project applicant/lead agency upon written request to the Tribe. ▪ On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh Nation from a designated point of contact for the project applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) 	<p>Less than significant with mitigation</p>

Impact	Mitigation Measure (s)	Residual Impact
	<p>when the representatives of the Kizh Nation have indicated in writing to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh Nation TCRs.</p> <ul style="list-style-type: none"> ▪ Kizh Nation is hereby recognized as having the most qualified Native American monitors for TCRs of significance to their Tribe and shall be the primary monitor for such TCRs. Under unique and infrequent circumstances, should Kizh Nation not have sufficient Tribal staff to provide monitoring within 30 calendar days of a written notification of request for monitoring from the Applicant, the Applicant may contract with a different firm to provide a Native American monitor on a case-by-case basis, subject to approval by the City of Beverly Hills Director of Community Development and reasonable and timely concurrence of Kizh Nation. Native American and Archaeological monitoring during construction projects shall be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of TCRs shall be taken. ▪ Should the rates charged by Kizh Nation to provide monitoring services exceed market rates for comparable services within the Los Angeles region, as determined by the City’s Director of Community Development, the Applicant may contract with a different firm to provide a Native American Monitor, subject to approval by the City of Beverly Hills Director of Community Development and reasonable and timely concurrence of Kizh Nation. Native American and Archaeological monitoring during construction projects shall be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of TCRs shall be taken. <p>TCR-2 Unanticipated Discovery of Tribal Cultural Resource Objects (Non-Funerary/Non-Ceremonial). Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall temporarily halt (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by</p>	

Impact	Mitigation Measure (s)	Residual Impact
	<p>the Kizh Nation monitor and/or Kizh Nation archaeologist. The Kizh Nation shall recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.</p> <p>TCR-3 Unanticipated Discovery of Human Remains and Associated Funerary Ceremonial Objects.</p> <ul style="list-style-type: none"> ▪ Unanticipated Discovery of Human Remains. In the event that human remains are encountered at the project site, all work within 100 feet of the burial must cease, and any necessary steps to ensure the integrity of the immediate area shall be taken, including the placement of an exclusion zone around the discovery location. The Los Angeles County Coroner will be immediately notified. Procedures of conduct following the discovery of human remains have been mandated by Health and Safety Code Section 7050.5, PRC Section 5097.98, and the CEQA Guidelines Section 15064.5(e). ▪ Reburial Treatment Measures. Prior to the continuation of ground-disturbing activities where human remains and/or ceremonial objects have been identified, the Applicant shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains shall be covered with muslin cloth and a steel plate that can only be moved by heavy equipment shall be placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard shall be posted outside of working hours. If feasible, the project shall be diverted to keep the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed. The MLD shall work with the qualified archaeologist to ensure that the excavation is treated 	

Impact	Mitigation Measure (s)	Residual Impact
	<p>carefully, ethically, and respectfully. If data recovery is approved by the MLD, documentation shall be taken which includes at a minimum detailed descriptive notes and sketches. Additional types of documentation shall be approved by the MLD for data recovery purposes. Cremations shall either be removed in bulk or by means as necessary to ensure complete recovery of all material. If the discovery of human remains includes four or more burials, the location is considered a cemetery and a separate treatment plan shall be created. Once complete, a final report of all activities is to be submitted to the MLD and NAHC. The MLD does not authorize any scientific study or utilization of any invasive and/or destructive diagnostics on human remains. Each occurrence of human remains and associated funerary objects shall be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony shall be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be, to the extent feasible, on the project site but at a location agreed upon between the MLD and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.</p>	
Utilities and Service Systems		
<p>Impact UTIL-1. The proposed project would require connections to existing utilities (i.e., water, wastewater treatment, stormwater drainage, electric, and natural gas); however, all required improvements to existing utilities would occur within the project disturbance footprint and existing public rights-of-way and would not involve unique construction practices or techniques that would cause significant environmental effects. Impacts would be less than significant.</p>	<p>None required</p>	<p>Less than significant</p>

Impact	Mitigation Measure (s)	Residual Impact
<p>Impact UTIL-2. The proposed project would result in a maximum net increase in water demand of approximately 91 AFY. The proposed project water demand can be accommodated by the current and planned water supplies as presented in the 2020 Urban Water Management Plan. Impacts would be less than significant.</p>	None required	Less than significant
<p>Impact UTIL-3. Project-generated wastewater would be treated at HTP. The plant would have adequate capacity to serve the project’s anticipated wastewater generation in addition to its existing wastewater treatment commitments. Impacts would be less than significant.</p>	None required	Less than significant
<p>Impact UTIL-4. The project would not generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, including the Sunshine Canyon Landfill, Simi Valley Landfill and Recycling Center, and Calabasas Sanitary Landfill. The project would not impair the attainment of solid waste reduction goals and would comply with federal, state, and local statutes and regulations related to solid waste. Impacts would be less than significant.</p>	None required	Less than significant

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1 Introduction

This document is a Draft Environmental Impact Report (EIR) for the proposed 9600 Wilshire Boulevard Project. The project includes the creation of a Specific Plan (“Specific Plan”) and accompanying Conceptual Plan located in Beverly Hills, California which would facilitate the orderly development of the project site as described in this EIR. The project site generally consists of two rectangular blocks bisected by South Peck Drive (Assessor’s Parcel Numbers: 4328-026-030, 4328-026-039, 4328-026-003, -004, -006, -007, -008, -013, -014, -015, 4328-021-001, -002, 4328-021-019, 4328-021-020, -021, -022, and -023).

The proposed Specific Plan area is occupied by three existing commercial structures, an ancillary loading facility, and three surface parking lots. The 9600 Wilshire Boulevard Specific Plan would facilitate the rehabilitation and adaptive reuse of the Saks Fifth Avenue Women’s Building, the retention of the existing commercial building at 9570 Wilshire for continued commercial use, and the development of new residential, retail, office, hospitality, social club, boutique hotel, open space, and related uses throughout the project site. The proposed Conceptual Plan includes rehabilitation and adaptive reuse of the historic Saks Women’s Building, demolition of the existing Shoe Building, and new construction of multiple mixed-use commercial, residential, and office structures.

This section discusses (1) the project and EIR background; (2) the legal basis for preparing an EIR; (3) the scope and content of the EIR; (4) issue areas found not to be significant by the Initial Study; (5) the lead, responsible, and trustee agencies; and (6) the environmental review process required under the California Environmental Quality Act (CEQA). The proposed project is described in detail in Section 2, *Project Description*.

1.1 Environmental Impact Report Background

The City of Beverly Hills (City) distributed a Notice of Preparation (NOP) of the EIR for a 30-day agency and public review period starting on March 9, 2023, and ending on April 10, 2023. In addition, the City held an EIR Scoping Meeting on March 29, 2023. During the meeting, held from 7:00 p.m. to 8:30 p.m., the City provided information about the proposed project to members of public agencies, interested stakeholders, and residents/community members. The meeting was held at Beverly Hills City Hall at 455 North Rexford Drive and was also accessible to the public via live video conference and telephone. The City received letters from 25 agencies and persons in response to the NOP during the public review period, as well as various verbal comments during the EIR Scoping Meeting. The NOP is presented in Appendix A of this EIR, along with the Initial Study that was prepared for the project and the NOP responses received. Table 1-1 on the following page summarizes the content of the letters and verbal comments and where the issues raised are addressed in the EIR.

1.2 Purpose and Legal Authority

The proposed project requires the discretionary approval of the City of Beverly Hills Planning Commission and City Council; therefore, the project is subject to the environmental review requirements of CEQA. In accordance with Section 15121 of the CEQA Guidelines (California Code of Regulations, Title 14), the purpose of this EIR is to serve as an informational document that:

“...will inform public agency decision makers and the public generally of the significant environmental effect of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.”

This EIR has been prepared as both a programmatic review of the Specific Plan pursuant to Section 15168 of the CEQA Guidelines, and a project EIR of the Conceptual Plan pursuant to Section 15161 of the CEQA Guidelines. A Project EIR is appropriate for a specific development project. As stated in the CEQA Guidelines:

“This type of EIR should focus primarily on the changes in the environment that would result from the development project. The EIR shall examine all phases of the project, including planning, construction, and operation.”

This EIR will serve as the environmental document for all actions undertaken by the City of Beverly Hills as Lead Agency associated with the project, as well as actions by responsible or trustee agencies. In particular, and without limiting the foregoing, this EIR is to serve as an informational document for the public and City of Beverly Hills decision makers. The process will include public hearings before the Planning Commission and City Council to consider certification of a Final EIR and approval of the proposed project.

Table 1-1 NOP Comments and EIR Response

Commenter	Comment/Request	How and Where It Was Addressed
Agency Comments		
Los Angeles County Metropolitan Transportation Authority (Metro)	Notes the under-construction Metro D Line (Purple) may operate 24 hours a day, seven days a week in the tunnels adjacent to the project.	The City will coordinate with Metro during the review and design process of the proposed project. Potential impacts to Metro infrastructure and transit services and facilities are addressed in Section 4.11, <i>Transportation</i> , and the Transportation Assessment prepared for the project (Appendix G).
	Recommends the EIR address the effects on the under-construction Metro D Line (Purple) adjacent to the project.	
	Contact the Metro Development Review team early in the design process to address potential impacts.	
	Recommends the EIR should update information regarding existing and planned transit services and facilities within the Plan area.	

Commenter	Comment/Request	How and Where It Was Addressed
	States the Plan area includes Metro-owned right-of-way (ROW) and transit facilities for Metro Rail and Metro Bus.	
	Recommends the EIR analyze potential transportation and traffic impacts on Metro facilities within the Plan area. Recommends review of the Metro Adjacent Development Handbook to identify impacts and best practices.	
	Recommends City review of the Transit Supportive Planning Toolkit to minimize traffic and transportation impacts.	The Transit Supportive Planning Toolkit was reviewed and considered as guidance during preparation of the project's Transportation Assessment and Section 4.11, <i>Transportation</i> .
	Encourages installment of project features to facilitate safe and convenient connections for pedestrians, bicyclists, and transit users.	Project features and potential impacts related to pedestrians, bicyclists, and transit are addressed in Section 4.11, <i>Transportation</i> .
	Recommends addition of a policy encouraging applicants to coordinate with Metro during City Planning review if subject parcel is within a 100-foot buffer of Metro infrastructure. Such projects should also comply with Metro Adjacent Development Handbook.	The City will coordinate with Metro during the review of the proposed project. Potential impacts to Metro infrastructure are addressed in Section 4.11, <i>Transportation</i> .
	Supports development of commercial and residential properties near transit stations.	This is considered in the project's Transportation Assessment and Section 4.11, <i>Transportation</i> , of the EIR.
	Encourages incorporation of transit and pedestrian oriented parking provision strategies.	Pursuant to Public Resources Code (PRC) Section 21099(d) and the project site's location within a transit priority area, parking is not an environmental issue under CEQA, but the comment is noted and will be provided to the City decision makers for their consideration. A Parking Study is being prepared for the project for consideration of City decisionmakers, but this is not part of the CEQA analysis.
	Encourages the addition of wayfinding signage.	The EIR evaluates the project as proposed. The commenter's recommendations regarding wayfinding signage and public art will be provided to City decision makers for their consideration.
	Encourages the integration of art and culture into public space and will require review of any proposals of public art and/or placemaking facing a Metro ROW.	

City of Beverly Hills
9600 Wilshire Boulevard Specific Plan

Commenter	Comment/Request	How and Where It Was Addressed
California Department of Transportation (Caltrans)	Supports reducing the amount of parking whenever possible and suggests that the project is designed to induce demand for additional vehicle trips because of the amount of parking proposed. Recommends that if the parking structure is built that it not face the street directly, to encourage recreational walking and transit opportunity at the project frontage.	The EIR evaluates the project as proposed. The parking structure will be below grade and will not face the street directly. The commenter’s recommendations regarding reduced parking will be provided to City decision makers for their consideration.
	Recommends improved connections between project and existing active transportation and transit infrastructure through robust signage near sidewalks, safety improvements, and human scale amenities.	The pedestrian, bicycle, and safety improvements provided by the proposed project are discussed in Section 4.11, <i>Transportation</i> .
Native American Heritage Commission (NAHC)	States that the proposed project is subject to the requirements and provisions under Assembly Bill (AB) 52 for tribal cultural resources and may be subject to Senate Bill (SB) 18. Summarizes portions of AB 52 and SB 18 and provides NAHC recommendations for conducting cultural resources assessments.	Consultation required by AB 52 and SB 18 was carried out by the City of Beverly Hills. Subsequent issues are discussed in Section 4.12, <i>Tribal Cultural Resources</i> , of this EIR.
California Geological Survey (CGS)	States the project site is within a zone of required investigation for fault rupture and states the EIR should address this hazard.	This comment is addressed in Section 4.5, <i>Geology and Soils</i> .
Southern California Association of Governments (SCAG)	Requests environmental documentation during full public review and comment period.	A link to the Draft EIR and its appendices will be sent to SCAG during the public review period.
	States the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS or Connect SoCal) goals which are relevant to the project.	Connect SoCal strategies were reviewed and considered as guidance during preparation of the EIR. Project consistency with Connect SoCal is addressed in Section 4.6, <i>Greenhouse Gas Emissions</i> , and Section 4.8, <i>Land Use and Planning</i> .
	Encourages the addition of a side-by-side comparison of SCAG goals with discussion of consistency and applicability in a table format. Example of this table provided.	This comment is addressed in Section 4.6, <i>Greenhouse Gas Emissions</i> , and Section 4.8, <i>Land Use and Planning</i> .

Commenter	Comment/Request	How and Where It Was Addressed
	<p>Recommends review of the Final Program EIR for Connect SoCal for project-level performance standards-based mitigation measures to be considered for the project.</p>	<p>Connect SoCal Final Program EIR project-level performance standards-based mitigation measures were reviewed and considered as guidance during preparation of the EIR. Project consistency with Connect SoCal is addressed in Section 4.6, <i>Greenhouse Gas Emissions</i>, and Section 4.11, <i>Transportation</i>.</p>
<p>South Coast Air Quality Management District (SCAQMD)</p>	<p>Requests copies of the EIR and all appendixes and technical documents related to air quality, health risk, and greenhouse gas analysis upon its completion and during full public review and comment period.</p> <hr/> <p>Recommends use of CEQA Air Quality Handbook for guidance in preparing air quality analysis and use CalEEMod for analysis.</p> <hr/> <p>Requests calculation of regional and localized air quality impacts and comparison to SCAQMD thresholds.</p> <hr/> <p>Requests construction-related and operation-related air quality analysis, including impacts from indirect sources. Requests emissions from overlapping construction and operational activities should be combined and compared to the regional SCAQMD operational thresholds.</p> <hr/> <p>Requests a mobile source health risk assessment if the proposed project would generate diesel emissions.</p> <hr/> <p>Recommends a mobile source health risk assessment to be performed due to the residential uses proposed on site.</p> <hr/> <p>Requests mitigation measures to minimize or eliminate significant adverse impacts to air quality and health risk.</p>	<p>A link to the Draft EIR and its appendixes and technical documents will be sent to the SCAQMD during the public review period.</p> <hr/> <p>The CEQA Air Quality Handbook was reviewed and considered as guidance during preparation of the EIR. CalEEMod was used for analysis for the EIR, as described in Section 4.1, <i>Air Quality</i>.</p> <hr/> <p>These comments are addressed in Section 4.1, <i>Air Quality</i>.</p>
<p>Individual Comments</p>		
<p>Duke Hagenburger</p>	<p>Expresses support for the proposed project.</p>	<p>The commenter's support for the project will be provided to City decision makers for their consideration.</p>

City of Beverly Hills
9600 Wilshire Boulevard Specific Plan

Committer	Comment/Request	How and Where It Was Addressed
Ken Goldman	<p>Questions if the curb lane along Wilshire Boulevard will be used for curbside or short-term parking. States concern related to the project’s operational traffic impacts with respect to eastbound Wilshire Boulevard traffic.</p> <p>Expresses concerns regarding the current and proposed zoning standards for the project site and parcels south of the project site.</p> <p>Expresses concerns regarding the required parking under the current zoning code. Expresses concern regarding the amount of parking for the proposed project and whether parking is interchangeable between land uses.</p> <p>Questions traffic and parking impacts related to temporary construction employment increase and temporary street closures due to construction.</p>	<p>This comment is addressed in Section 4.11, <i>Transportation</i>.</p> <p>This comment is addressed in Section 4.8, <i>Land Use and Planning</i>.</p> <p>Parking is not an environmental issue under CEQA, but the comment is noted and provided to City decisionmakers for their consideration. A Parking Study is being prepared for the project for consideration of City decisionmakers, but this is not part of the CEQA analysis.</p> <p>This comment is addressed in Section 4.11, <i>Transportation</i>.</p>
Ken Goldman and Southwest Homeowners Association (HOA)	<p>Expresses concern regarding the project’s traffic generation and parking impacts. Expresses concern that the project will impact traffic on South Camden Drive, South Peck Drive, and South Bedford Drive.</p> <p>Expresses concern regarding the building heights in the Neighborhood District conflicting with current zoning.</p> <p>Expresses concern regarding the project’s traffic generation. Requests analysis of additional traffic such as delivery trucks.</p> <p>Expresses concern regarding insufficient and inconvenient parking spaces.</p> <p>Questions where the hotel entrance and drop off/pick up area would be. Expresses concern regarding lack of taxi and rideshare pick up and drop off locations</p>	<p>This comment is addressed in Section 4.11, <i>Transportation</i>.</p> <p>This comment is addressed in Section 4.8, <i>Land Use and Planning</i>.</p> <p>This comment is addressed in Section 4.11, <i>Transportation</i>.</p> <p>Parking is not an environmental issue under CEQA, but the comment is noted and provided to City decisionmakers for their consideration. A Parking Study is being prepared for the project for consideration of City decisionmakers, but this is not part of the CEQA analysis.</p> <p>This comment is addressed in Section 4.11, <i>Transportation</i>.</p>

Commenter	Comment/Request	How and Where It Was Addressed
	States the project would eliminate parking lot buffer between commercial use on Wilshire Boulevard and residential areas to the south.	Consistency of the proposed project with land use plans and compatibility with the surrounding land uses is addressed in Section 4.8, <i>Land Use and Planning</i> .
	Expresses concern regarding noise impacts on nearby residential areas.	This comment is addressed in Section 4.9, <i>Noise and Vibration</i> .
	Expresses concern regarding the project's impact on the local water supply.	This comment is addressed in Section 4.13, <i>Utilities and Service Systems</i> .
	Expresses concern regarding air quality impacts.	This comment is addressed in Section 4.1, <i>Air Quality</i> .
	Expresses concern regarding greenhouse gas emissions (GHG) impacts.	This comment is addressed in Section 4.6, <i>Greenhouse Gas Emissions</i> .
Stephanie Papayanis (written comment) and Richard Burns (verbal comments) on behalf of Southwest Mountain States Regional Council of Carpenters (SWMSRCC)	Requests the City provide notice for all notices related to the project.	All notices regarding this project will be sent to SWMSRCC.
	Requests incorporation of language into the proposed project requiring the use of local workers who have graduated from a Joint Labor-Management Apprenticeship Program approved by the State of California, have at least as many hours of on-the-job experience in the applicable craft which would be required to graduate from such a state-approved apprenticeship training program, or who are registered apprentices in a state-approved apprenticeship training program.	This is not an environmental issue under CEQA, but the comment is noted and provided to City decisionmakers for their consideration. The potential construction impacts related to GHG emissions, air quality, and transportation are addressed in Section 4.6, <i>Greenhouse Gas Emissions</i> , Section 4.1, <i>Air Quality</i> , and Section 4.11, <i>Transportation</i> .
	States that a local hire requirement would result in a decreased worker trip length, and therefore a reduction in construction related GHG emissions, improved air quality, and reduced transportation impacts.	
	Requests incorporation of language into the proposed project imposing training requirements for construction activities regarding prevention of the spread of COVID-19 and other infectious diseases. Requests the City require developments related to the project be built using a workforce trained in Infection Control Risk Assessment (ICRA).	This is not an environmental issue under CEQA, but the comment is noted and provided to City decisionmakers for their consideration.

City of Beverly Hills
9600 Wilshire Boulevard Specific Plan

Commenter	Comment/Request	How and Where It Was Addressed
Michael Murphy	States the 30-day Notice of Preparation Comment Period is inadequate and requests the review and comment period be extended an additional 60 days to June 9, 2023.	The project has been noticed consistent with the requirements of the CEQA Guidelines Section 15082. Additional opportunities for public comment will be provided throughout the environmental review process consistent with the CEQA Guidelines, including during the Draft EIR noticing period and during public hearings conducted for the project.
	Expresses concern regarding the project’s traffic generation and potential impacts during construction and operation of the project, particularly on Wilshire Boulevard, South Peck Drive, South Camden Drive and South Bedford Drive.	This comment is addressed in Section 4.11, <i>Transportation</i> .
	Expresses concern regarding potential economic issues relating to the residential uses of the project.	This is not an environmental issue under CEQA, but the commenter’s concern is noted and will be provided to City decisionmakers for their consideration.
	Expresses concern regarding the City’s relationship with the developer.	This is not an environmental issue under CEQA, but the commenter’s concern is noted and will be provided to City decisionmakers for their consideration. The City’s role is to review and provide impartial analysis of all discretionary development applications that are submitted.
	States concerns regarding lack of mitigation measures to reduce potential impacts throughout the Initial Study.	All proposed mitigation measures can be found throughout the EIR and summarized in the Executive Summary.
	States concern regarding the establishment of appropriate size, height, and square footage limits.	This comment is addressed in Section 2, <i>Project Description</i> , and Section 4.8, <i>Land Use and Planning</i> .
	Expresses concerns related to scope, size, and operation hours of the proposed project.	The scope, size, and operational characteristics of the proposed project are described in Section 2, <i>Project Description</i> . The potential environmental impacts of the proposed project, including its scope, size, and operational characteristics, are addressed throughout Chapter 4, <i>Environmental Impact Analysis</i> .
	Expresses concerns regarding operational noise impacts.	This comment is addressed in Section 4.9, <i>Noise and Vibration</i> .

Commenter	Comment/Request	How and Where It Was Addressed
	Expresses concern regarding the height of proposed buildings in comparison to the surrounding development.	This comment is addressed in Section 4.8, <i>Land Use and Planning</i> .
	Expresses concerns regarding aesthetics impacts, specifically regarding lighting.	This comment is addressed in the Initial Study (Appendix A). As described therein, aesthetic impacts were found to be less than significant.
Jeffrey Auerbach	States support for the proposed project.	The commenter's support for the project will be provided to City decisionmakers for their consideration.
	Expresses concern regarding the project's traffic impact, particularly related to the South Bedford Drive entrance to the project.	This comment is addressed in Section 4.11, <i>Transportation</i> .
	Encourage the allowance of residential overnight parking.	Pursuant to PRC Section 21099(d) and the project site's location within a transit priority area, parking is not an environmental issue under CEQA, but the commenter's request regarding the allowance of overnight parking for residents is noted and will be provided to the City decisionmakers for their consideration. A Parking Study is being prepared for the project for consideration of City decisionmakers, but this is not part of the CEQA analysis.
Matt Vespa and Rebecca Barker on behalf of Earthjustice	Encourages the requirement of all-electric design of the buildings within the project as a feasible mitigation measure to reduce GHG emissions, energy, and health impacts.	This comment is addressed in Section 4.4, <i>Energy</i> , and Section 4.6, <i>Greenhouse Gas Emissions</i> . This comment will be provided to City decisionmakers for their consideration.
Joey Behrstock	Expresses support for the proposed project. Expresses support for the elimination of the existing surface parking lots.	The commenter's support for the project will be provided to City decisionmakers for their consideration.
	Expresses concern related to amount of office space proposed. Recommends conversion of office space within project into additional residential use.	As discussed in Section 2, <i>Project Description</i> , this EIR considers a scenario in which up to 150,000 sf of the commercial/office uses within the Wilshire Boulevard District would instead be residential units. Consistency with the applicable City and regional plans and policies is addressed in Section 4.8, <i>Land Use and Planning</i> .

City of Beverly Hills
9600 Wilshire Boulevard Specific Plan

Commenter	Comment/Request	How and Where It Was Addressed
Steve Mayer	Expresses concern regarding the length of the NOP review period. Requests additional time in the future rounds of review and comment for the EIR.	The project has been noticed for 30 days via the State Clearinghouse, Los Angeles County Clerk, City website, and physical mailing to property owners and residential occupants within 500 feet of the project site, as well as the interested parties mailing list, consistent with the requirements of the CEQA Guidelines Section 15082. Written comments were accepted via email, post, and fax. A public meeting with virtual (phone and Zoom) and in-person access was also held during the scoping period and provided an additional opportunity for the public to learn about the project and submit comments. Additional opportunities for public comment will be provided throughout the environmental review process consistent with the CEQA Guidelines, including during the Draft EIR noticing period and during public hearings conducted for the project.
	States the project should be reviewed by every City Commission. Requests this issue be discussed in a future Sunshine Task Force meeting.	The project and its environmental documentation will be reviewed by the City Planning Commission and City Council pursuant to CEQA Guidelines Sections 15025(b) and 15025(c) and Beverly Hills Municipal Code (BHMC) Sections 10-1-102 and 10-3-3910.
	Asks what mitigation measures will be provided for residents in the transition zone.	All proposed mitigation measures can be found throughout the EIR and summarized in the Executive Summary.
	Expresses concern regarding construction noise hours and predictability.	This comment is addressed in Section 2, <i>Project Description</i> , and Section 4.9, <i>Noise and Vibration</i> .
	States delivery hours should be restricted to between 10:00 a.m. and 3:00 p.m.	As discussed in Section 2, <i>Project Description</i> , the proposed operational hours of the loading docks within the project site are consistent with the existing hours utilized in the commercial structures: Monday through Friday between 7:00 a.m. and 5:00 p.m. and weekends between 8:30 a.m. and 4:00 p.m. This comment, with respect to noise, is addressed in Section 4.9, <i>Noise and Vibration</i> .

Commenter	Comment/Request	How and Where It Was Addressed
Simon Aftalion	Expresses concern related to the amount of office space proposed. Recommends the removal of one office building and the consideration of converting the proposed office space to residential use.	As discussed in Section 2, <i>Project Description</i> , this EIR considers a scenario in which 150,000 sf of the commercial/office uses within the Wilshire Boulevard District would instead be residential units. Consistency with the applicable City and regional plans and policies is addressed in Section 4.8, <i>Land Use and Planning</i> .
Adam Asherson	Recommends the residential buildings within the project focus on quality of amenities rather than the quantity of units. Expresses concern regarding the sacrifice of quality of residential amenities for the quantity of residential units.	Residential amenities included in the proposed project are described in Section 2, <i>Project Description</i> . Recreational amenities, in particular, are also discussed in Section 16, <i>Recreation</i> , of the Initial Study (Appendix A). The potential for the number of residential units proposed to induce substantial unplanned population growth is addressed in Section 4.10, <i>Population and Housing</i> , of this Draft EIR.
Sharon De Mayo	Expresses support for the project and its design.	The commenter's support for the project will be provided to City decisionmakers for their consideration.
	Recommends additional small shop commercial and café uses between Wilshire Boulevard and proposed residential buildings.	This is not an environmental issue under CEQA, but the commenter's concern and recommendation regarding small shop commercial and café uses within the project is noted and will be provided to City decision makers for their consideration.
	Recommends the residential buildings within the project focus on quality of amenities rather than the quantity of units. Expresses concern regarding the sacrifice of quality of residential amenities for the quantity of residential units.	Residential amenities included in the proposed project are described in Section 2, <i>Project Description</i> . Recreational amenities, in particular, are also discussed in Section 16, <i>Recreation</i> , of the Initial Study (Appendix A). The potential for the number of residential units proposed to induce substantial unplanned population growth is addressed in Section 4.10, <i>Population and Housing</i> , of this Draft EIR.
Mike Lloyd	Expresses support for the project and its design. Expresses support for the conversion of the existing surface parking lots into the proposed project.	The commenter's support for the project will be provided to City decisionmakers for their consideration.

City of Beverly Hills
9600 Wilshire Boulevard Specific Plan

Commenter	Comment/Request	How and Where It Was Addressed
	<p>Expresses concern related to the amount of office space proposed. Recommends the removal of one office building and the consideration of converting the proposed office space to residential use.</p>	<p>As discussed in Section 2, <i>Project Description</i>, this EIR considers a scenario in which up to 150,000 sf of the commercial/office uses within the Wilshire Boulevard District would instead be residential units. Consistency with the applicable City and regional plans and policies, including the Housing Element, is addressed in Section 4.8, <i>Land Use and Planning</i>.</p>
Stephan Berghoff	<p>Expresses support for the proposed project.</p>	<p>The commenter’s support for the project will be provided to City decisionmakers for their consideration.</p>
	<p>Encourages additional restaurants within the proposed project, particularly within the Terrace area of the project and on South Peck Drive.</p>	<p>This is not an environmental issue under CEQA, but the commenter’s request regarding additional restaurant space within the project is noted and will be provided to City decisionmakers for their consideration.</p>
	<p>Expresses concern regarding traffic impacts, specifically relating to valet drop off and parking access at the Via entrance on South Bedford Drive.</p>	<p>This comment is addressed in Section 4.11, <i>Transportation</i>.</p>
Negin Bolour	<p>Expresses support for the proposed project. Expresses support for the conversion of existing surface parking lots into the proposed project.</p>	<p>The commenter’s support for the project will be provided to City decisionmakers for their consideration.</p>
	<p>Encourages adding additional restaurants and boutiques to project.</p>	<p>This is not an environmental issue under CEQA, but the commenter’s request regarding additional restaurant and boutique space within the project is noted and will be provided to City decisionmakers for their consideration.</p>
Sharon Eshaghoff	<p>Expresses support for the proposed project.</p>	<p>The commenter’s support for the project will be provided to City decisionmakers for their consideration.</p>
	<p>Encourages adding additional restaurants and shall shop commercial uses to project.</p>	<p>This is not an environmental issue under CEQA, but the commenter’s request regarding additional restaurant and small shop uses within the project is noted and will be provided to City decisionmakers for their consideration.</p>
	<p>Expresses concern regarding traffic congestion and the design of the South Bedford Drive entrance.</p>	<p>This comment is addressed in Section 4.11, <i>Transportation</i>.</p>

Commenter	Comment/Request	How and Where It Was Addressed
Adrian Scott Fine on behalf of the Los Angeles Conservancy	Expresses support for the project and its rehabilitation of the Saks Fifth Avenue Women's Building.	Rehabilitation of the Saks Fifth Avenue Women's Building is discussed in Section 4.3, <i>Cultural Resources</i> , of this EIR. The commenter's support for the project will be provided to City decision makers for their consideration.
	Recommend the applicant apply for the Historic Rehabilitation Tax Credit at both federal and upcoming-California levels.	This is not an environmental issue under CEQA, but the commenter's recommendation will be provided to City decisionmakers for their consideration.
	Recommends an interpretive program for the project relating to the rehabilitation and history of the building.	As described in Section 4.3, <i>Cultural Resources</i> , the project would preserve and rehabilitate the historical building on the project site (Saks Women's Building), and would have a less than significant impact on historical resources with implementation of the proposed mitigation, which includes measures to ensure that rehabilitation is conducted in accordance with the Secretary of the Interior's Standards, that damage and vandalism do not occur during periods of vacancy, and that building damage due to construction vibration does not occur. Additional measures, such as an interpretive program, are not required to reduce project impacts. However, this recommendation will be provided to City decisionmakers for their consideration.
Fern and Bob Seizer	Expresses concern regarding the size of project.	This comment is addressed in Section 4.8, <i>Land Use and Planning</i> .
	Expresses concern regarding the traffic, air quality, and noise impacts of the project.	This comment is addressed in Section 4.11, <i>Transportation</i> , Section 4.1, <i>Air Quality</i> , and Section 4.9, <i>Noise and Vibration</i> , respectively.
	States the proposed development should remain under the site's current zoning height and density standards.	This comment is addressed in Section 4.8, <i>Land Use and Planning</i> .
Jordan Geller	Expresses concern regarding ingress and egress and cut-through traffic	This comment is addressed in Section 4.11, <i>Transportation</i> .
Rebecca Pynoos	Requests that the EIR study occupancy and lease rates for hotels and offices in the City and whether there is a need for more of these uses	This is not an environmental issue under CEQA, but the comment is noted and provided to City decisionmakers for their consideration. Consistency with the applicable City and regional plans and policies is addressed in Section 4.8, <i>Land Use and Planning</i> .

City of Beverly Hills
9600 Wilshire Boulevard Specific Plan

Commenter	Comment/Request	How and Where It Was Addressed
Unnamed Resident (verbal comment)	Expresses concern regarding traffic safety.	This comment is addressed in Section 4.11, <i>Transportation</i> .
Robert Chancer	Expresses concern regarding property values in the neighborhood.	Property value is not an environmental issue under CEQA, but the comment is noted and provided to City decisionmakers for their consideration.
	Expresses concern regarding noise during construction and construction hours.	This comment is addressed in Section 4.9, <i>Noise and Vibration</i> .
	Expresses concern regarding traffic impacts on Charleville Boulevard and South Peck Drive during both construction and operation. Asks if a traffic study will be completed for the project.	This comment is addressed in Section 4.11, <i>Transportation</i> . A Transportation Assessment was prepared for the proposed project, as is included as Appendix G of this EIR.
	Expresses concern regarding operational noise associated with the private club.	This comment is addressed in Section 4.9, <i>Noise and Vibration</i> .
	Expresses concern regarding light pollution during construction and operation.	This comment is addressed in the Initial Study prepared for the proposed project (Appendix A). As discussed therein, project impacts related to lighting would be less than significant.
Cheri Lucas	Expresses concern regarding traffic, particularly on Charleville Boulevard.	This comment is addressed in Section 4.11, <i>Transportation</i> .
	Expresses concern regarding parking supply.	Pursuant to PRC Section 21099(d) and the project site's location within a transit priority area, parking is not an environmental issue under CEQA, but the comment is noted and provided to City decisionmakers for their consideration. A Parking Study is being prepared for the project for consideration of City decisionmakers, but this is not part of the CEQA analysis.
Molly Greene on behalf of Supporters Alliance for Environmental Responsibility (SAFER)	Requests notice of CEQA actions and notices of any public hearing to be held related to the project.	All notices regarding this project will be sent to SAFER.

1.3 Scope and Content

This EIR addresses impacts identified by the Initial Study to be potentially significant. The following issues contained in Appendix G of the CEQA Guidelines were found to include potentially significant impacts and have been studied in the EIR:

- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Land Use and Planning
- Noise
- Population and Housing
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems

In preparing the EIR, use was made of pertinent City policies and guidelines, certified EIRs and adopted CEQA documents, and other background documents. A full reference list is contained in Section 7, *References and Preparers*.

The alternatives section of the EIR (Section 6) was prepared in accordance with Section 15126.6 of the CEQA Guidelines and focuses on alternatives that are capable of eliminating or reducing any of the significant adverse effects associated with the project while feasibly attaining most of the basic project objectives. In addition, the alternatives section identifies the “environmentally superior” alternative among the alternatives assessed. The alternatives evaluated include the CEQA required “No Project” alternative and three alternative development scenarios for the project area.

The level of detail contained throughout this EIR is consistent with the requirements of CEQA and applicable court decisions. Section 15151 of the CEQA Guidelines provides the standard of adequacy on which this document is based. The CEQA Guidelines state:

“An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection, but for adequacy, completeness, and a good faith effort at full disclosure.”

1.4 Issues Not Studied in Detail in the EIR

CEQA Guidelines Section 15128 requires an EIR to briefly describe any possible significant effects that were determined not to be significant and were, therefore, not discussed in detail in the Draft EIR. Table 1-2 summarizes issues from the Appendix G of the CEQA Guidelines that were determined not to be significant in the Initial Study (Appendix A). As

indicated in the Initial Study, and based on a review of comments received during the NOP process, there is no substantial evidence that significant impacts would occur in any of these issue areas.

Table 1-2 Issues Not Studied in the EIR

Issue Area	Initial Study Findings
Aesthetics	<p>The project would not have a substantial adverse effect on scenic vistas, substantially degrade the existing visual character, or quality of public views along the project alignments, nor conflict with applicable zoning of land uses along the alignments. Impacts to scenic vistas would be less than significant.</p> <hr/> <p>The project site is not located on a State Scenic Highway and is not visible from a state scenic highway. The project would have no impact regarding scenic resources visible from a state scenic highway.</p> <hr/> <p>Pursuant to PRC Section 21099(d), the project would not create a new source of substantial light, glare, shade, or shadow that would adversely affect daytime or nighttime views in the vicinity of the project. Impacts would be less than significant.</p>
Agriculture and Forestry Resources	<p>The project would not convert mapped agricultural land to non-agricultural use. There would be no impact regarding the conversion of agricultural land.</p> <hr/> <p>The project would not conflict with existing zoning for agricultural use or a Williamson Act contract. No impact would occur.</p> <hr/> <p>The project would not convert any forest land to non-forest use, nor would it conflict with existing zoning for such lands. There would be no impact to forests or timberland.</p> <hr/> <p>The project would not result in other changes to the existing environment that could result in conversion of agricultural land to non-agricultural use, or forest land to non-forest use. There would be no impact.</p>
Biological Resources	<p>The project is located in an urbanized area and is previously developed. The project would not have a substantial adverse effect on a riparian habitat or sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. No impact would occur.</p> <hr/> <p>The project is located in an urbanized area and is previously developed. The project would not have a substantial adverse effect on state or federally protected wetlands through direct removal, filling, hydrological interruption, or other means. No impact would occur.</p> <hr/> <p>The project is located in an urbanized area and is previously developed. 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. No impact would occur.</p> <hr/> <p>The project is located in an urbanized area and is previously developed. The project would comply with all applicable local policies and ordinances protecting biological resources, including the tree preservation ordinance. The impacts would be less than significant.</p> <hr/> <p>The project is located in an urbanized area, is previously developed, and is not within an adopted conservation plan. The project would not 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 would occur.</p>

Issue Area	Initial Study Findings
Cultural Resources	<p>The project is located in an urbanized area and is previously developed. No human remains are known to be present within the site. If human remains are found, existing regulations regarding the treatment of human remains would be adhered to. Therefore, the project would have a less than significant impact to human remains.</p>
Geology and Soils	<p>The geotechnical report concluded that the project site is not within a liquefaction hazard zone and the project site is not located within an area identified for a potential of seismic slope instability by the California Geologic Survey or the Beverly Hills General Plan Safety Element. Therefore, the project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic related ground failure or liquefaction and a less than significant impact would occur.</p> <p>The project site is not within a potential landslide area identified by the Beverly Hills General Plan Seismic Hazards Map. The proposed project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides and no impact would occur.</p> <p>With compliance with the BHMC and the Stormwater Pollution Prevention Plan (SWPPP) in accordance with the National Pollutant Discharge Elimination System (NPDES) Construction General Permit, the project would not result in substantial soil erosion or the loss of topsoil. Impacts would be less than significant.</p> <p>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. With compliance with the BHMC and the California Building Standards Code, the project would mitigate the effects of adverse soil conditions including on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. Impacts would be less than significant.</p> <p>The proposed project would not include the installation of a new septic system or alternative wastewater disposal system. Therefore, no impact associated with the use of septic tanks or alternative wastewater disposal systems would occur.</p>
Hazards and Hazardous Materials	<p>Construction and operation of the proposed project would not require the extensive or ongoing use of or removal and disposal of materials, including asbestos and lead-based paint, expected to constitute a significant hazard to the public. With compliance with the applicable statutory and regulatory requirements during construction and throughout operation, impacts on the environment related to the routine transport, use, or disposal of hazardous materials would be less than significant.</p> <p>Limited quantities of hazardous materials would be used during building construction. The operation of the project would not require the transport, use, or disposal of hazardous materials outside of common household hazardous materials. Compliance with all existing regulations would reduce potential impacts regarding upset and accident conditions involving the release of hazardous materials into the environment. Impacts would be less than significant.</p> <p>There is one school within 0.25-mile of the project site. Construction and operation of the proposed project would not require the extensive or ongoing use of materials expected to constitute a significant hazard to the public, including schools. The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school. No impact would occur.</p>

Issue Area	Initial Study Findings
	<p>The project is not located on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section 6596.2. The project would not create a significant hazard to the public or the environment, and a less than significant impact would occur.</p> <p>The project site is not located within an airport land use plan, and there are no public airports or public use airports within two miles of the project site. The project would not result in a safety hazard or excessive noise for people residing or working in the project area. No impact would occur.</p> <p>The project is not located within a very high fire hazard severity zone (VHFHSZ). Compliance with all applicable codes, regulations, and standard measures for fire protection would reduce risk involving wildland fires. The project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires. The impacts would be less than significant.</p>
Hydrology and Water Quality	<p>With compliance with the BHMC and the Stormwater Pollution Prevention Plan (SWPPP) in accordance with the National Pollutant Discharge Elimination System (NPDES) Construction General Permit, the proposed project would not violate any water quality standards or waste discharge requirements, substantially decrease groundwater, or interfere with groundwater recharge. Impacts would be less than significant.</p> <p>Development under the proposed project would not result in a significant impact to groundwater supplies or interfere substantially with groundwater recharge such that sustainable groundwater management of the Hollywood Sub-basin would be impeded. Impacts would be less than significant.</p> <p>With implementation of BMPs in accordance with the Low Impact Development (LID) plan requirements, the project would not substantially change existing drainage patterns through alteration of the course of a stream or river, or through addition of impervious surfaces. The project would not exceed the capacity of existing or planned stormwater drainage systems and would not provide substantial additional sources of polluted runoff. Impacts would be less than significant.</p> <p>With implementation of BMPs in accordance with the NPDES Construction General Permit and LID requirements, the project would not change existing drainage patterns in a manner that would impede or redirect flood flows. Impacts would be less than significant.</p> <p>The Federal Emergency Management Agency (FEMA) does not classify the Specific Plan area as located within a flood hazard zone. With implementation of LID BMPs in accordance with the BHMC, the project would not risk release of pollutants due to project inundation. Impacts would be less than significant.</p> <p>Compliance with NPDES Construction General, Groundwater Dewatering, and MS-4 permits along with the City Urban Runoff Pollution Control Ordinance and BHMC Section 9-4-509 would ensure the project would not conflict or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Impacts would be less than significant.</p>
Land Use and Planning	<p>The project site is developed and located within an urban setting. The proposed Specific Plan and Conceptual Plan would enhance pedestrian circulation and maintain vehicle circulation within the project site and the surrounding area. Therefore, the project would not physically divide an established community. Impacts would be less than significant.</p>

Issue Area	Initial Study Findings
Mineral Resources	The project would not involve mineral extraction or changes in land use that could affect the availability of mineral resources. The project would not result in the loss of availability of a known mineral resource or a locally important mineral resource recovery site. No impact to mineral resources would occur.
Noise	The project site is not located within an airport land use plan, and there are no public airports, public use airports, or private airports within two miles of the project site. Therefore, the project would not expose people residing or working in the project area to excessive noise levels associated with airports. No impact would occur.
Population and Housing	The project site is currently developed with two primary existing commercial structures, an ancillary loading facility, and three surface parking lots. The project site does not include any existing residential units; therefore, the proposed project would not displace any existing people or housing, necessitating the construction of replacement housing elsewhere. No impact would occur.
Public Services	<p>Fire protection, rescue services, and emergency medical (paramedic services) are provided by the Beverly Hills Fire Department (BHFD). With continued implementation of existing practices of the City, including compliance with the California Health and Safety Code, California Fire Code, Uniform Building Code (UBC) and BFHD standards, the proposed project would not substantially affect community fire protection services and would not result in the need for new or physically altered fire protection facilities. Impacts would be less than significant.</p> <p>Police protection is provided by the Beverly Hills Police Department. The proposed project would result in an incremental increase in demand for police protection services; however, the project would not cause substantially delayed response times, degraded service ratios or necessitate construction of new facilities, due to the site location within an already developed and well-served area. Impacts would be less than significant.</p> <p>The project site is served by the Beverly Hills Unified School District. The proposed project would increase enrollment by approximately 3.2 percent; however, the payment of State-mandated school fees pursuant to California Government Code Section 65996 would reduce the impacts of new development on school facilities to less than significant levels. Impacts would be less than significant.</p> <p>The project would generate an estimated 319 residents, reducing the City's existing parkland to resident ratio; however, the project includes new publicly accessible open space. The project Applicant would be required to pay the City's Park and Recreation Facilities Construction Tax, pursuant to BHMC Section 3-1-702 would further reduce impacts on parks and recreation. Therefore, impacts would be less than significant.</p> <p>There are no public services or public facilities, such as libraries or hospitals, for which significant impacts are anticipated.</p>
Recreation	The project would generate an estimated 319 residents, temporarily generate construction employees, and generate additional employees in the operation phase of the project, reducing the City's existing parkland to resident ratio. However, the project includes new publicly accessible open space. The project Applicant would be required to pay the City's Park and Recreation Facilities Construction Tax, pursuant to BHMC Section 3-1-702 would further reduce impacts on parks and recreation. Therefore, impacts would be less than significant.

Issue Area	Initial Study Findings
Wildfire	The project site is not located in or near a state responsibility area or land classified as VHFSZ. The project would not substantially impair an adopted emergency response plan or emergency evacuation plan. No impact would occur.
	The project site is not located in or near a state responsibility area or land classified as VHFSZ. Due to the urban nature of the project site and proposed project uses, the project would not exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. No impact would occur.
	The project site is not located in or near a state responsibility area or land classified as VHFSZ. The proposed project would be served by existing roadways and infrastructure and would not require the installation or maintenance of infrastructure that could exacerbate fire risk or result in environmental impacts. No impact would occur.
	The project site is not located in or near a state responsibility area or land classified as VHFSZ. The project site and its vicinity are relatively flat, is not located near any rivers or streams, and is not subject to significant risks of flooding or landslides. Therefore, the risk of wildfire at the project site and associated downstream impacts is considered low. The proposed project would not expose people or structures to significant risks associated with downslope flooding, slope instability, or landslides. No impact would occur.

1.5 Lead, Responsible, and Trustee Agencies

The CEQA Guidelines define lead, responsible and trustee agencies. The City of Beverly Hills is the lead agency for the project because it holds principal responsibility for approving the project.

A responsible agency refers to a public agency other than the lead agency that has discretionary approval over the project. Responsible agencies include the Los Angeles Regional Water Quality Control Board (LARWQCB), which regulates water quality in the region; SCAQMD, which is the air pollution agency responsible for regulating stationary sources of air pollution in the South Coast Air Basin; and Metro, which controls local transportation facilities. The EIR will also be submitted to these agencies for review and comment.

A trustee agency refers to a state agency having jurisdiction by law over natural resources affected by a project. The California Department of Fish and Wildlife is a trustee agency for the proposed project.

1.6 Environmental Review Process

The environmental impact review process, as required under CEQA, is summarized below. The steps are presented in sequential order.

1. **NOP and Initial Study.** After deciding that an EIR is required, the lead agency (City of Beverly Hills) must file a NOP soliciting input on the EIR scope to the State Clearinghouse, other concerned agencies, and parties previously requesting notice in writing (CEQA Guidelines Section 15082; PRC Section 21092.2). The NOP must be posted

in the County Clerk’s office and posted on the Clerk’s website for 30 days. The NOP may be accompanied by an Initial Study that identifies the issue areas for which the project could create significant environmental impacts.

2. **Draft EIR Prepared.** The Draft EIR must contain: a) table of contents or index; b) summary; c) project description; d) environmental setting; e) discussion of significant impacts (direct, indirect, cumulative, growth-inducing and unavoidable impacts); f) a discussion of alternatives; g) mitigation measures; and h) discussion of irreversible changes.
3. **Notice of Completion (NOC) and Notice of Availability (NOA).** The lead agency must file an NOC with the State Clearinghouse when it completes a Draft EIR and prepare a NOA of a Draft EIR.
 - The **NOC** includes the address where hard copies of the Draft EIR are available for review and the review period during which comments will be received on the Draft EIR (CEQA Guidelines Section 15085). When a Draft EIR is sent to the State Clearinghouse for review, the public review period must be 45 days unless the State Clearinghouse approves a shorter period (PRC Section 21091[a]).
 - The **NOA** includes information regarding where hard copies of the Draft EIR are available for review as well as information on how to submit comments on the Draft EIR to the lead agency (City of Beverly Hills). The lead agency provides the NOA of the Draft EIR at the same time as it sends the NOC to the State Clearinghouse. Notice must also be given to all organizations and individuals who have previously requested such notice. The lead agency will file the NOA with the County Clerk’s office for 30 days (CEQA Guidelines Section 15087[d]) and send a copy of the NOA to the State Clearinghouse (Office of Planning and Research). The lead agency must solicit input from other agencies and the public and respond in writing to all comments received during the public review period (PRC Section 21091[d][2]). Notice will also be given by at least one of the following procedures:
 - Publication at least one time by the public agency in a newspaper of general circulation in the area affected by the proposed project
 - Posting of notices by the public agency on and off the site in the area where the project is to be located
 - Direct mailing to the owners and occupants of property contiguous to the parcel or parcels on which the project is located
4. **Final EIR.** A Final EIR must include: a) the Draft EIR; b) copies of comments received during public review; c) list of persons and entities commenting; and d) responses to comments.
5. **Certification of Final EIR.** Prior to making a decision on a proposed project, the lead agency must certify that: a) the Final EIR has been completed in compliance with CEQA; b) the Final EIR was presented to the decision-making body of the lead agency; and c) the decision-making body reviewed and considered the information in the Final EIR prior to approving a project (CEQA Guidelines Section 15090).

9600 Wilshire Boulevard Specific Plan

6. **Lead Agency Project Decision.** The lead agency may a) disapprove the project because of its significant environmental effects; b) require changes to the project to reduce or avoid significant environmental effects; or c) approve the project despite its significant environmental effects, if the proper findings and statement of overriding considerations are adopted (CEQA Guidelines Sections 15042 and 15043).
7. **Findings/Statement of Overriding Considerations.** For each significant impact of the project identified in the EIR, the lead agency must find, based on substantial evidence, that either: a) the project has been changed to avoid or substantially reduce the magnitude of the impact; b) changes to the project are within another agency's jurisdiction and such changes have or should be adopted; or c) specific economic, social, or other considerations make the mitigation measures or project alternatives infeasible (CEQA Guidelines Section 15091). If an agency approves a project with unavoidable significant environmental effects, it must prepare a written Statement of Overriding Considerations that sets forth the specific social, economic, or other reasons supporting the agency's decision which outweigh such environmental impacts.
8. **Mitigation Monitoring Reporting Program.** When the lead agency makes findings on significant effects identified in the EIR, it must adopt a reporting or monitoring program for mitigation measures that were adopted or made conditions of project approval to mitigate significant effects.
9. **Notice of Determination (NOD).** The lead agency must file a NOD after deciding to approve a project for which an EIR is prepared. A local agency must file the NOD with the County Clerk. The NOD must be posted for 30 days and sent to anyone previously requesting notice. Posting of the NOD starts a 30-day statute of limitations on CEQA legal challenges (CEQA Guidelines Section 15094).

2 Project Description

This section describes the proposed project, including the project Applicant, the project site and surrounding land uses, major project characteristics, project objectives, and discretionary actions needed for approval.

2.1 Project Applicant

Saks & Company/Street-Works Development
225 Liberty Street
New York, New York 10007

2.2 Lead Agency Contact Person

Alvaro Gomez, AICP, Senior Planner
City of Beverly Hills,
Planning Division, Department of Community Development
455 North Rexford Drive
Beverly Hills, California 90210
agomez@beverlyhills.org
310-285-1142

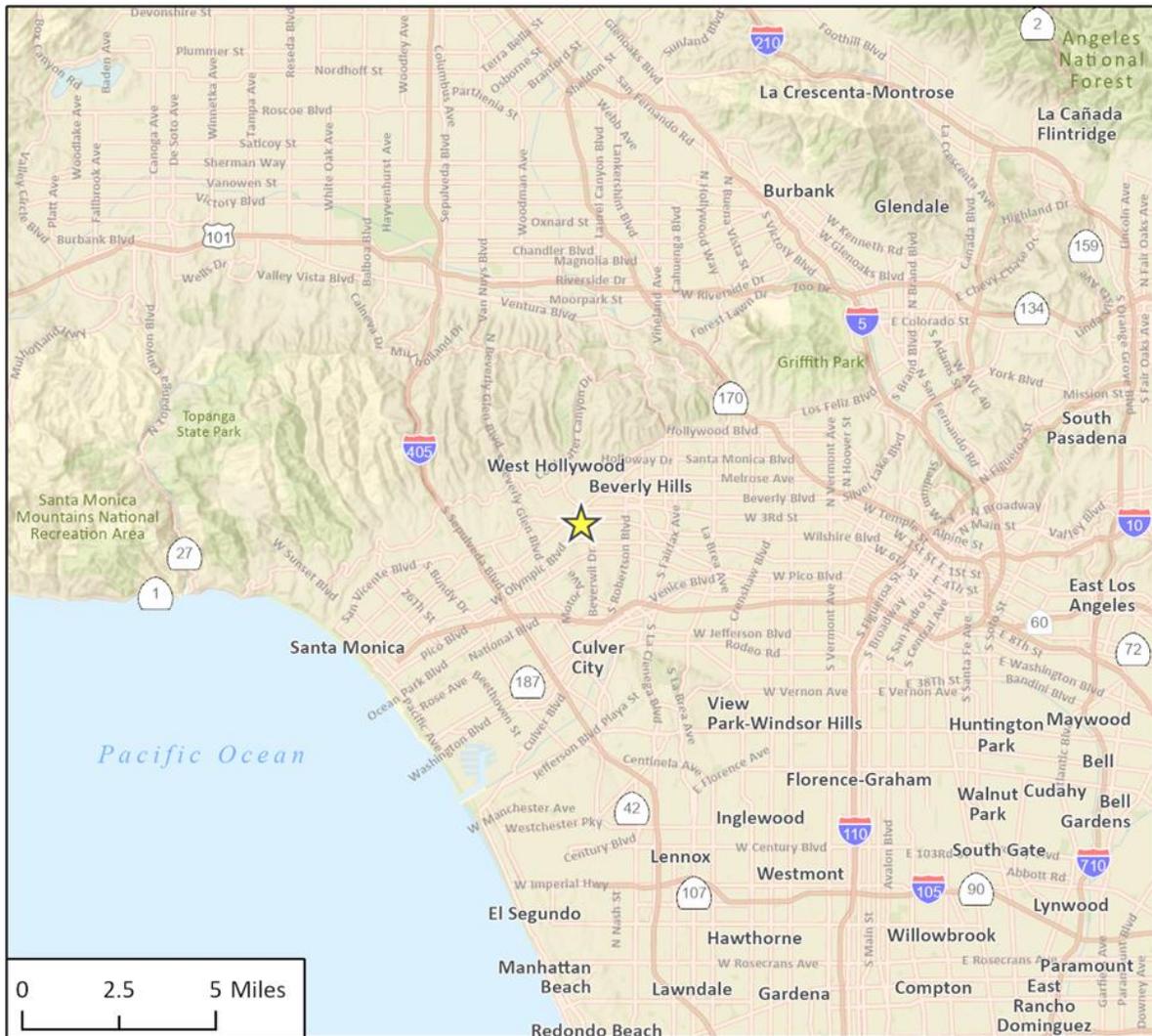
2.3 Project Location

The proposed 9600 Wilshire Boulevard Specific Plan (“Specific Plan”) would apply to an approximately four-acre (net) site located south of Wilshire Boulevard, between Bedford Drive to the west and Camden Drive to the east, adjacent to the southwestern portion of the City of Beverly Hills. The Specific Plan Area generally consists of two rectangular blocks bisected by South Peck Drive. The Specific Plan Area is approximately nine miles west of the City of Los Angeles City Hall and four miles northeast of the City of Santa Monica. The Specific Plan Area is approximately three miles east of Interstate 405 (I-405) and 2.5 miles north of Interstate 10 (I-10). Local access to the Specific Plan Area is provided by Wilshire Boulevard, South Bedford Drive, South Camden Drive, and South Peck Drive, with regional access provided by I-405. The Specific Plan Area is also served by a variety of public transit options, with several Los Angeles County Metropolitan Transportation Authority (Metro) transit bus stops along Wilshire Boulevard in the vicinity of the Specific Plan Area. The Specific Plan Area is also located approximately 0.2 mile from the Metro D (Purple) Line Wilshire/Rodeo Station currently under construction. Figure 2-1 shows the project location on a regional scale and Figure 2-2 shows the project site on a local scale.

For purposes of this analysis, the Specific Plan Area is divided into two districts (Wilshire Boulevard District, and Neighborhood District) and six subareas (9570 Wilshire, Parcel A, Parcel B, Saks Rehabilitation, Neighborhood East, and Neighborhood West), which are also identified and described in Figure 2-3 and Table 2-1.

City of Beverly Hills
9600 Wilshire Boulevard Specific Plan

Figure 2-1 Regional Location



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EIR Figures
 Fig 1 Regional Location

★ Project Location

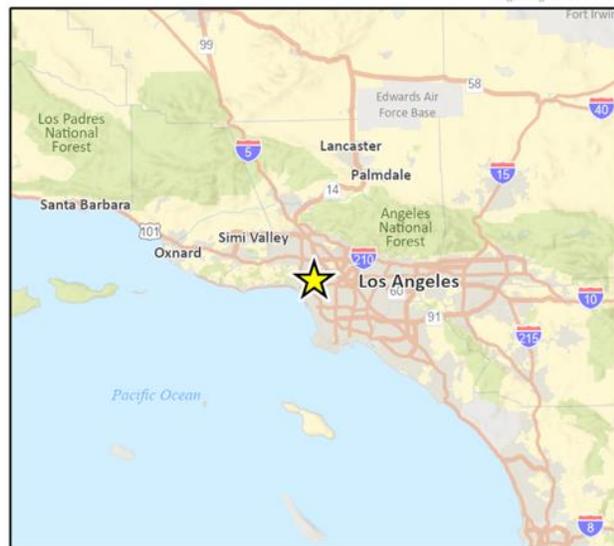
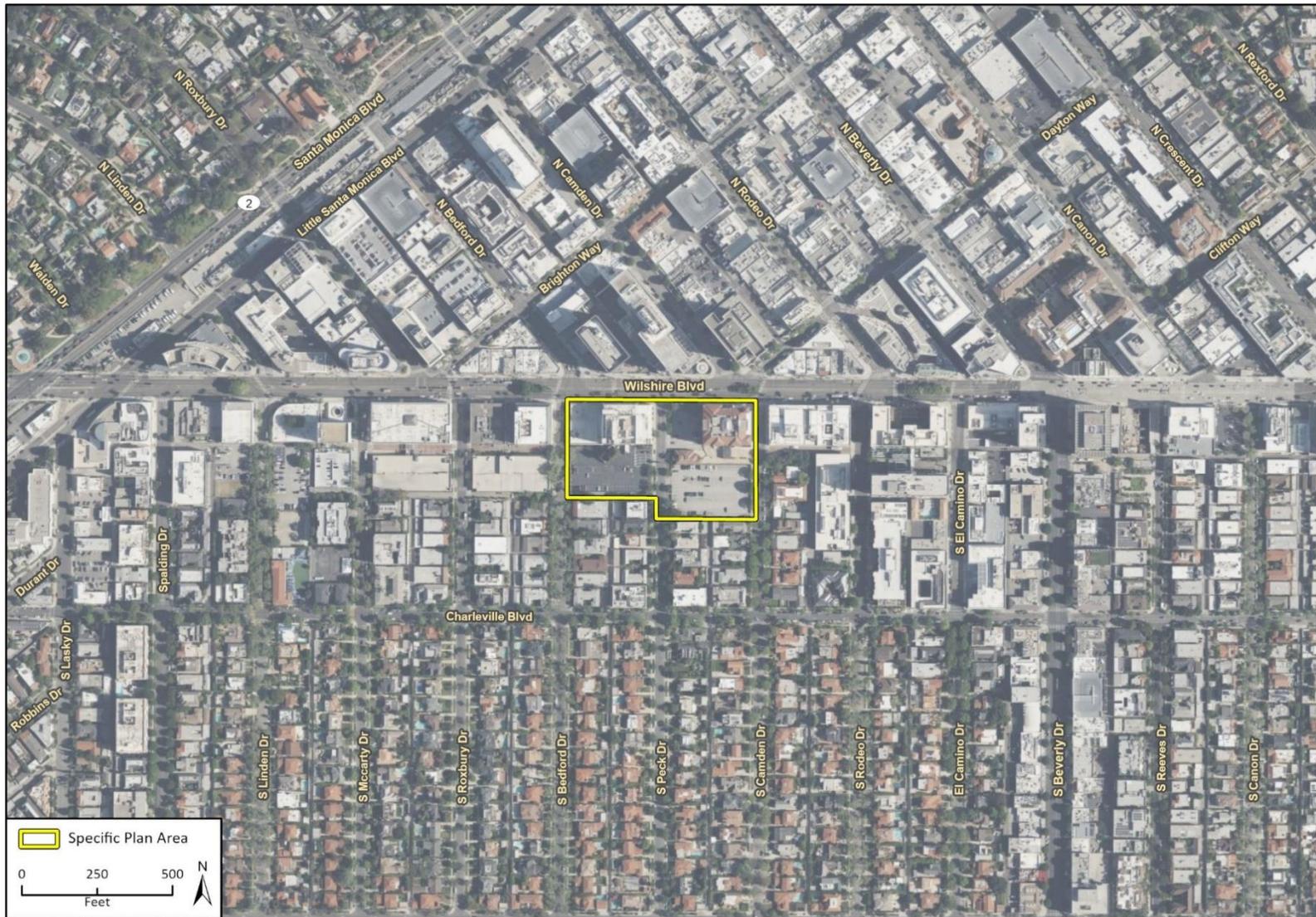


Figure 2-2 Project Site Location



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Additional data provided by County of Los Angeles, Parcels, 2021.

22-13259 EIR Figures
Fig 2 Local Setting

Figure 2-3 Specific Plan Boundary

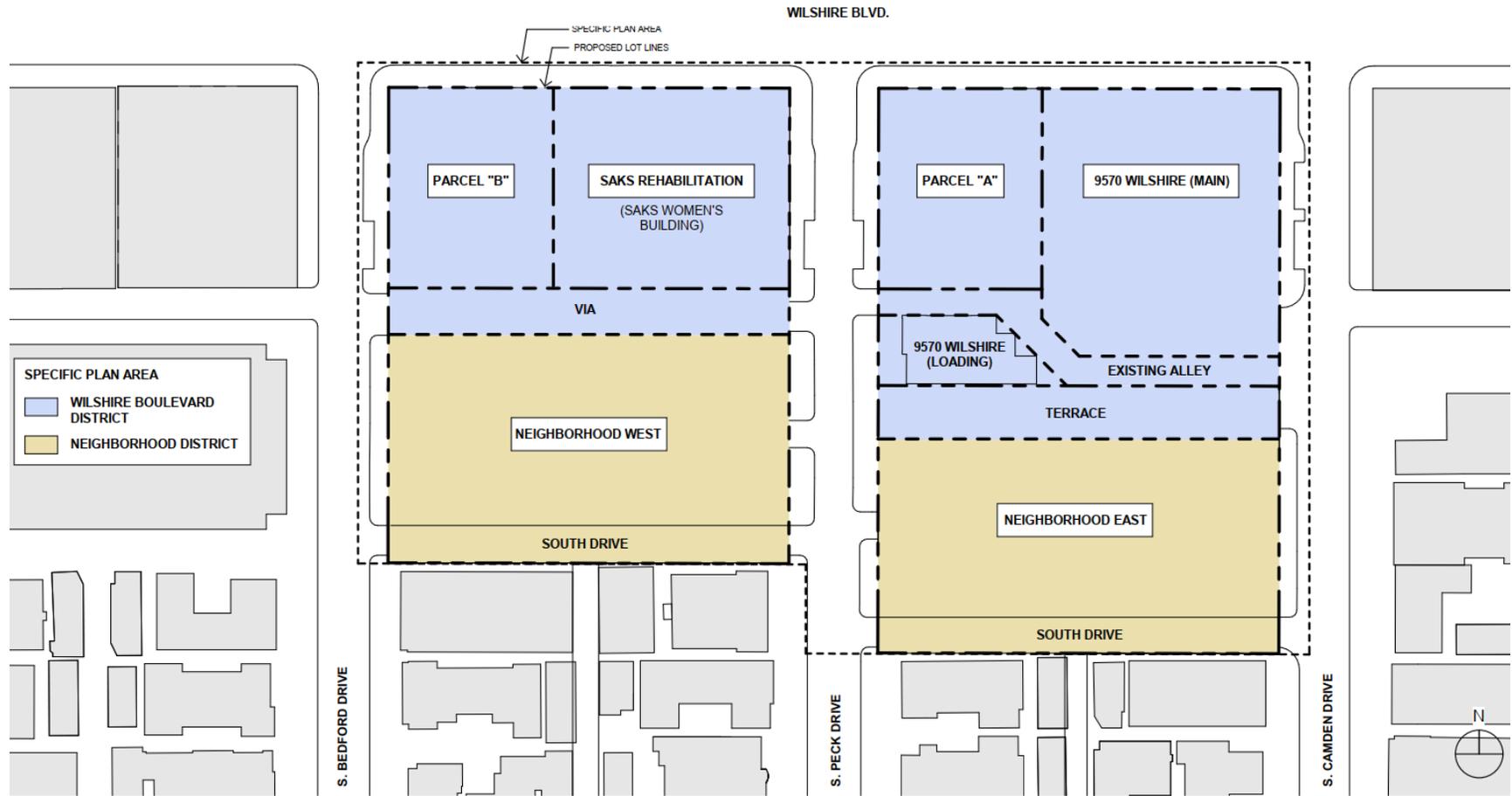


Table 2-1 Specific Plan Area Identification

Subarea	Assessor’s Parcel Numbers	Addresses
Existing 9570 Wilshire	4328-026-030, -039	9570 Wilshire Boulevard
Parcel A	4328-026-003, -004	9588-9596 Wilshire Boulevard
Saks Rehabilitation	4328-021-001, -002	9600-9610 Wilshire Boulevard
Parcel B	4328-021-019	9620 Wilshire Boulevard
Neighborhood East	4328-026-006, -007, -008, -013, -014, -015	133 South Camden Drive
Neighborhood West	4328-021-020, -021, -022, -023	128 South Bedford Drive

2.4 Existing Site Characteristics

The Specific Plan Area currently contains three existing commercial structures, an ancillary loading facility, and three surface parking lots. The Specific Plan Area also contains a portion of South Peck Drive and three alleyways that are currently in use, including an approximately 27-foot-wide alley that runs along the southwestern boundary of the site between South Bedford Drive and South Peck Drive, an approximately 20-foot-wide alley in the southeastern portion of the site that connects South Camden Drive and an existing residential alley to the south of the Specific Plan Area, and an alley that runs behind 9570 Wilshire and Parcel “A”.

The historic building located on Saks Rehabilitation (Saks Women’s Building or Saks Rehabilitation Building) is located in the northwestern portion of the site, at 9600 Wilshire Boulevard, and the former Barneys New York Building is located at 9570 Wilshire Boulevard in the northeastern portion of the site. The Saks Women’s Building was originally constructed in 1938 and was added to in 1939 and again in 1947. The Saks Women’s Building includes the original four-story portion, and the 1939 and 1947 additions. The adjacent Shoe Building is located at 9620 Wilshire Boulevard (Parcel B) and is to be demolished during project construction.

The approximately 98-foot-tall Saks Women’s Building and the existing, single-story building currently located on Parcel B (Shoe Building) total approximately 145,039 square feet (sf). The two structures currently serve as a Saks Fifth Avenue department store. To the south of the Saks Women’s Building and the Shoe Building is a surface parking lot with approximately 80 spaces, which is accessed from South Bedford Drive and South Peck Drive.

The former Barneys New York Building, at the southwest corner of Wilshire Boulevard and South Camden Drive, was constructed in 1993 and is approximately 107,000 sf and 93-foot (five stories) in height. The building was most recently used as a retail department store, which closed in 2020 and is currently vacant. Independent of this project, the interior of the building is currently being rehabilitated as a retail department store and it is anticipated that Saks will relocate its women’s retail operations to the site upon completion of the pending work. The former Barneys New York Building includes four levels of subterranean

9600 Wilshire Boulevard Specific Plan

parking with 309 vehicle spaces, which is accessed by an alleyway that connects to South Peck Drive and South Camden Drive. In addition, to the south and west of the former Barneys New York Building are two surface parking lots with approximately 119 spaces and 48 spaces, respectively. These parking lots are accessed via South Peck Drive. Also to the south of the former Barneys New York Building is a single-story loading facility that serves the former Barneys New York Building. Pedestrian access to the Specific Plan Area is provided by Wilshire Boulevard, South Camden Drive, South Bedford Drive, and South Peck Drive, with main building entrances for the Saks Rehabilitation Building and former Barneys New York Building on Wilshire Boulevard and to the rear.

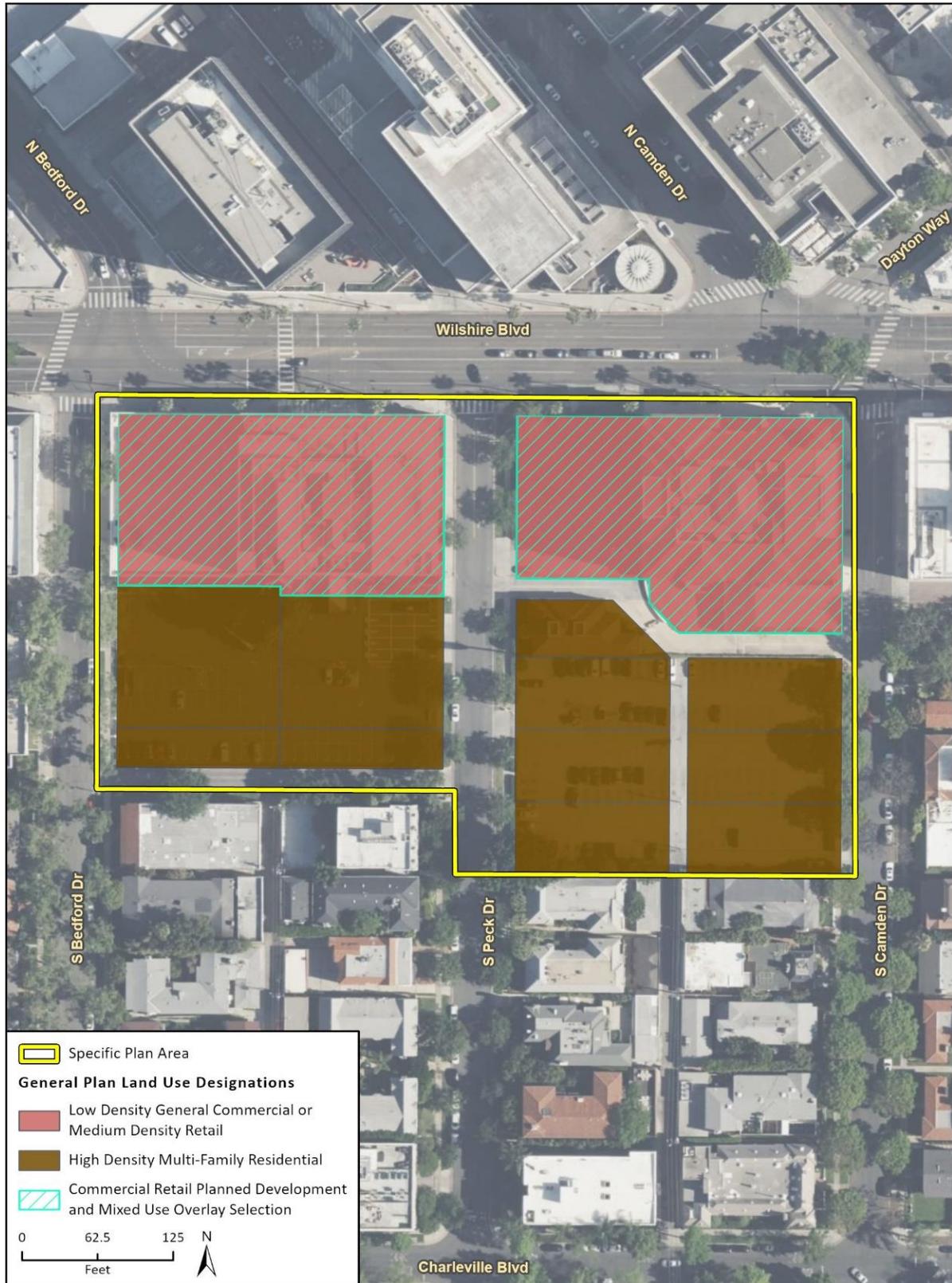
2.4.1 Current Land Use Designation and Zoning

Table 2-2 provides the existing General Plan Land Use and Zoning Designations for the Specific Plan Area. Figure 2-4 illustrates the existing General Plan land use designations, and Figure 2-5 illustrates the existing zoning for the Specific Plan Area. A new General Plan Land Use and Zoning Designation, the “9600 Wilshire Boulevard Specific Plan,” is proposed for the Specific Plan Area.

Table 2-2 Existing and Proposed General Plan Land Use and Zoning Designations

Subarea	Existing General Plan Land Use Designation	Existing Zoning Designation	Proposed General Plan Land Use and Zoning Designations
9570 Wilshire	Existing Commercial Building: Low Density General Commercial or Medium Density Retail Loading Parcel: High Density Multi-Family Residential	Commercial (C-3) and Residential Parking Zone (R-4-P) with a Commercial Retail Planned Development (C-R-PD) Overlay and Mixed Use Overlay	9600 Wilshire Boulevard Specific Plan (Mixed Use Overlay to remain).
Parcel A	Low Density General Commercial or Medium Density Retail	Commercial (C-3) with a Commercial Retail Planned Development (C-R-PD) Overlay and Mixed Use Overlay	9600 Wilshire Boulevard Specific Plan
Saks Rehabilitation	Low Density General Commercial or Medium Density Retail	Commercial (C-3) with a Commercial Retail Planned Development (C-R-PD) Overlay and Mixed Use Overlay	9600 Wilshire Boulevard Specific Plan
Parcel B	Low Density General Commercial or Medium Density Retail	Commercial (C-3) with a Commercial Retail Planned Development (C-R-PD) Overlay and Mixed Use Overlay	9600 Wilshire Boulevard Specific Plan
Neighborhood East	High Density Multi-Family Residential	Multiple Residential (R-4-P) and Multiple Residential Zone (R-4X2)	9600 Wilshire Boulevard Specific Plan
Neighborhood West	High Density Multi-Family Residential	Multiple Residential (R-4)	9600 Wilshire Boulevard Specific Plan

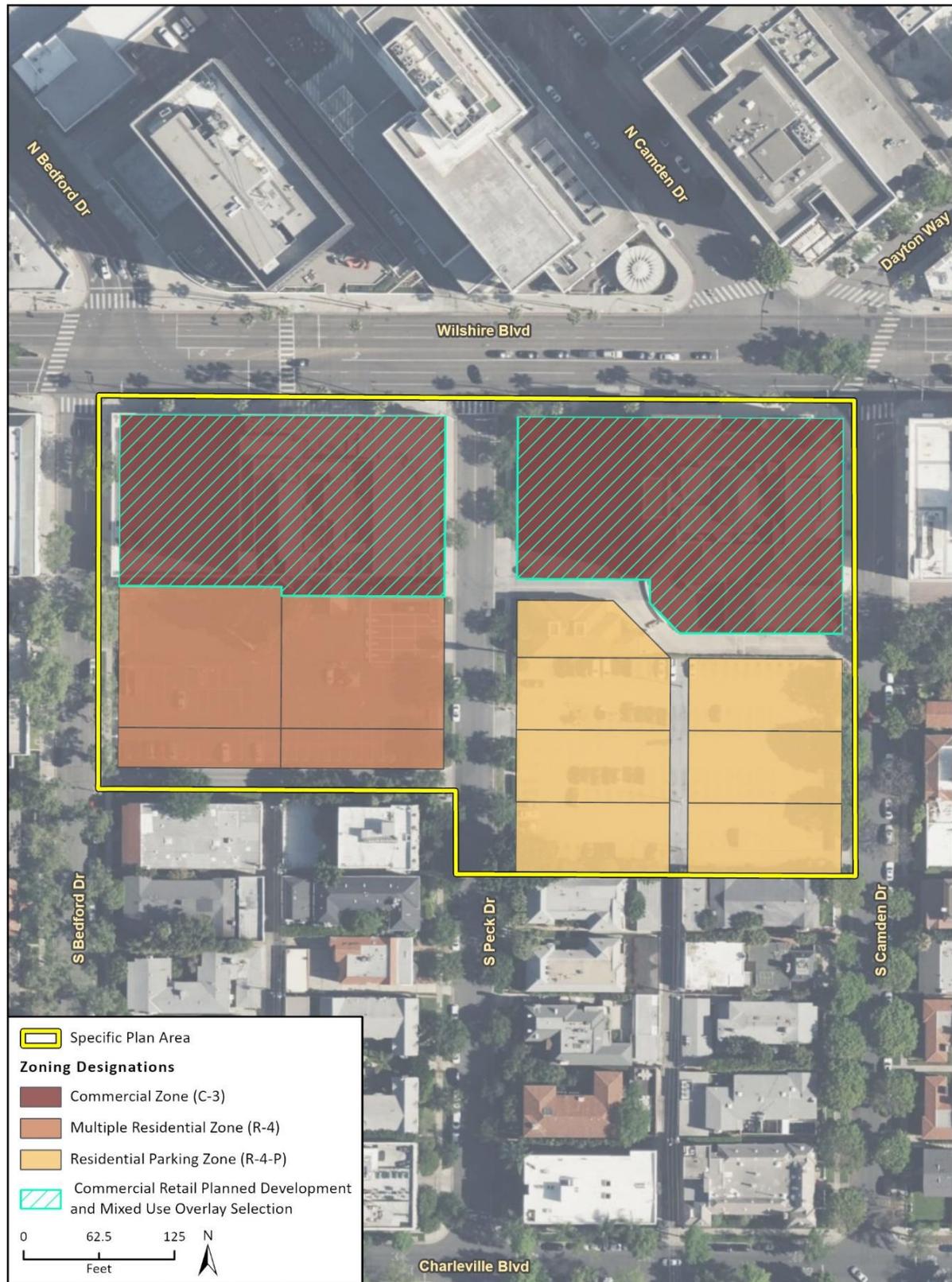
Figure 2-4 Existing General Plan Land Use Designations



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22-15259 EIR Figures
Fig 4 General Plan Land Use Designations

Figure 2-5 Existing Zoning Designations



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22-13259 EIR Figures
Fig 5 Zoning Designations

2.4.2 Surrounding Land Uses

Land uses surrounding the Specific Plan Area include a mix of residential, retail, recreational, school, and service uses. Parcels to the north of the Specific Plan Area across Wilshire Boulevard are zoned C-3 and are improved with high-rise commercial buildings. North of the Specific Plan Area, at the northwestern corner of Wilshire Boulevard and South Camden Drive, is an eight-story (112-foot) high rise containing a mix of uses, including upper-level office and a ground-floor gym (Equinox) and restaurant (Ocean Prime). At the northeastern corner of Wilshire Boulevard and South Bedford Drive is a ten-story (156-foot) high rise containing office and financial institution uses. Parcels to the east across South Camden Drive are improved with multi-family residential buildings and a five-story commercial office building with ground-floor commercial uses. Parcels to the south of the Specific Plan Area are improved with multi-family residential buildings ranging between one- and four-stories in height. Parcels to the west of the Specific Plan Area across South Bedford Drive are improved with a four-story retail department store and associated three-story parking structure (the Saks Men’s Department).

2.5 Project Characteristics

The 9600 Wilshire Boulevard Specific Plan and an accompanying Conceptual Plan (collectively herein referred to as “proposed project” or “project”) propose to establish a new specific plan to facilitate the orderly and efficient development of the Specific Plan Area with a mixed-use project within the parameters further described below by, among other things, establishing appropriate size, height, and square footage limits. New development within the Specific Plan Area would be implemented through the approval from time to time of a conceptual project plan consistent with the proposed Specific Plan; as used in this project description, the “Conceptual Plan” refers to the proposed conceptual plan that was submitted to the City in October 2022. While the 9600 Wilshire Boulevard Specific Plan would apply to the entire Specific Plan Area, the Conceptual Plan excludes the 9570 Wilshire subarea (though limited work will be done in connection with the associated loading parcel (APN 4328-026-030) to integrate the site (including loading and access). The Specific Plan and Conceptual Plan are described in detail below.

2.5.1 9600 Wilshire Boulevard Specific Plan

The 9600 Wilshire Boulevard Specific Plan would facilitate: the rehabilitation and adaptive reuse of the existing Saks Women’s Building, the retention of the existing commercial building at 9570 Wilshire for continued commercial use, and the development of a mixed-use project with residential, retail, office, hospitality, social club, boutique hotel, open space, and related uses within the Specific Plan Area. As shown in Figure 2-6, the Specific Plan Area would be divided into two districts: a Wilshire Boulevard District fronting Wilshire Boulevard and a Neighborhood District to the south. The Neighborhood District is intended to provide a buffer and transition between the commercial uses on Wilshire Boulevard and the existing residential uses south of the Specific Plan Area. The Specific Plan also provides for operational and development parameters that would govern use and construction of

9600 Wilshire Boulevard Specific Plan

improvements within the Specific Plan Area with specific development details set forth in conceptual plans approved by the City from time to time.

The Specific Plan would permit a range of commercial and other related uses in the Wilshire Boulevard District, including retail, restaurant, boutique hotel, social club, and office uses. No more than 50 suites would be permitted within the Wilshire Boulevard District. The Specific Plan would permit a limited range of uses in the Neighborhood District, including multi-family residential and small shop/boutique retail uses.¹ The Specific Plan would require privately owned and maintained, but publicly accessible open space in the form of the Terrace and the Via, the locations of which are depicted in Figure 2-7 below. Table 2-3 below indicates the allowable uses in each of the two Specific Plan districts. If a use is not permitted, either expressly or by reference, then such use would be prohibited unless a discretionary Conditional Use Permit is approved by the Beverly Hills Planning Commission pursuant to certain findings. In addition to all other uses authorized by the Specific Plan: the existing commercial building at 9570 Wilshire (identified by APN 4328-026-039) would remain in the City's Mixed Use Overlay zone, and construction and maintenance of any uses authorized by the existing R-4-P zone on the parcel containing the existing loading structure associated with 9570 Wilshire (identified by APN 4328-026-030) would be authorized by the Specific Plan.

¹ Small shop/boutique retail includes retail sale of food and beverages for on- and off-site consumption (a bakery, café or similar use may prepare and cook its food on site); hardware; pharmaceutical products; small personal convenience items, such as apothecary, toiletries, magazines, plants, and flowers; specialty food stores; personal convenience services, such as barber and beauty care, shoe repair, alterations, locksmiths, small appliance repair, and laundry or dry-cleaning pick-up facilities; artisanal and crafts uses; boutique retail shops; and, other uses which are generally characterized as creating a lively pedestrian environment and connectivity.

Figure 2-6 Specific Plan Districts

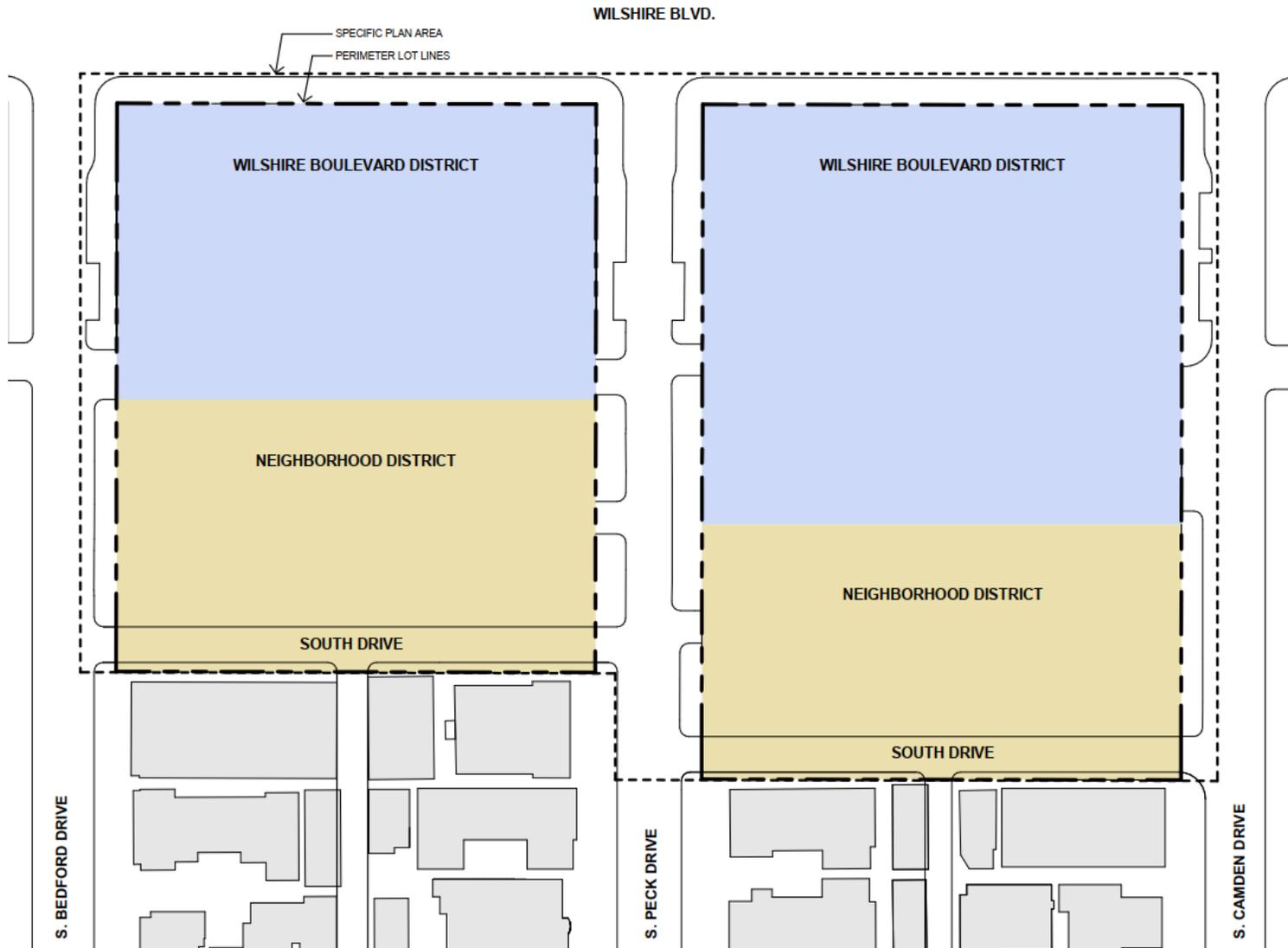


Table 2-3 Specific Plan – Permitted Permanent Uses

Land Use ^{4,5}	Wilshire Boulevard District	Neighborhood District
Appurtenant Use(s) – Boutique Hotel ^{1,6}	P	
Appurtenant Use(s) – Club ^{3,7}	P	
Automobile Parking	P	P
Boutique Hotel ¹	P	
Café	P	
Cinema or Theater (30 fixed seats or less)	P	
Club	P	
Communal Membership Workplace Club (<i>Hybrid Office Space</i>)	P	
Conservatory	P	
Cosmetic Spa (<i>subject to the limitations of Beverly Hills Municipal Code [BHMC] Section 10-3-1620.2(B)(1)(2)</i>)	P	
Dancing Academy	P	
Dressmaking or Millinery Store	P	
Educational Institutions	P	
Exercise Club (<i>subject to limitations of BHMC Section 10-3-1617(A)</i>)	P	
Gallery (<i>Art, Photography, etc.</i>)	P	
Library	P	
Lunchroom	P	
Office	P	
Outdoor Dining ⁴	P	P
Multiple Family Residential Dwellings ⁸		P
Multiple Family Residential Dwelling, Sales or Leasing Office	P	P
Museum	P	
Paint, Paperhanger, or Decorating Shop or Store	P	
Pet Grooming	P	
Public Utility Uses	P	P
Residential Conversion Units ²	P	
Restaurant	P	
Retail	P	
Retail, Convenience Services (<i>subject to the limitations of Section 10-3-1828 of the Beverly Hills Municipal Code</i>)	P	
Retail Department Store	P	

Land Use ^{4,5}	Wilshire Boulevard District	Neighborhood District
Small Shop/Boutique Retail (including café)		P
Social Club ³	P	
Spa	P	
Store	P	
Studio	P	
Tailor	P	
Terrace	P	
Training Center, Private (<i>subject to limitations of BHMC Section 10-3-1616 and 10-3-1617(B)</i>)	P	P
Training Center, Public (<i>gym</i>)	P	
Via	P	
Any use permitted in the R-4 Zone, and other similar uses as determined by the Director of Community Development		P
Any use permitted in the C-3 Zone, and other similar uses as determined by the Director of Community Development	P	

“P” indicates that a use is permitted within the corresponding district.

¹ Boutique Hotel and Appurtenant Use(s) - Boutique Hotel are allowed only on Parcel “B” and Saks Rehabilitation.

² Notwithstanding any provision of the Specific Plan to the contrary: Residential Conversion Units are not allowed on Parcel “A”; placement of Residential Conversion Units on 9570 Wilshire require an express finding by the Planning Commission based on substantial objective evidence in the record submitted by an applicant that Retail Department Store uses on the second floor and above are no longer viable at the subject location. Neither Social Club nor Boutique Hotel uses are permitted on 9570 Wilshire.

³ Social Club and Appurtenant Use(s) – Social Club are allowed only on Parcel “B” and Saks Rehabilitation.

⁴ Alcohol sales (on-site and off-site) and the consumption of alcohol are permitted in conjunction with commercial (including Small Shop/Boutique Retail) uses, including Outdoor Dining in the Specific Plan Area, subject only to issuance of a State Department of Alcoholic Beverage Control license.

⁵ Indoor and outdoor amplified entertainment is permitted as an ancillary use, subject to the applicable operational restrictions of the Specific Plan.

⁶ Appurtenant Uses - Boutique Hotel are only allowed on (i) a parcel with an associated Boutique Hotel use, or (ii) a building or structure that shares lobby or circulation space with, or is otherwise interiorly connected to, a structure located on the parcel described in (i). For purposes of clause (ii) of the preceding sentence, pools, decks, balconies or other above-grade outdoor appurtenant uses to a Boutique Hotel; screening rooms; indoor live entertainment; and outdoor live entertainment must be reviewed by the City as a part of a discretionary approval in accordance with the Specific Plan.

approved at the City’s discretion in accordance with the Specific Plan. .

⁷ Appurtenant Uses - Club are only allowed on (i) the parcel with the associated Club use, or (ii) a building or structure that shares lobby or circulation space with, or is otherwise interiorly connected to, a structure located on the parcel described in (i). For purposes of clause (ii) of the preceding sentence. pools, decks, balconies or other above-grade outdoor appurtenant uses to a Club; screening rooms; indoor live entertainment; and outdoor live entertainment must be reviewed by the City as a part of a discretionary approval in accordance with the Specific Plan.

⁸ Excludes Residential Conversion Units. 9570 Wilshire (Loading) parcel (identified by APN 4328-026-030) shall be authorized to construct and maintain any uses authorized by the existing R-4-P zone.

9600 Wilshire Boulevard Specific Plan

The following uses would be prohibited by the Specific Plan:

- Vehicle service or gasoline fuel station;
- Dump sites and hazardous waste management facilities;
- Recycling facilities, except as approved for temporary recycling of construction materials and City-approved recycling collection containers;
- Tattoo parlor;
- Adult entertainment businesses;
- Adult hotels/motels and sexual encounter centers as defined in BHMC Section 10-3-2771;
- Automatic machine self-service type laundries containing more than five machines of the usual household type or larger;
- Car washes employing more than four employees or involving machinery other than water treatment equipment as necessary to comply with local, State and Federal law, but excepting car washes that are conditionally permitted in accordance with the Specific Plan.
- Dyeing establishments;
- Hospitals in which patients are permitted to remain overnight;
- Machine laundries;
- Public and private stables;
- Rug cleaning establishments;
- Sanatoriums in which patients are permitted to remain overnight;
- Self-service laundries;
- Sheet metal shops;
- Steam laundries;
- Undertaking establishments.

The following temporary buildings, structures, and uses would be permitted with approval of the City of a Temporary Special Permit unless otherwise permitted by the Specific Plan or applicable law:

- Subject to any applicable requirements in the Specific Plan, temporary covered areas, seats, tables, kiosks, stands, and other, similar items of a removable or movable nature within the Via and Terrace. Within designated pedestrian or publicly accessible pathways review of these items by the Director would be required.
- Temporary use of the Via and Terrace for holiday events, and promotional or community events, including (without limitation) the use of kiosks, popups, art walks, farmer's markets and similar types of temporary structures and uses.
- Temporary buildings/uses during construction such as those used for the housing of equipment or tools, construction related supervisory offices, sales or leasing offices in existing or temporary structures, parking of automobiles, and temporary fences and/or barriers utilized for traffic control and the like.

2.5.1.1 Floor Area

The Specific Plan would permit up to 642,000 sf of total floor area, for a maximum aggregate floor area ratio (FAR) of 3.7 averaged over the entire Specific Plan Area. The cumulative 642,000 sf of floor area would be allocated throughout the Specific Plan Area as shown in Table 2-4, subject to allowance for certain limited adjustments among the subareas to account for architectural and design needs, community needs, and market conditions that could evolve over time, as noted in Table 2-4. In all cases, these limited adjustments would not allow the cumulative square footage maximum permitted by the Specific Plan to be exceeded.

Wilshire Boulevard District

Up to 400,000 sf of floor area would be permitted within the Wilshire Boulevard District, of which 166,000 sf would be net new floor area. The Specific Plan requires that the existing Saks Women's Building shall be preserved, and that it be adaptively reused and rehabilitated in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties. The maximum building height in the Wilshire Boulevard District would be 98 feet, consistent with the approximately 98-foot height of the existing Saks Women's Building.

In an effort to maintain defined flexibility to respond to changing community needs and shifts in market conditions, the Specific Plan would provide an option for up to a total of 150,000 sf of commercial floor area (located above the ground floor within certain portions of the Wilshire Boulevard District) to be converted to residential uses, enabling the potential creation of up to 75 residential units (referred to as Residential Conversion Units) provided that certain conditions and approvals are met. Specifically, no Residential Conversion Units would be authorized in Parcel A. Residential Conversion Units would not be developed at 9570 Wilshire unless an express finding based on substantial objective evidence in the record is submitted by the project Applicant that Retail Department Store uses on the second floor and above are no longer viable at the subject location.

In all cases (regardless of whether the Residential Conversion option is selected), the Specific Plan provides for development of a mixed-use project that has similar massing and overall floor area, and the same land use on all parcels (except where Residential Conversion Units are located within some of the above-ground floor area within designated parcels within the Wilshire Boulevard District). Further, both options would: retain, rehabilitate and adaptively reuse the Saks Women's Building; retain the existing building located at 9570 Wilshire Boulevard for continued commercial use; demolish the Shoe Building located at 9620 Wilshire Boulevard (Parcel B); construct new active ground-floor space, including the Via and the Terrace; and entail construction of two new buildings within the Wilshire Boulevard District, one building on Parcel A with a maximum of 80,000 sf and a maximum height of 98 feet, and one building on Parcel B with a maximum of 86,000 sf and a maximum height of 98 feet.

Neighborhood District

The Specific Plan would permit a maximum of 242,000 sf of floor area across the Neighborhood District, which could include a maximum of 70 residential condominium or apartment dwellings, together with lobby, lounge, and other residential amenity spaces. A maximum of 15,000 sf on the ground floor of the Neighborhood District could be utilized for small shop/boutique retail. The Specific Plan would require that a minimum of 2,000 sf within the Neighborhood District must be small shop/boutique retail space, with a minimum of 1,000 sf in each of the two subareas located within this District. The building height maximum in the Neighborhood District would be 78 feet. The Specific Plan would establish a requirement for a 20-foot-wide buffer between the residential buildings in the Neighborhood District and commercial buildings in the Wilshire Boulevard District, and the residential buildings in the Neighborhood District and the residential lots immediately south of the Specific Plan Area.

Table 2-4 Specific Plan — Building Height and Floor Area Regulations

Subarea	Building Height (ft)	Floor Area	Floor Area Adjustments ¹
Wilshire Boulevard District			
All ²	98	Maximum 400,000 sf	Not Adjustable
9570 Wilshire ³	98	Maximum 107,000 sf	Up to 5% (5,100 sf)
		Minimum 5,000 sf of Ground Floor Retail/Restaurant Use	Not Adjustable
Parcel A ⁴	98	Maximum 80,000 sf	Up to 5% (3,850 sf)
		Minimum 3,000 sf of Ground Floor Retail/Restaurant Use	Not Adjustable
Saks Rehabilitation	98	Maximum 127,000 sf	Up to 5% (6,200 sf)
		Minimum 3,000 sf of Ground Floor Retail/Restaurant Use	Not Adjustable
Parcel B	98	Maximum 86,000 sf	Up to 5% (4,150 sf)
		Minimum 3,000 sf of Ground Floor Retail/Restaurant Use	Not Adjustable
Neighborhood District			
All	78	Maximum 242,000 cumulative sf	Not Adjustable
		Minimum 2,000 sf/Maximum 15,000 cumulative sf of Small Shop/Boutique Retail	Not Adjustable
		Maximum of 70 residential units (cumulative)	Not Adjustable
Neighborhood East	78	Minimum 1,000 sf of Small Shop/Boutique Retail fronting Terrace or South Peck Drive	Not Adjustable

Subarea	Building Height (ft)	Floor Area	Floor Area Adjustments ¹
Neighborhood West	78	Minimum 1,000 sf of Small Shop/Boutique Retail fronting Via or South Peck Drive	Not Adjustable

¹ The Specific Plan permits a range of uses including (without limitation) Retail, Restaurant, Office, Social Club, Boutique Hotel; provided, any increases in floor area in any portion of the Wilshire Boulevard District would be required to be offset by a decrease in the maximum floor area permitted in another portion of the Wilshire Boulevard District to the extent necessary to ensure the maximum floor area permitted in the Wilshire Boulevard District shall not exceed 400,000 square feet. The total number of Suites within the Wilshire Boulevard District shall not exceed 50 suites.

² Up to an aggregate total of 150,000 square feet of commercial floor area may be converted to no more than 75 Residential Conversion Units (in the aggregate) across the Wilshire Boulevard District.

³ Notwithstanding anything in the Specific Plan to the contrary, placement of Residential Conversion Units on 9570 Wilshire would require an express finding by the Planning Commission based on substantial objective evidence in the record submitted by an applicant that Retail Department Store uses on the second floor and above are no longer viable at the subject location. Neither Social Club nor Boutique Hotel uses would be permitted on 9570 Wilshire.

⁴. No Residential Conversion Units would be allowed in Parcel A.

2.5.1.2 Circulation, Parking, and Loading

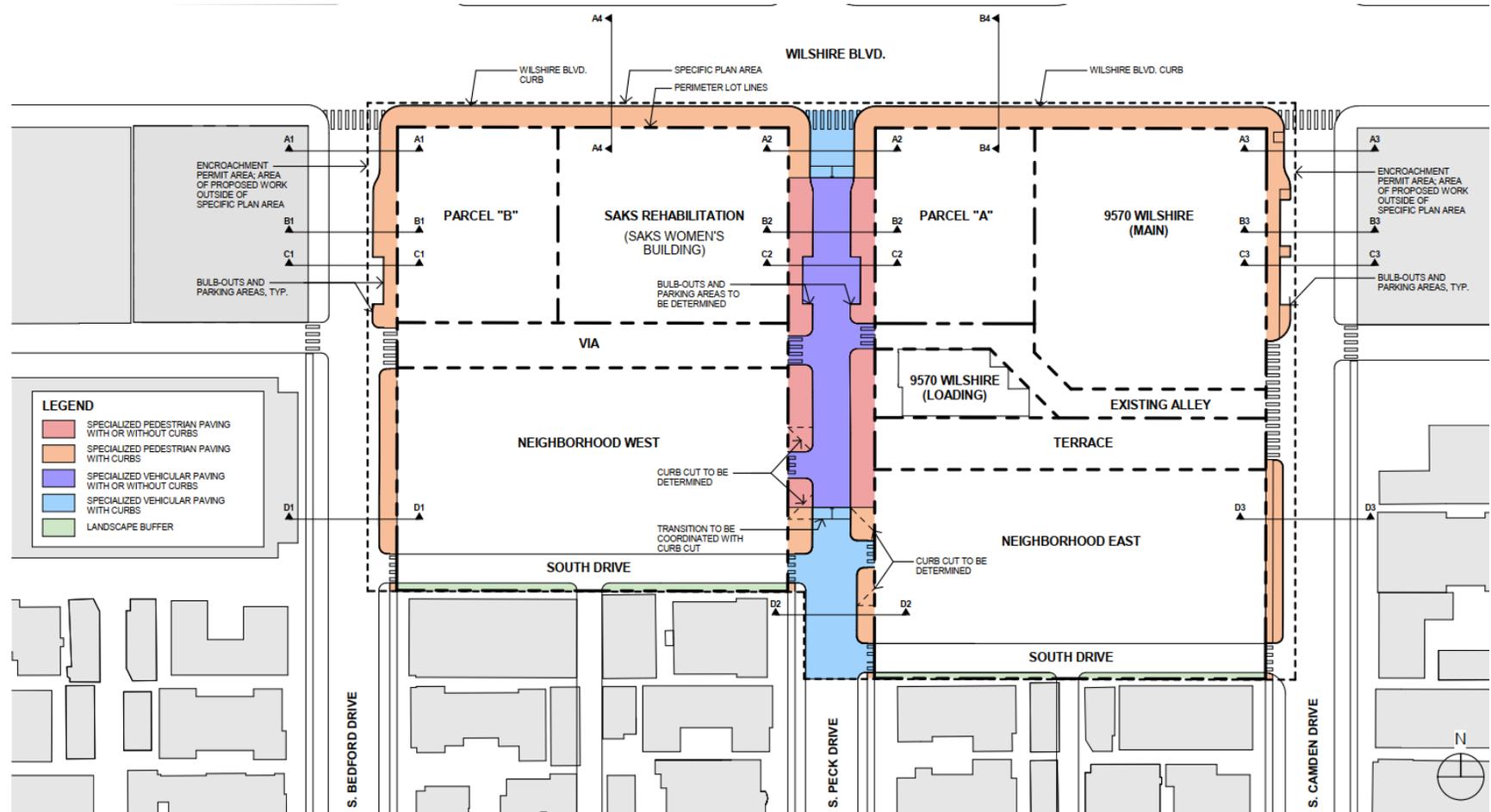
The Specific Plan Area would continue to be served by Wilshire Boulevard, South Peck Drive, South Camden Drive, and South Bedford Drive. Additionally, South Drive² and the Via would be developed and would provide for additional circulation within the Specific Plan Area. The Specific Plan would establish circulation, parking, and loading requirements to ensure safe and efficient access to the site for motorists, pedestrians, and bicyclists. The Specific Plan regulations related to circulation, parking, and loading are described below.

Circulation

Modifications to the existing roadways in the Specific Plan Area, as well as a description of new circulation areas to be added, is provided below. Figure 2-7 provides an illustration of the areas for circulation-related improvements and the locations thereof that would be included in the Specific Plan.

² The proposed South Drive would run along the rear lots in the Neighborhood District, generally in the location of the existing approximately 27-foot-wide alley that runs along the southwestern boundary of the site between South Bedford Drive and South Peck Drive, and the existing approximately 20-foot-wide alley in the southeastern portion of the site that connects to South Camden Drive and an existing residential alley to the south of the Specific Plan Area (but does not currently connect to South Peck Drive).

Figure 2-7 Specific Plan Circulation Improvements



Wilshire Boulevard

Figure 2-8 illustrates the planned street sections for Wilshire Boulevard. The Specific Plan would not modify Wilshire Boulevard's current right-of-way width and existing configuration. Modifications to Wilshire Boulevard proposed by the Specific Plan include the following:

- At the south leg of the intersection of Wilshire Boulevard and South Peck Drive, a continental crosswalk would be included consistent with the City's Complete Streets design guidelines.
- Parkway areas would be paved with specialty pavement, such as stone, brick, and decorative concrete. Depending on the use of a particular parkway segment, the parkway may be either fully paved or enhanced with a combination of landscape and paver design.
- New landscaping would be added within the Wilshire Boulevard parkway segment.
- Street amenities such as street lighting, bicycle racks, and street furniture would be included within the sidewalk.

South Peck Drive

Figure 2-9 illustrates the planned street sections for South Peck Drive. No reduction to the overall width of the South Peck Drive right-of-way would occur. As part of the Specific Plan, South Peck Drive would be reconfigured as a "shared street" as further described below. The widths of the roadway, sidewalk, and parkway sections of South Peck Drive would be modified as follows:

- From the southern boundary of the Specific Plan Area to approximately the northern boundary of South Drive, the vehicular roadway width would remain at 35 feet;
- Between the northern boundary of the western segment of South Drive to approximately 50 feet south of Wilshire Boulevard, existing metered parking spaces would be removed (these spaces would be replaced by below grade parking) to allow for the widening of sidewalks and parkway for the benefit of the pedestrian environment. The roadway would be reduced to 26 feet from approximately the northern boundary of western segment of South Drive to 50 feet south of Wilshire Boulevard;
- The northern 50 feet of the South Peck Drive vehicular roadway would be narrowed from the existing 35-foot vehicular roadway to 30 feet, which would continue to accommodate the existing turn and through lanes.

Figure 2-8 Wilshire Boulevard Street Sections

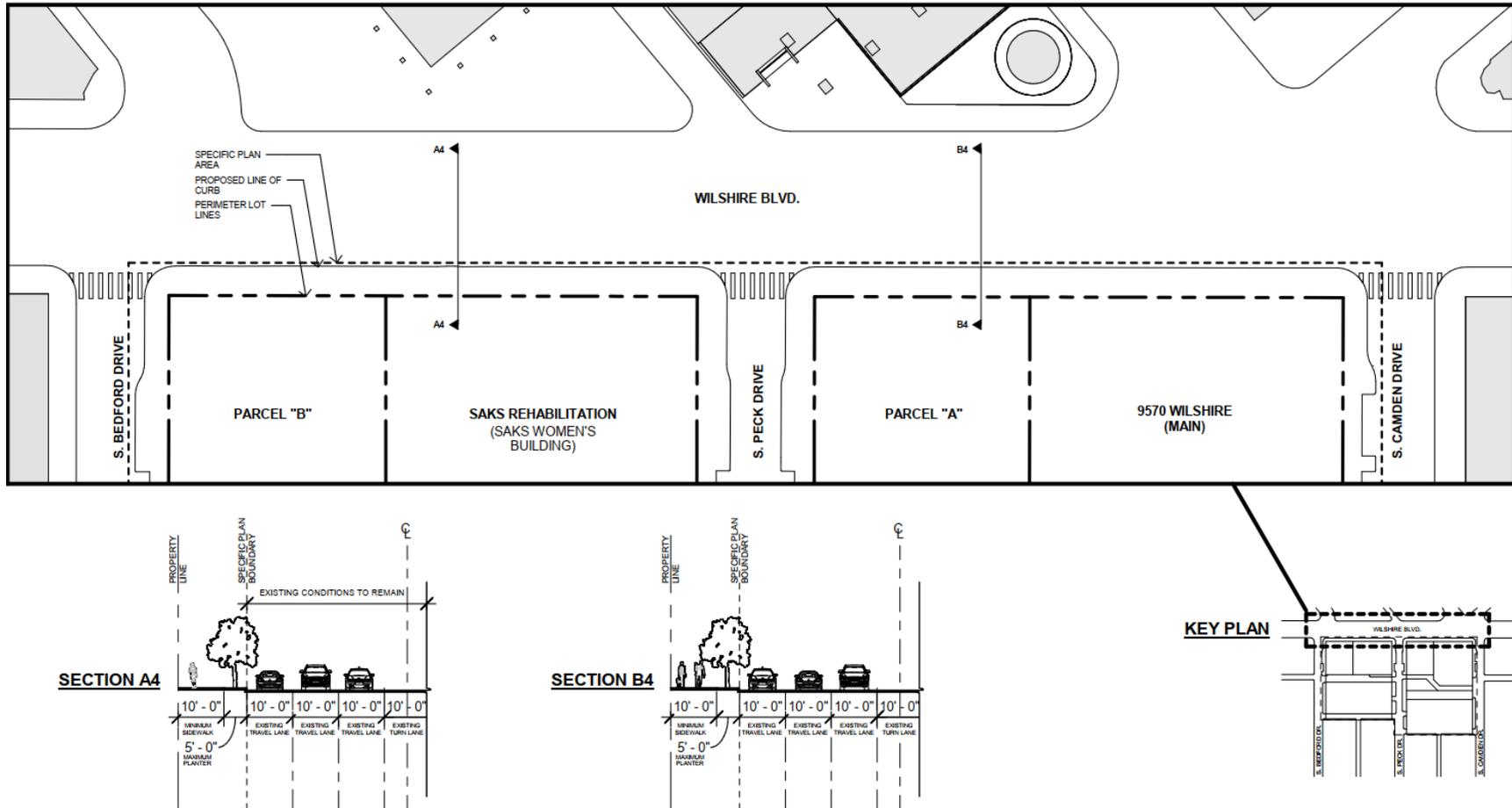
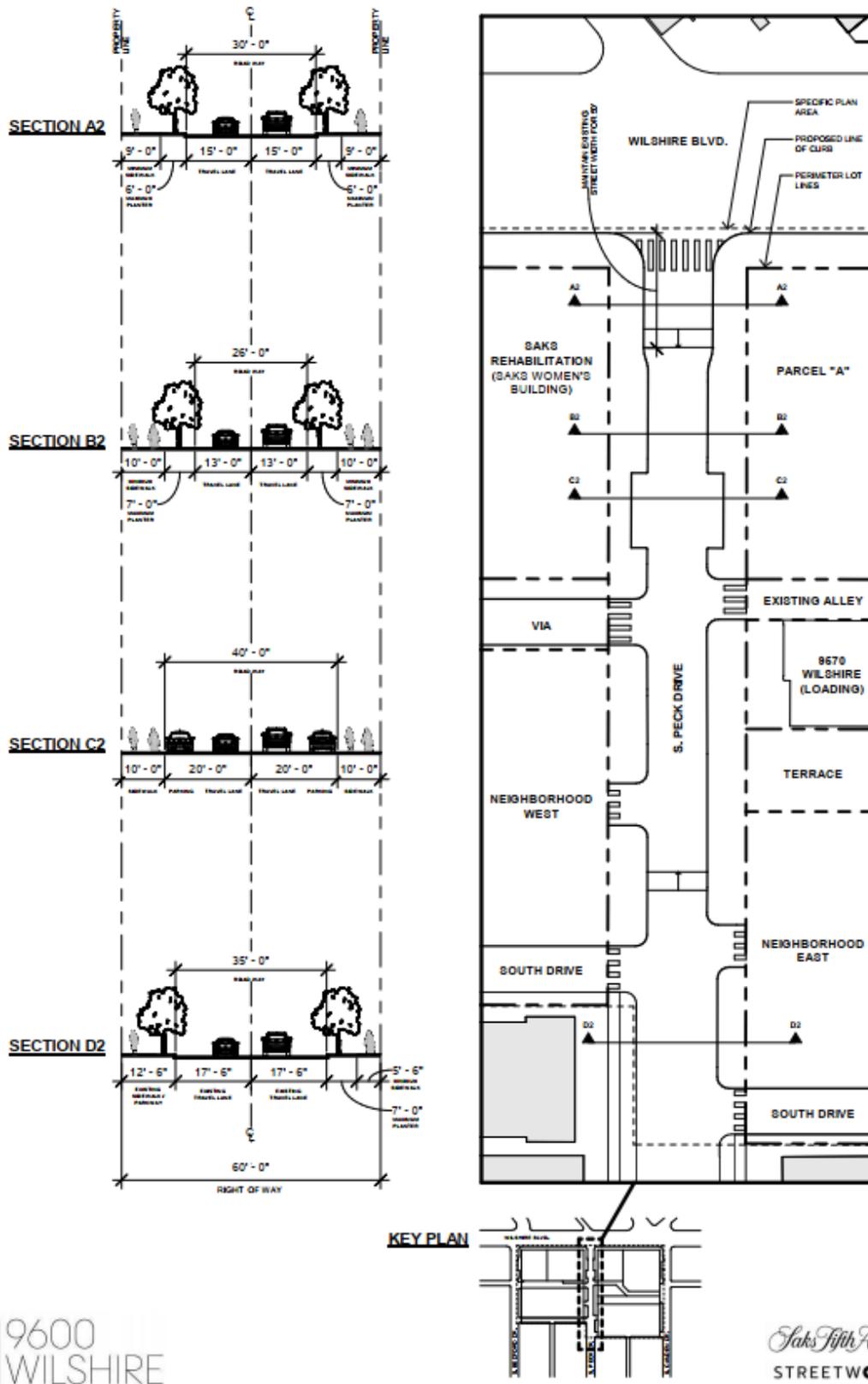


Figure 2-9 South Peck Drive Street Sections



9600
WILSHIRE

Saks Fifth Avenue
STREETWORKS
DEVELOPMENT

9600 Wilshire Boulevard Specific Plan

In addition, the following “shared street” improvements will occur within South Peck Drive:

- Two new, on-street parking spaces would be provided, one adjacent to Parcel “A” and one adjacent to the Saks Rehabilitation parcel. The parking spaces would be approximately seven feet in width and could be configured for short-term parking. In no instance would such parking spaces be permitted within 50 feet of Wilshire Boulevard.
- Portions of the roadway segment would be raised, eliminating curbs and gutters and allowing for priority movement of pedestrians.
- Truncated domes or another mechanism that is consistent with the Americans with Disabilities Act would signal grade changes and distinguish pedestrian-only versus shared pedestrian and vehicular zones within the right-of-way.
- Bollards would identify changes in usage across the right-of-way.
- Parkway areas would be paved with specialty pavement, such as stone, brick, and decorative concrete. Depending on the use of a particular parkway segment, the parkway may be either fully paved or enhanced with a combination of landscape and paver design.
- New landscaping would be added within the parkway.
- Street lighting, bicycle racks, and street furniture would be included within the sidewalk zone.

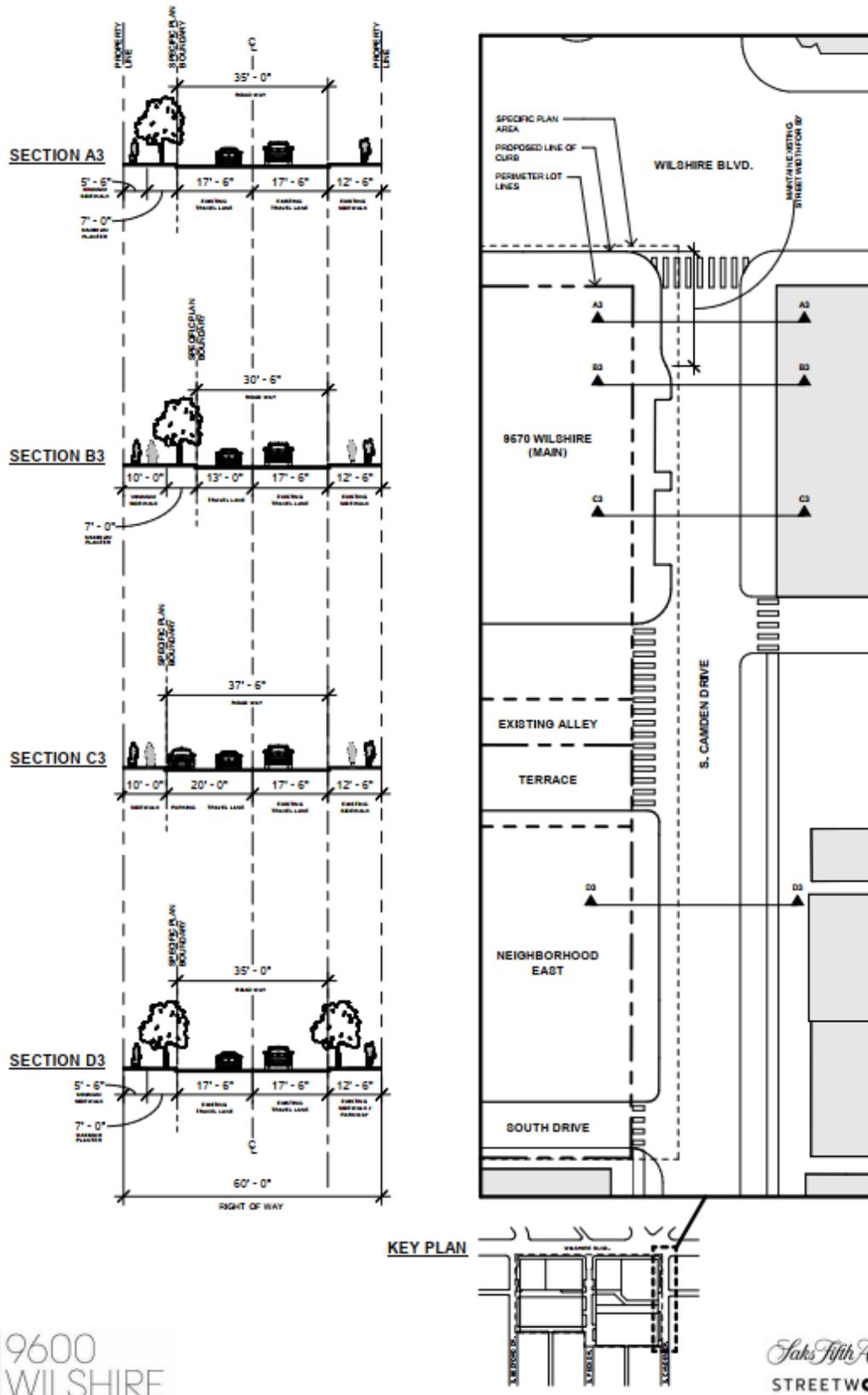
South Camden Drive

Figure 2-10 illustrates the planned street sections for South Camden Drive. No reduction in the overall width of the South Camden Drive right-of-way would occur. A portion of the western half of South Camden Drive would be reconfigured. The existing half roadway and parkway sections along the western half of South Camden Drive would be maintained, except that the half roadway width would be reduced from 17.5 feet to 13 feet from approximately the southern boundary of the existing structure located at 9570 Wilshire to approximately 50 feet south of Wilshire Boulevard to allow for the creation of two new, on-street parking spaces adjacent to 9570 Wilshire.

In addition, the following improvements would occur within the portion of the South Camden Drive right-of-way located within the Specific Plan Area:

- The two new, on-street parking spaces described above would be outside of the 26-foot roadway width and would be located between Wilshire Boulevard and the existing alley south of 9570 Wilshire. In no instance would such parking spaces be permitted within 50 feet of Wilshire Boulevard. The on-street parking spaces would be approximately seven feet in width and may be configured as short-term parking.
- The four existing parking spaces along the western sidewalk of South Camden Drive would remain, but the existing parking meters associated with those spaces would be removed and the spaces would be designated for residential use, creating new on-street residential parking for the neighborhood.

Figure 2-10 South Camden Drive Street Sections



19600
WILSHIRE

Saks Fifth Avenue
STREETWORKS
DEVELOPMENT

9600 Wilshire Boulevard Specific Plan

- All parkway areas would be paved with specialty pavement, such as stone, brick, and decorative concrete. Depending on the use of a particular parkway segment, the parkway may be either fully paved or enhanced with a combination of landscape and paver design.
- New landscaping would be added within the parkway.
- Street lighting, bicycle racks, and street furniture would be included within the sidewalk zone.

South Bedford Drive

Figure 2-11 illustrates the planned street sections for South Bedford Drive. No reduction in the overall width of the South Bedford Drive right-of-way would occur. A portion of the eastern half of South Bedford Drive would be upgraded and reconfigured. The width of the existing half roadway and parkway sections along the eastern half of South Bedford Drive would be maintained, except that the half roadway width would be reduced from 17.5 feet to 13 feet from approximately the northern boundary of the Via to approximately 50 feet south of Wilshire Boulevard to allow for one new, on-street parking stall adjacent to Parcel B.

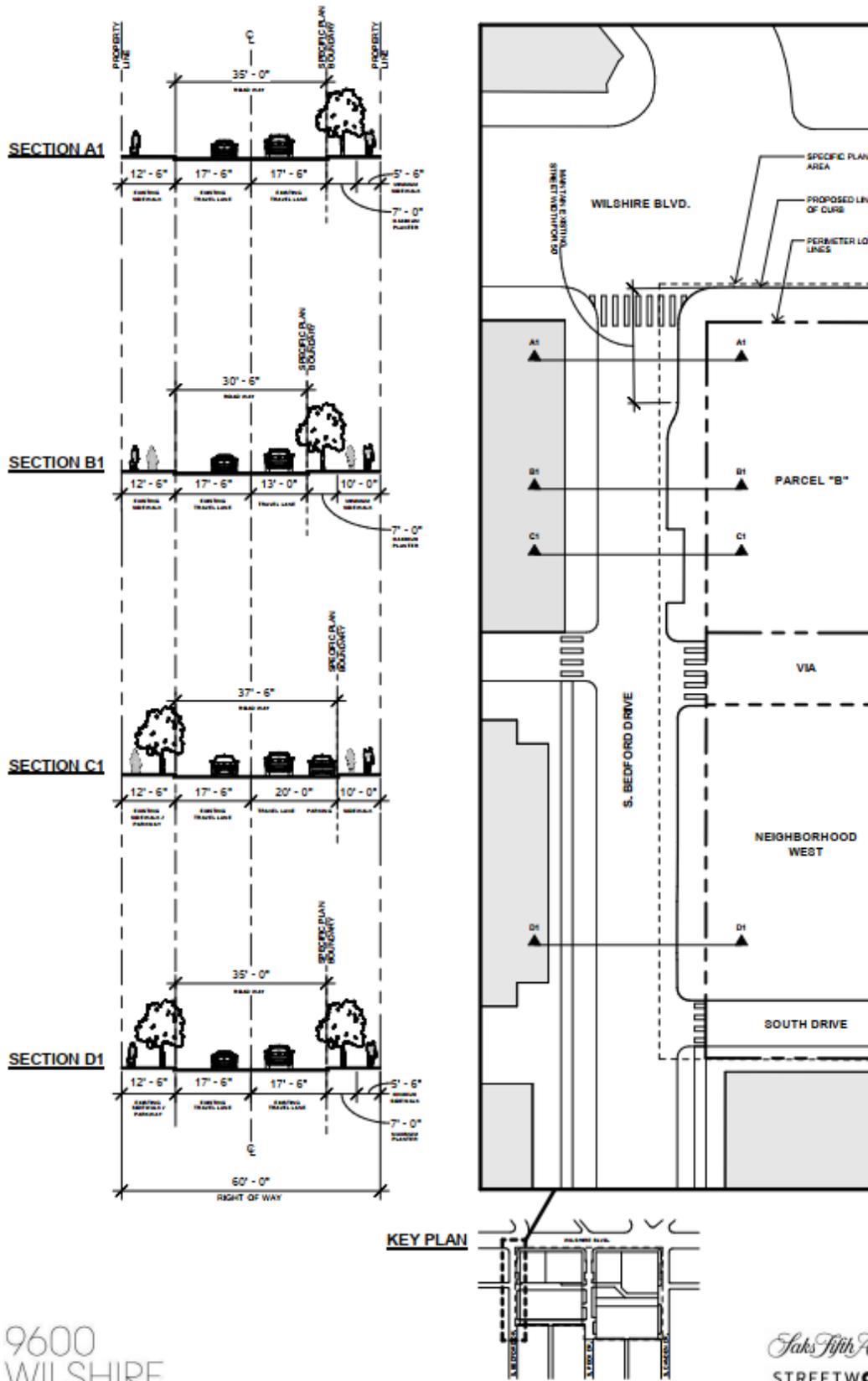
In addition, the following improvements would occur within the portion of the South Bedford Drive right-of-way located within the Specific Plan Area:

- The new, on-street parking would be outside of the 26-foot roadway width and would be provided between the Via and Wilshire Boulevard. Parking spaces would not be permitted within 50 feet of Wilshire Boulevard. The on-street parking space would be approximately seven feet in width and may be configured for short-term parking.
- The two existing parking spaces along the eastern sidewalk of South Bedford Drive would remain, but the existing parking meters associated with those spaces would be removed and the spaces all be designated for residential use, creating new on-street residential parking for the neighborhood.
- All parkway areas would be paved with specialty pavement, such as stone, brick, and decorative concrete. Depending on the use of a particular parkway segment, the parkway may be either fully paved or enhanced with a combination of landscape and paver design.
- New landscaping would be added within the parkway.
- Street lighting, bicycle racks, and street furniture would be included within the sidewalk zone.

South Drive

South Drive would be 20 feet in width and would be added at the rear of lots in the Neighborhood District. South Drive would be bordered by three feet of landscaping along its southernmost boundary.

Figure 2-11 South Bedford Drive Street Sections



9600
WILSHIRE

Saks Fifth Avenue
STREETWORKS
DEVELOPMENT

Via

The Via would be a privately owned, east-west accessway with designated areas for public access. The Via would be constructed within the western portion of the Specific Plan Area, as shown on Figure 2-7. It would provide east-west pedestrian access between South Peck Drive and South Bedford Drive, as well as vehicular access to the subterranean parking and loading areas within the Specific Plan Area. The Via would be at least 20 feet in width and the designated pedestrian-only path within the approved width would be approximately four feet in width. The eastern portion of the Via would be designed to be closed intermittently to vehicles during designated periods (such as for farmer's markets or other events), and to allow for the deployment of seating, tables, furnishings, tents, and other removable elements. Architectural treatments, structures, and/or landscape sheltering pedestrian walkways, such as pergolas and trellises, would be included in and around the Via.

Terrace

The Terrace would be a pedestrian-only parkette, designed to provide the local community with pedestrian connectivity and to provide activated open space appropriate for the Terrace's adjacency to both residential and commercial uses. It would be located within the eastern portion of the Specific Plan Area, as shown on Figure 2-7. The Terrace would be designed to serve as a focal point for the Specific Plan Area as well as the local community. Vehicular traffic would not be permitted on the Terrace, except for use by emergency service providers. The Terrace would be privately-owned and maintained but would provide areas for public access and would include design amenities such as street furniture, art installations, kiosks or pergolas and other structures and gathering spaces.

Parking

The Specific Plan Area would be serviced by two subterranean parking structures: (1) the existing approximately 309-space subterranean parking structure on the eastern portion of the Specific Plan Area below 9570 Wilshire, and (2) the newly proposed subterranean parking structure developed under the Specific Plan Area, portions of which may be located under the public rights-of-way within the Specific Plan Area. The Specific Plan would establish automobile parking requirements based on, at the election of an applicant, current Beverly Hills Municipal Code (BHMC) regulations, or through a shared parking analysis, including derived parking rates and automated or mechanical parking, and parking management plan prepared at the Applicant's expense and approved by the City to ensure that parking is sufficient and efficiently arranged. Any shared parking analysis would be required to account for the array of potential uses and establish appropriate minimum parking requirements to address the potential of parking spillover onto public streets in the vicinity of the Specific Plan Area. Tandem spaces and other alternative parking arrangements would be allowed to count towards required parking with provision of a valet or tandem parking assistance subject to the requirements set forth in the proposed Specific Plan.

Loading

Loading will occur within the zones indicated within Figure 2-12. Access to the existing loading facility for 9570 Wilshire sits southwest of 9570 Wilshire adjacent to South Peck Drive. Access to the loading facility is also provided by the alley south of 9570 Wilshire. This access would remain under the project. In addition to the existing loading spaces described above, two truck loading spaces in the Wilshire Boulevard District and two van loading and two truck loading spaces in the Neighborhood District would be provided. Additional truck or van loading spaces may be provided by the Applicant in addition to the space noted above. Access to such loading areas would be provided from the Via, an alley or South Drive. Loading spaces may also be used for staging of pick-up and drop-off of passenger vehicles during occasional peak-event times.

Utilities

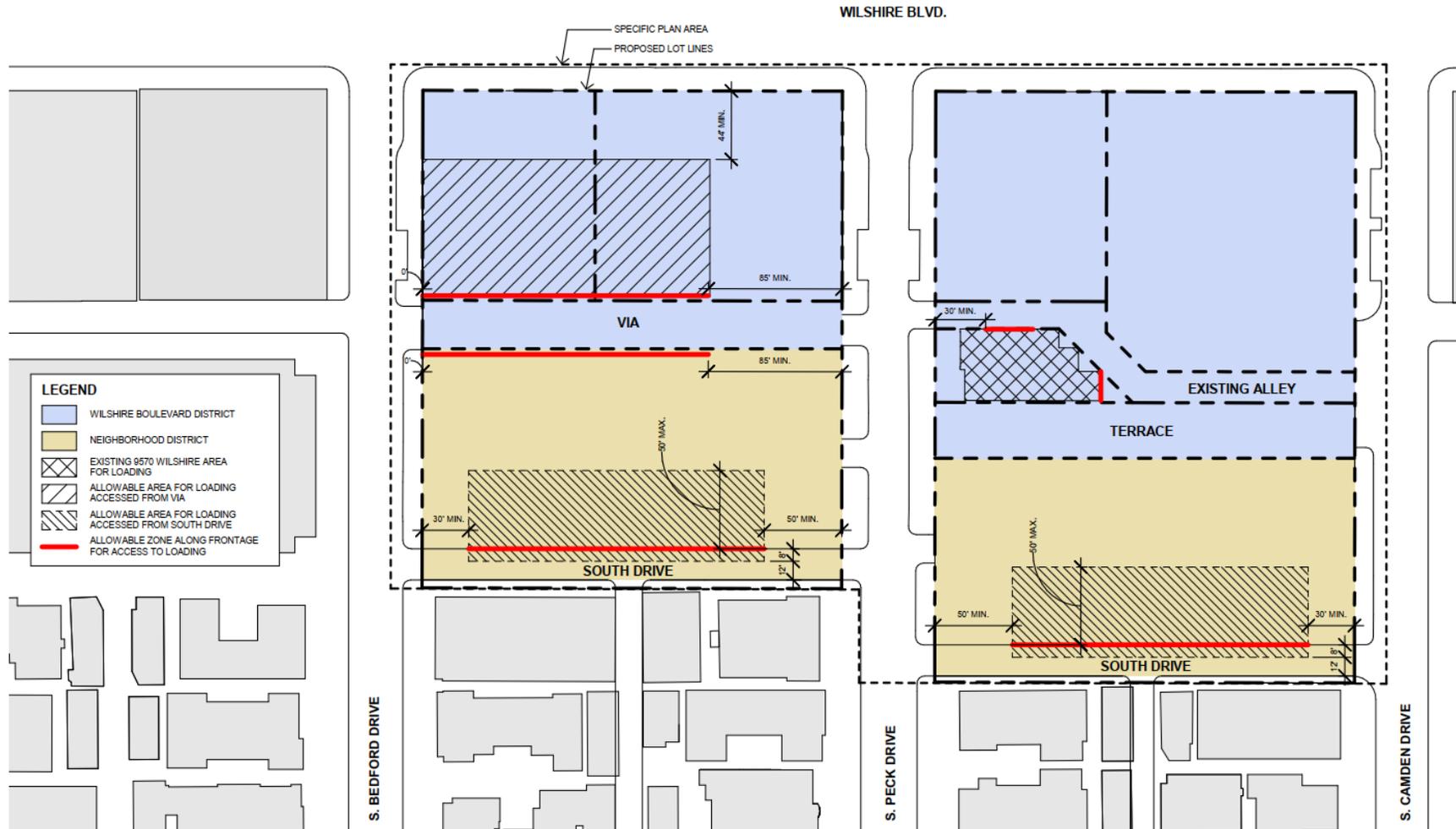
The Specific Plan Area is served by existing utilities, such as natural gas, electricity, sewer, water, and storm water drainage facilities, within the public rights-of-way along Wilshire Boulevard, South Bedford Drive, South Peck Drive, South Camden Drive and portions of existing alleys and surface parking lots. Certain existing utilities and/or related easements would require relocation within the Specific Plan Area and existing rights-of-way to accommodate build-out of the Specific Plan over time. The Conceptual Plan proposes new utility connections as discussed in Section 2.5.2, *Conceptual Plan* below.

2.5.1.3 Open Space and Landscaping

A variety of publicly accessible open spaces, pedestrian enhancements, and landscaping improvements that would be accessible to patrons, site residents, and residents of the surrounding neighborhood would be provided. Publicly accessible open space would be provided in the Terrace, publicly accessible portions of which would serve as a parkette for residential and commercial occupants within the Specific Plan Area, as well as the local community. The Terrace would be activated by, and serve as an entrance for, adjacent small shop/boutique retail uses. It would include items such as benches, tables, a fountain or monument, art installation, flower bed, and/or a community garden. The Terrace would be privately owned and maintained but areas would be publicly accessible.

The Specific Plan would establish landscaping design requirements, including planting palettes. The planting palette would include plants that are native or appropriate for the local climate, disease resistant, and have seasonal qualities and low maintenance requirements. Existing trees located in the Specific Plan Area would be replaced with approved trees including but not limit to species such as champak (*Michelia champaca*), London plane tree (*Platanus x hispanica*), coast live oak (*Quercus agrifolia*), and Chinese elm tree (*Ulmus parviflora*). Approved shrubs, flowers, and other understory plants would include species such as gold canna (*Canna tropicana*), rock rose (*Cistus laurifolius*), and sago palm (*Cycas revoluta*). Approved vines would include angel's trumpet (*Brugmansia sp.*), creeping fig (*Ficus pumila*), hibiscus (*Hibiscus rosa-sinensis*), star jasmine (*Trachelospermum jasminoides*), and wisteria (*Wisteria chinensis*).

Figure 2-12 Specific Plan Loading Areas



2.5.1.4 *Architecture, Lighting, and Signage*

The Specific Plan would establish requirements for the architecture, lighting, and signage within the Specific Plan Area, including building materials, orientation, form, lighting intensity, wayfinding signage, and a paving palette. The Specific Plan proposes architecture that would complement the historic Saks Women's Building and the surrounding development. The Specific Plan would also establish lighting and signage requirements for the Specific Plan Area which provide safe roadway and sidewalk lighting from shielded fixtures with light directed down to the pavement to prevent light spillover onto adjacent properties, as well as clear signage for wayfinding. LED or efficient fluorescent lighting would be required. The Specific Plan would require streetlights in the Specific Plan Area to meet the roadway illumination requirements of the City, and that streetlight design be in keeping with the existing historic and non-historic structures within the Specific Plan Area.

2.5.1.5 *Sustainability Requirements*

The Specific Plan would require that all new structures incorporate green construction and design standards consistent with Leadership in Energy and Environmental Design (LEED) Silver V4.1 standards, or equivalent, to the extent feasible under the Secretary of the Interior Standards for Treatment of Historic Properties (United States Department of the Interior 2017). In addition, the Specific Plan would include sustainability requirements for newly constructed buildings such as implementation of gray water systems, green roofs/cool roofs, electric vehicle (EV) charging accommodation consistent with California Green Building Code (CALGreen) requirements, LED lighting, and water conserving irrigation systems.

2.5.2 *Conceptual Plan*

2.5.2.1 *Development Summary*

Consistent with the requirements of the proposed Specific Plan, development of the site would be implemented through a conceptual plan submitted to the City for approval, from time to time. The Applicant has submitted a proposed Conceptual Plan to implement the Specific Plan requirements. Collectively, the Specific Plan and the Conceptual Plan comprise the overall scope of the "project," as it relates to CEQA and the environment, and the environmental analysis will include both a programmatic review of the Specific Plan and a project level analysis of the proposed Conceptual Plan.

The proposed Conceptual Plan includes development on Parcel A, Parcel B, Neighborhood West, and Neighborhood East, as well as rehabilitation of the existing Saks Women's Building, for a total site area of approximately 3.2 acres (net); 9570 Wilshire is not a part of the Conceptual Plan (though limited work will be done in connection with the associated loading parcel (APN 4328-026-030) to integrate the site (including loading and access). In compliance with all Specific Plan requirements, the Conceptual Plan would result in the rehabilitation and adaptive reuse of the Saks Women's Building, incorporation of new uses, and changes to the adjacent rights-of-way. The Conceptual Plan would include:

9600 Wilshire Boulevard Specific Plan

- Rehabilitation, in accordance with the Secretary of Interior’s Standards for Treatment of Historic Properties (United States Department of the Interior 2017), and adaptive reuse of the Saks Women’s Building with retail, spa, restaurant, boutique hotel, social club, and appurtenant uses.
- Demolition of the existing Shoe Building located at 9620 Wilshire Boulevard and construction of a proposed attached seven-story building with office and restaurant uses in its place.
- The rehabilitated Saks Women’s Building and proposed building at 9620 Wilshire Boulevard would cumulatively contain approximately 188,108 sf of floor area;
- The development of an approximately 84.5-foot (six story), 73,614-sf building with office and restaurant uses on Parcel A;
- The development of a six-story, approximately 115,905 sf, 30-unit multi-family residential building on Neighborhood East with small shop/boutique retail uses; and
- The development of a six-story, approximately 116,304 sf, 38-unit multi-family residential building on Neighborhood West with small shop/boutique retail uses.

The Conceptual Plan includes a mix of uses allocated throughout multiple buildings, with four levels of subterranean parking, as detailed in Table 2-5, below. The proposed Conceptual Plan for the Specific Plan Area includes a total of approximately 493,931 sf of floor area (excluding the floor area associated with 9570 Wilshire currently being renovated), which is within the maximum 642,000 sf of floor area allowed by the Specific Plan. Specifically, the Conceptual Plan would include approximately 261,722 sf of commercial uses within the Wilshire Boulevard District and 232,209 sf of residential and small shop/boutique retail uses within the Neighborhood District. The total FAR for the Conceptual Plan would be 3.52, which is within the maximum authorization of a 3.7 FAR contemplated by the Specific Plan. The Conceptual Plan includes maximum building heights of approximately 98 feet in the Wilshire Boulevard District and approximately 75 feet in the Neighborhood District, consistent with the contemplated Specific Plan maximum building height requirements.

Table 2-5 Conceptual Plan – Development Summary

Building Area		
Parcel A	Restaurant	11,657 sf
	Office	58,796 sf
	Circulation ¹	3,161 sf
	Total	73,614 sf
Parcel B	Restaurant	3,046 sf
	Office	67,108 sf
	Lobby	4,034 sf
	Circulation	2,553 sf
	Total	79,518 sf²
Saks Rehabilitation	Retail	28,998 sf
	Boutique Hotel	41,356 sf/40 suites
	Social Club	14,965 sf
	Spa	17,215 sf
	Circulation	6,056 sf
	Total	108,590 sf
Neighborhood East	Dwellings	101,303 sf/30 units
	Small shop/boutique retail	5,041 sf
	Lobby/Amenity	3,262 sf
	Circulation	6,299 sf
	Total	115,905 sf
Neighborhood West	Dwellings	101,030 sf/38 units
	Small shop/boutique retail	5,540 sf
	Lobby/Amenity	3,294 sf
	Circulation	6,440 sf
	Total	116,304 sf

sf = square feet

¹ As used throughout this table, "Circulation" refers to building areas such as corridors, ground floor lobby, ground floor lobby amenities, stair vestibules.

² For information purposes, this figure includes 2,777 sf associated with the porte-cochere/valet space which do not constitute floor area under the BHMC or the proposed Specific Plan.

The Conceptual Plan (which excludes the 9570 Wilshire subarea) would provide for three primary commercial structures within the Wilshire Boulevard District. The Saks Rehabilitation Building would contain approximately 108,590 sf of commercial uses, including a mix of retail, spa, boutique hotel, and social club uses. Parcel B would be developed with a new approximately 98-foot, seven-story, 79,518 sf building that would share some common lobby and conveyance areas with the Saks Rehabilitation Building. The building would contain restaurant space on the ground floor, office uses, and a shared lobby for the spa, boutique hotel and social club uses. A porte-cochere/valet area would be

included on Parcel B. The Conceptual Plan includes an approximately 85-foot (six-story), 73,614-sf building on Parcel A. Parcel A would include ground floor restaurant uses and office space.

The Conceptual Plan would provide for two residential buildings in the Neighborhood District. The Neighborhood East building would be an approximately 115,905-sf, 75-foot, six-story building containing 30 residential units. The Neighborhood West building would be an approximately 116,304-sf, 73-foot, six-story multi-family building with 38 residential units. The residential buildings would comply with applicable inclusionary housing requirements set forth in BHMC Section 10-3-4800 et seq. The Conceptual Plan proposes 5,041 sf of small shop/boutique retail uses on the north-facing ground floor of the Neighborhood East structure (adjacent to the Terrace), and 5,540 sf of small shop/boutique retail uses on the north-facing ground floor of the Neighborhood West structure. These uses would have access directly off the Via³ or the Terrace⁴ to encourage use of the Via and the Terrace. The Conceptual Plan's site plan is provided in Figure 2-13 and the building elevations are shown in Figure 2-14.

2.5.2.2 Parking and Circulation

Parking

The Conceptual Plan provides for a new, four-level subterranean parking structure with up to 937 parking spaces, offering a total of up to 716 automobile parking spaces for commercial uses and up to 221 automobile parking spaces for residential uses. These parking stalls include up to 22 Americans with Disabilities Act (ADA) accessible spaces as well as electric vehicle (EV) charging spaces consistent with CALGreen requirements. The project would provide parking that satisfies CalGreen requirements. The residential parking spaces would be secured and separate from the commercial parking spaces, with up to 98 secured parking spaces located beneath for the Neighborhood East Building and up to 123 secured parking spaces beneath for the Neighborhood West building. The parking structure (including parking spaces and drive aisles) would be located not less than six feet below grade, a portion of which is proposed to extend under South Drive and South Peck Drive.

³ The proposed Via would be a multi-purpose, vehicular and pedestrian accessway (provided by a private driveway) that would accommodate access to commercial loading, drop-off, pick-up and subterranean parking. The Via would provide an east-west pedestrian path bisecting the Saks Rehabilitation Building and Parcel B subareas to the north and Neighborhood West subarea to the south and would serve as the primary access point for the proposed adjacent small shop/boutique retail uses.

⁴ The proposed Terrace would be a pedestrian-only parkette that serves as an entrance for adjacent small shop/boutique retail uses in the Neighborhood East subarea.

Figure 2-13 Conceptual Plan — Site Plan

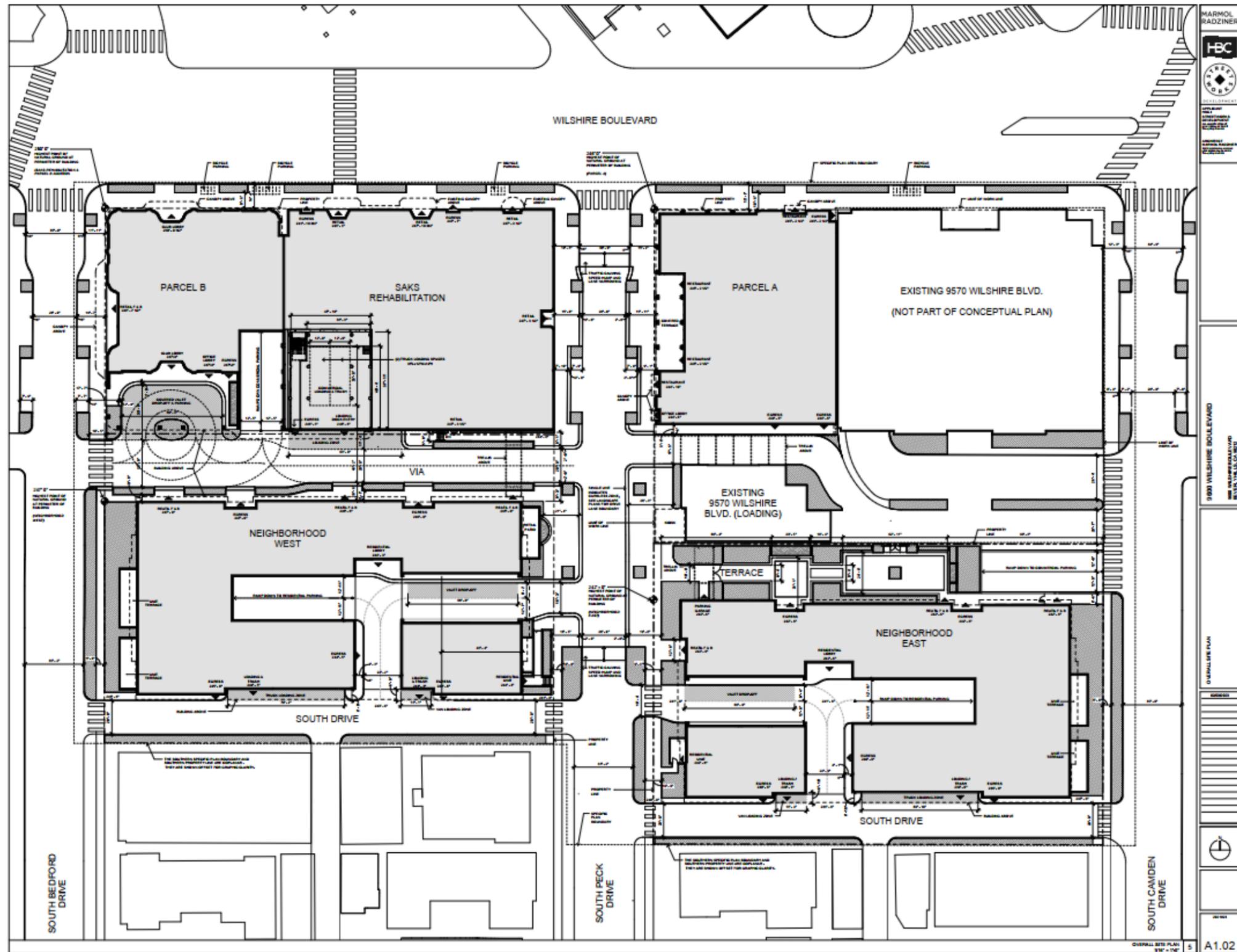
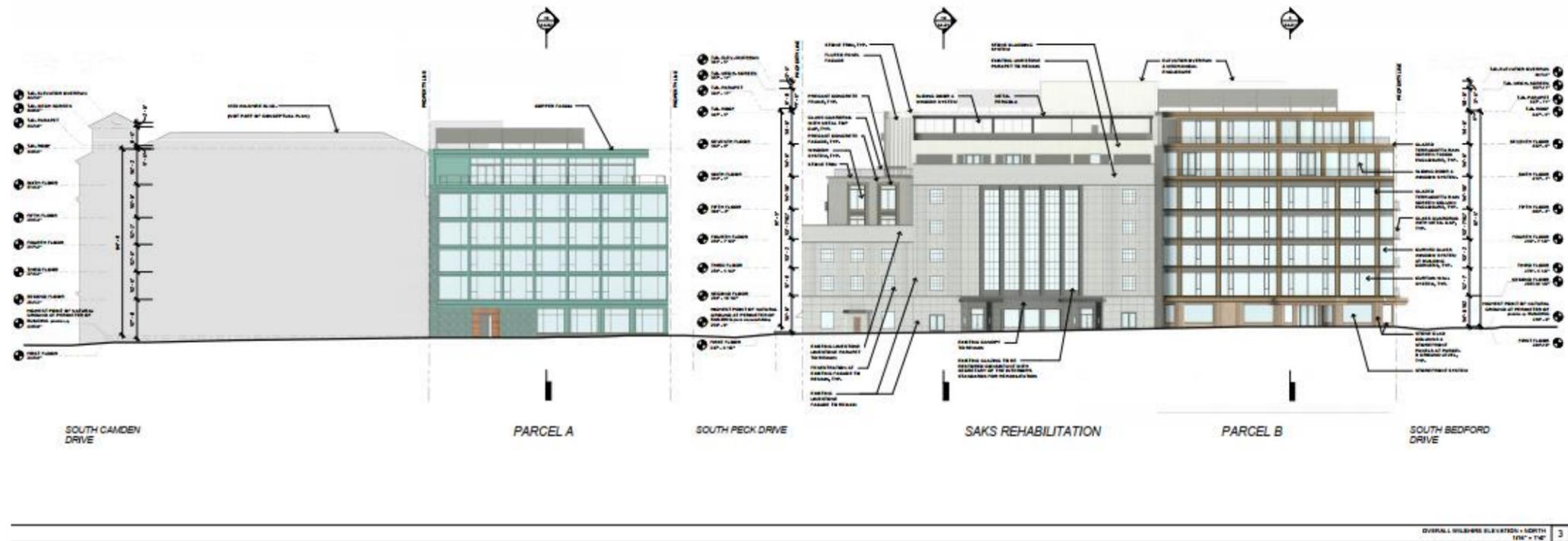
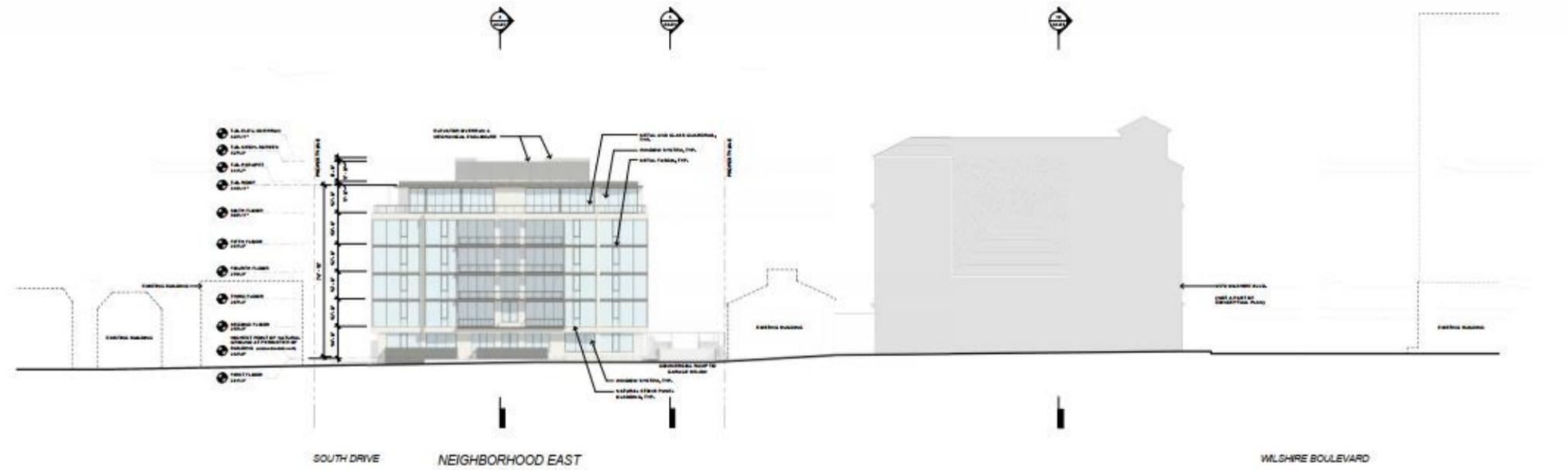
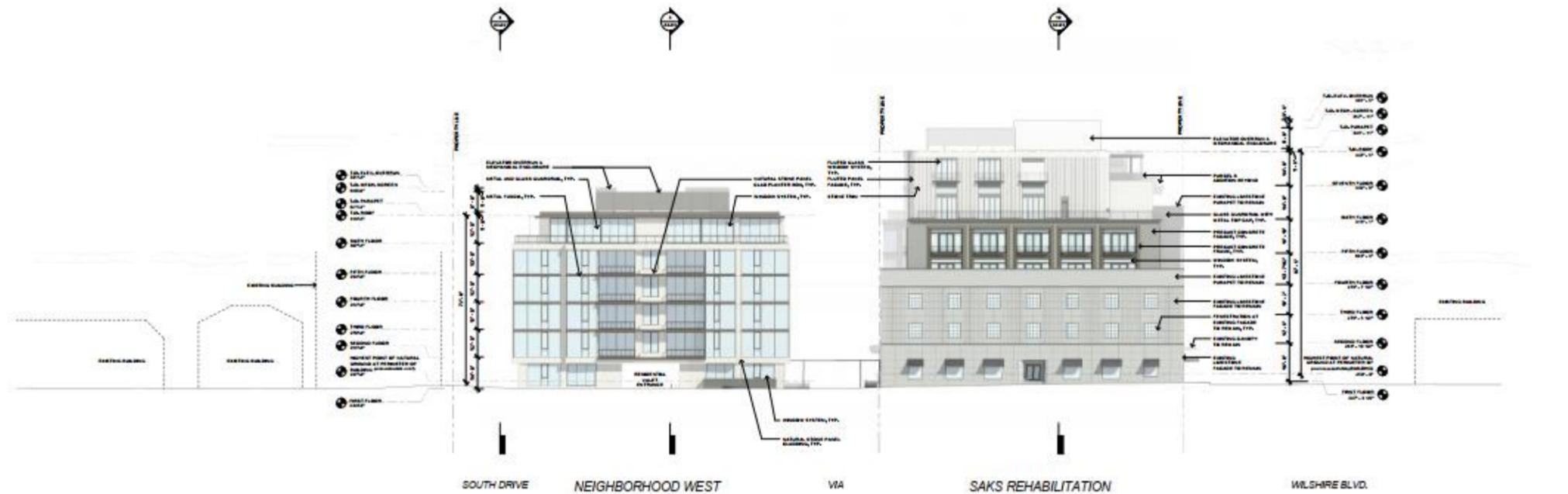


Figure 2-14 Conceptual Plan — Building Elevations

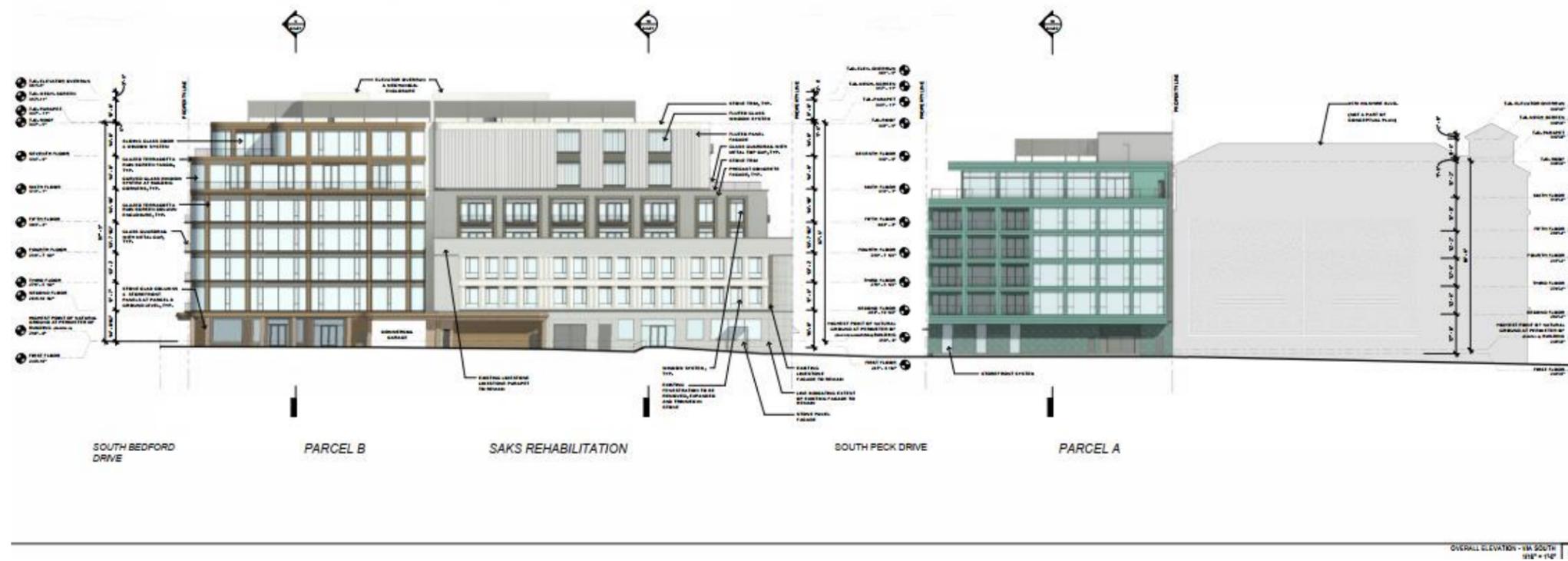




OVERALL ELEVATION - EAST
3/8" = 1'-0"



OVERALL ELEVATION - WEST
3/8" = 1'-0"



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The Conceptual Plan also proposes relocating and/or repurposing up to 16 existing street parking spaces and adding new short-term street parking spaces adjacent to the Wilshire Boulevard District. Approximately ten existing surface spaces on South Peck Drive would be removed to allow for the widening of sidewalks; these commercial parking spaces would be relocated below grade. A total of up to six parking meters on South Camden Drive and South Bedford Drive (four meters on South Camden Drive and two meters on South Bedford Drive) would be removed to allow those six spaces to be repurposed for neighborhood residential parking purposes. Up to six new surface parking spaces would be provided adjacent to the Wilshire Boulevard District, at the north end of South Camden Drive, South Peck Drive and South Bedford Drive.

Of the 716 commercial parking spaces referenced above, up to 100 stalls, as a proposed public benefit, would be available to the members of the public residing in the vicinity of the Specific Plan Area for use after hours and on weekends. The Applicant, in cooperation with the City, would organize, promote, and offer the aforementioned stalls to Beverly Hills residents in the neighborhood adjacent to the Specific Plan Area in order to promote efficient use of parking resources.

Long-term bicycle parking spaces equal in number to five percent of the number of new vehicle parking spaces within the Specific Plan Area would also be provided, located in the basement. Short-term bicycle parking spaces for guests and visitors equal in number to five percent of the new vehicle parking spaces would be provided in at grade locations throughout the project site.

Site Access and Circulation

The Conceptual Plan provides for vehicular circulation within the Specific Plan Area would be provided by the proposed Via and South Drive, as well as the existing alley south of 9570 Wilshire, South Camden Drive, South Peck Drive, and South Bedford Drive. The Via would be a multi-purpose, vehicular and pedestrian accessway that would accommodate access to commercial loading, drop-off, pick-up and subterranean parking. The Via would provide an east-west pedestrian path bisecting the Saks Rehabilitation and Parcel B subareas to the north and the Neighborhood West subarea to the south. While the Via would be designed to provide both vehicular and pedestrian access and circulation between South Bedford Drive and South Peck Drive, the eastern portion of the Via would be designed to provide for the occasional closure to vehicles to serve as a common area that further enhances the pedestrian nature of the South Peck Drive streetscape environment. South Drive would be an approximately 24- to 26-foot-wide alley with an enhanced landscape buffer located along the southern boundary of the Specific Plan Area.

Vehicular ingress and egress to the proposed parking structure would be provided by new one- and two-way driveway cuts located on South Bedford Drive, South Peck Drive, and South Camden Drive. Valet service for commercial uses would be provided in a porte-cochere/valet drop-off located on Parcel B and valet service for the residential buildings would be provided at the Neighborhood East and West buildings. Vehicular ingress and egress for commercial parking would be provided by the proposed Via or South Camden

9600 Wilshire Boulevard Specific Plan

Drive. The existing two-way curb cut on South Camden near 9570 Wilshire (which is a not a part of the Conceptual Plan) that connects to the existing parking garage would continue to provide access to the existing parking garage. Vehicular ingress to the secured parking for the Neighborhood East Building would be provided by a one-way driveway cut located on South Peck Drive. Egress from the Neighborhood East parking area would be provided via South Drive with curb cuts on South Peck Drive and South Camden Drive. Vehicular ingress to the secured parking for the Neighborhood West Building would be provided by a one-way driveway cut on South Peck Drive, with egress provided via South Drive with curb cuts on South Peck Drive and South Bedford Drive.

Loading spaces would be shared by multiple uses and parcels within the Specific Plan Area. In particular, truck loading spaces serving the Saks Rehabilitation Building and Parcel B could be used for staging of pick-up and drop-off of passenger vehicles during occasional peak-event times, including times of general peak event congestion in the city, provided that staff is available to manage parking and loading operations. The Conceptual Plan would allow for van and truck loading areas needed to serve the Neighborhood East and Neighborhood West buildings to encroach into an approximately five- to eight-foot portion of South Drive.

Wilshire Boulevard would be intended to function as the main access corridor to and from the Specific Plan Area. As proposed by the Conceptual Plan, vehicles traveling to the Specific Plan Area from Wilshire Boulevard would turn onto either South Bedford Drive, South Peck Drive, or South Camden Drive. From South Bedford Drive, vehicles would make a left-hand turn onto the Via or South Drive to access the parking garage. From South Peck Drive, vehicles could make either a right-hand turn onto the Via, or either a left-hand or right-hand turn into the residential valet drop-offs. From South Camden Drive, vehicles could make a right-hand turn directly into the existing commercial parking garage beneath the 9570 Wilshire Building, or a right-hand turn into the proposed subterranean parking garage or a right turn onto South Drive. Vehicles traveling to the Specific Plan Area from the south would similarly access the parking garages by South Bedford Drive, South Peck Drive, and South Camden Drive. Vehicles leaving the Specific Plan Area would be able to travel south via South Bedford Drive, South Peck Drive, and South Camden Drive. Vehicles exiting the Specific Plan Area and traveling west would leave the Specific Plan Area via South Bedford Drive, where a traffic signal with a left-hand turn lane onto Wilshire Boulevard exists. Vehicles seeking to travel eastbound would be able to make right-hand turns onto Wilshire Boulevard from South Bedford Drive, South Peck Drive, and South Camden Drive.

Consistent with the proposed Specific Plan, the proposed Conceptual Plan includes detailed modifications to South Peck Drive and portions of South Bedford Drive, South Camden Drive and Wilshire Boulevard. Specifically, the Conceptual Plan provides for South Peck a reduced navigable width of a minimum of 26-feet in some areas of South Peck Drive, with the intention of slowing vehicle speeds and creating a more pedestrian-oriented environment. This width would allow for the continued maintenance and operation of the existing traffic pattern (one north-bound and one south-bound traffic lane) and would preserve emergency responder access. As part of this modified design, the sidewalks and street would be maintained at the same elevation while separating the pedestrian and vehicular

environment with planters and/or bollards to designate pedestrian-safe areas. In addition, enhanced pavement, streetlights, street trees, and other enhancements would be added to the rights-of-way within the Specific Plan Area.

The proposed Conceptual Plan would locate pedestrian entrances on South Bedford Drive, South Peck Drive, Wilshire Boulevard, and the Via and Terrace situated to the immediate south of the commercial buildings. Each ground floor commercial tenant space situated along Wilshire Boulevard would be individually accessible to enhance pedestrian activity along the street wall. An additional pedestrian access point could be provided along South Bedford Drive to access the ground floor restaurant use proposed on Parcel B. Pedestrian access to the East and West Neighborhood building lobbies would be provided via South Peck Drive. Pedestrian entrances for the small shop/boutique retail Uses would be provided by the Via and Terrace. New street furniture and enhanced pavement, landscaping, and lighting would also be provided within the public rights-of-way to create a pleasant pedestrian environment. Figure 2-15 illustrates the proposed circulation plan for the Conceptual Plan submitted with the Specific Plan. This figure is intended to show site circulation for the proposed Conceptual Plan; the building locations and other features depicted in that figure are based on the proposed Conceptual Plan and are included for reference purposes only.

2.5.2.3 *Utilities*

The Specific Plan Area is served by existing utilities, such as natural gas, electricity, sewer, water, and stormwater drainage facilities, within the public rights-of-way along Wilshire Boulevard, South Bedford Drive, South Peck Drive, South Camden Drive and portions of the existing alleys and surface parking lots. Certain existing utilities and/or related easements would require relocation within the Specific Plan Area and existing rights-of-way to accommodate the proposed development. The Conceptual Plan proposes new utility connections within the site within the proposed Via and South Drive, as well as parts of the existing alleyway south of 9570 Wilshire, Wilshire Boulevard, South Peck Drive, South Camden Drive, and/or South Bedford Drive, as illustrated in Figure 2-16.

2.5.2.4 *Architecture, Lighting, and Signage*

As proposed by the Conceptual Plan, and in accordance with the provisions of the Specific Plan, low-level light-emitting diode (LED) and/or energy-efficient fluorescent lighting to accent signage, architectural features, and landscaping elements, as well as street and pedestrian lighting, would be incorporated throughout the Specific Plan Area. All lighting would comply with current energy standards and uniform codes while providing appropriate light levels for safety. Lighting design is intended to provide efficient and effective on-site lighting while minimizing light trespass from the Specific Plan Area, reducing sky-glow, and improving nighttime visibility through glare reduction. Specifically, all on-site exterior lighting would be automatically controlled via an energy management system to illuminate only when required and would be shielded or directed toward areas to be illuminated to limit spill-over onto adjacent streets or nearby residential uses.

Figure 2-15 Conceptual Plan — Circulation

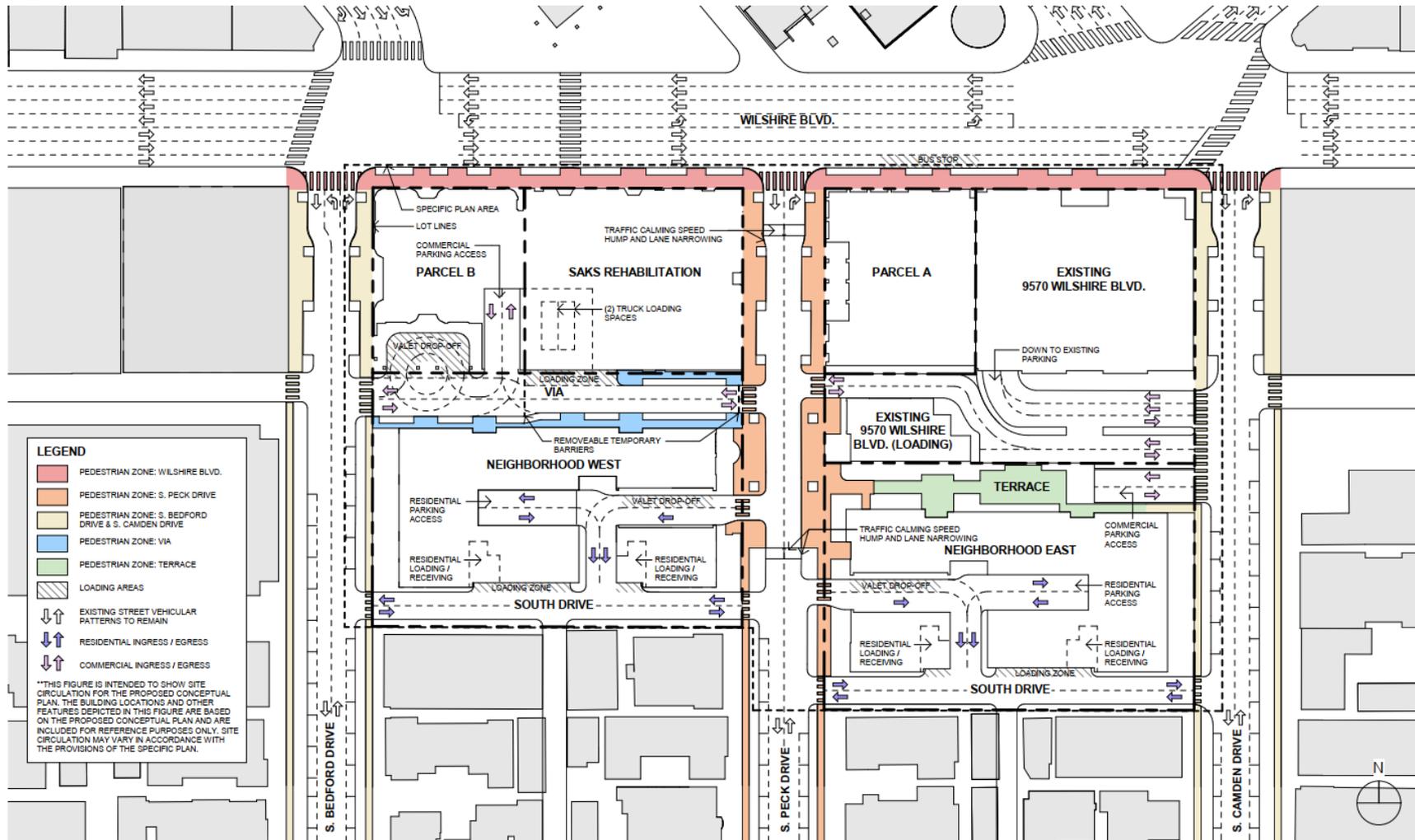
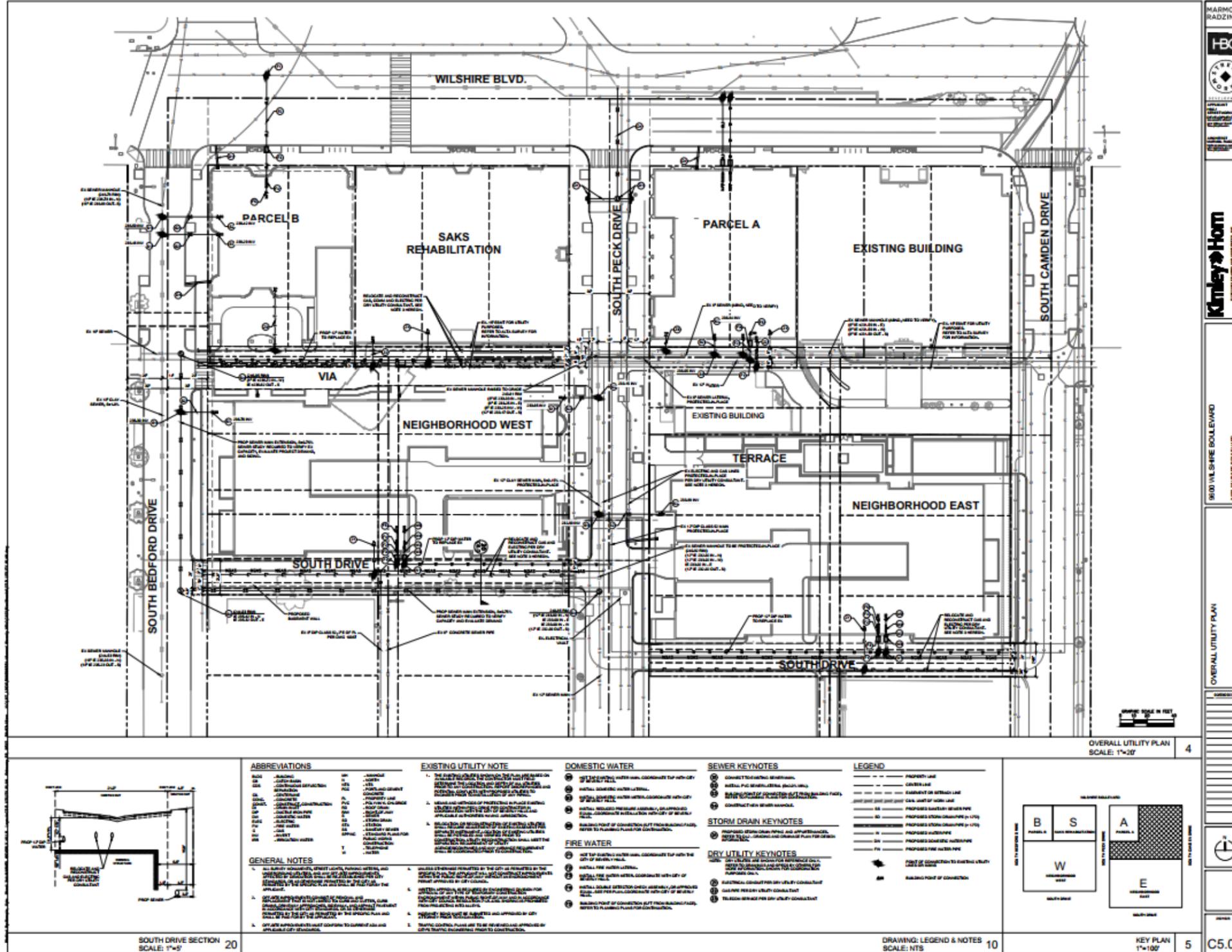


Figure 2-16 Conceptual Plan — Proposed Utilities Plan



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Where appropriate, interior lighting would be equipped with occupancy sensors and/or timers that would automatically extinguish lights when no one is present.

The Conceptual Plan proposes signage designed to be aesthetically compatible with the proposed architecture of the Specific Plan Area and with Specific Plan requirements. No highly reflective building materials would be utilized. Proposed signage would include identity signage, building and tenant signage, and general ground level and way-finding pedestrian signage. Off-premises and billboard advertising and signage with flashing, mechanical or strobe lights would be prohibited. Signage would be illuminated using only low-level, low-glare external lighting, internal halo lighting, or ambient light. Exterior lighting for signage would be required to be directed onto signs to avoid creating off-site glare.

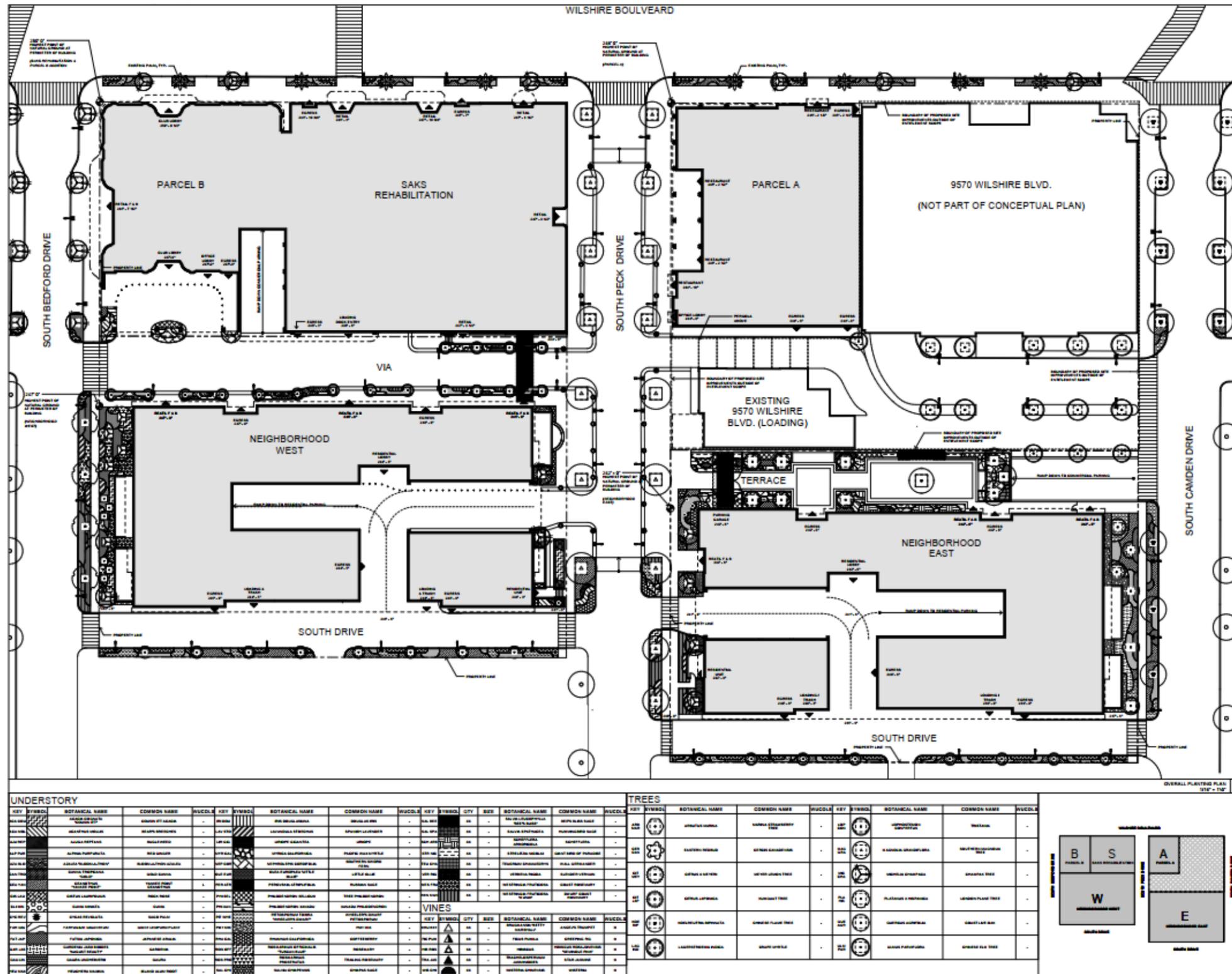
2.5.2.5 Open Space and Landscaping

The Conceptual Plan submittal provides for approximately 6,858 sf of open space on the Terrace, common open space amenities for patrons including a rooftop pool and deck on Parcel B, and 4,028 sf and 3,967 sf of common residential amenity space at the West Neighborhood building and East Neighborhood building, respectively. The Neighborhood East and West buildings would also be equipped with private open space such as balconies, terraces, and rooftop decks, totaling 10,393 sf of private open space at the West Neighborhood building and 11,864 sf of private open space at the East Neighborhood building.

Landscaping would consist of a drought-tolerant planting palette including canopy trees, flower beds/planters, shrubs, and vines. Existing street trees in the Specific Plan Area would be removed and replaced with approved trees including but not limited to marina strawberry tree (*Arbutus marina*), eastern redbud (*Cercis canadensis*), kumquat (*Citrus japonica*), Meyer lemon (*Citrus x meyeri*), Australian tree fern (*Cyathea cooperi*), Chinese flame tree (*Koelrutria bipinnata*), crape myrtle (*Lagerstoemia indica*), Brisbane box (*Lophostemon confertus*), champak (*Michelia champaca*), London plane tree (*Platanus x hispanica*), coast live oak (*Quercus agrifolia*), and Chinese elm tree (*Ulmus parviflora*). Shrubs, flowers, and other understory plants would include species such as gold canna (*Canna tropicana*), rock rose (*Cistus laurifolius*), and hummingbird sage (*Salvia spathacea*). Vines would include angel's trumpet (*Brugmansia sp.*), creeping fig (*Ficus pumila*), hibiscus (*Hibiscus rosa-sinensis*), star jasmine (*Trachelospermum jasminoides*), and wisteria (*Wisteria chinensis*). Street trees along South Peck Drive would primarily consist of southern magnolia, while South Bedford Drive would be planted with London plane and champak trees and South Camden Drive would be planted with Chinese flame tree. Landscaping would be provided throughout the Specific Plan Area, as shown on Figure 2-17, below.

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Figure 2-17 Conceptual Plan — Landscaping Plan and Planting Palette



2.5.2.6 Sustainability Features

Consistent with the Specific Plan requirements, sustainability features provided in the proposed Conceptual Plan would include some or all of the following:

Conceptual Plan - Water Use

- Ultra-Low or dual-flush tank-type toilets in the residential units, and 1.28 gallons per flush, flush valve toilets in the commercial spaces
- Ultra-low flow or waterless urinals
- 1.8 gallons per minute or less showerheads
- Individual clothes washers with a CEE integrated water factor of 3.2 or less
- 0.5 gallons per minute or less bathroom faucets for the residential units, unless prohibited by applicable government regulations; otherwise, lowest per minute residential lavatory faucets that are commercially available
- 0.5 gallons per minute or less bathroom faucets for the common areas and commercial areas
- 1.5 gallons per minute or less kitchen sink faucets
- All commercial tenant space and residential units individually sub-metered for potable water
- Landscaping irrigated where feasible with gray water, stormwater, rainwater, recycled water and/or other approved non-potable water supply.
- Use of water-conserving landscape technologies such as drip irrigation, moisture sensors, and watering zones

Conceptual Plan - Energy Use

- All structures would incorporate photovoltaic (PV) provisions as required by the State of California 2022 Energy Code (Title 24)
- All residential kitchen appliances will be 100 percent electric ready
- Development shall be designed to use and shall achieve ten percent less energy than required by the 2022 Title 24
- Enhanced ventilation exceeding Code energy efficiency requirements by 30 percent
- All Electric HVAC System consisting with high efficiency Variable Refrigerant Flow
- Energy efficient domestic water heaters such as green water heaters, or air-cooled heat pumps where possible
- Energy Star Appliances
- LED Lighting with digital controls
- Digital Lighting Control System will be integrated with dimming controls, occupancy sensors, and override capability

9600 Wilshire Boulevard Specific Plan

- Operable windows and balcony doors dispersed throughout the buildings to reduce mechanical HVAC loads and provide natural ventilation and lighting
- Double-pane windows to reduce thermal bridging (to the extent feasible under the Secretary of Interior Standards)
- Provide EV chargers consistent with CALGreen requirements and provide electrical capacity sufficient to accommodate EV charging for up to 50 percent of residential parking and 25 percent of commercial parking spaces.

Conceptual Plan - Site Design

- Provide underground parking to minimize heat island effects
- Provide white roofing system where possible to reduce heat absorption
- Provide landscaping on rooftop areas where possible to reduce urban heat island effects, improve air quality and reduce greenhouse gas emissions
- Plant trees and vegetation near structures to shade buildings and reduce energy requirements for heating/cooling
- Use plants that are drought-resistant and create habitat for indigenous species where possible
- Provide landscaped area with edible plants dispersed throughout the development area for community and wildlife consumption

2.5.3 Analysis Scenarios

As described above under Sections 2.5.1 and 2.5.2, this EIR analyzes the adoption and implementation of the Specific Plan at a programmatic level, and analyzes the construction and operation of the Conceptual Plan at a project level.

As detailed above under Section 2.5.1, *9600 Wilshire Boulevard Specific Plan*, the Specific Plan would provide the option for two build-out scenarios of the Specific Plan. Both build-out scenarios would entail development of a substantially similar mixed-use project, except that one build-out scenario would include a total of up to 150,000 sf of floor area (located above the ground floor) within the Wilshire Boulevard District to be converted to up to 75 residential units (referred to as Residential Conversion Units), and one build-out scenario would include no such Residential Conversion. In sum, both of the Specific Plan build-out scenarios represent foreseeable iterations of substantially the same mixed-use project with a limited, and specifically constrained, conversion of some upper floor commercial uses in the Wilshire Boulevard District to Residential Conversion Units. A conceptual plan reviewed by the City as part of a discretionary approval in accordance with the Specific Plan would prescribe the detailed building plans and the precise number (if any) of Residential Conversion Units.

A Conceptual Plan, described in Section 2.5.2, *Conceptual Plan*, submitted to the City in October of 2022 has been proposed in accordance with the proposed Specific Plan and is analyzed in this EIR at a project level.

Therefore, as identified below, this EIR analyzes the potential environmental effects of buildout of the Specific Plan at a programmatic level including with and without the Residential Conversion Units. This EIR also performs a project-level review of the proposed Conceptual Plan. The proposed Conceptual Plan, and the two Specific Plan build-out scenarios are summarized below, including the proposed uses and square footages under both Specific Plan Buildout Scenarios:

- **Conceptual Plan Buildout:** Consistent with the description provided under Section 2.5.2, *Conceptual Plan*, the Wilshire Boulevard District would consist of approximately 261,722 sf of commercial space, in addition to the continued commercial use of the existing 107,000 sf at 9570 Wilshire. Additionally, the Neighborhood District would have 68 residential units and 10,581 sf of ground floor Small Shop/Boutique Retail.
- **Specific Plan Buildout Scenario 1, Maximum Buildout of the Specific Plan with No Residential Conversion:** Consistent with the description provided under Section 2.5.1.1, *Floor Area*, in addition to approximately 107,000 sf of commercial uses at 9570 Wilshire, the Wilshire Boulevard District would contain 293,000 sf of commercial uses of which 166,000 sf would be net new floor area. The Neighborhood District would contain 70 residential units and 15,000 sf of ground floor Small Shop/Boutique Retail.
- **Specific Plan Buildout Scenario 2, Maximum Buildout of the Specific Plan with Maximum Residential Conversion:** 250,000 sf of commercial floor area (which includes approximately 107,000 sf of existing floor area at 9570 Wilshire) would be included in the Wilshire Boulevard District, of which 16,000 sf would be net new floor area. As contemplated in the Specific Plan, 75 Residential Conversion Units consisting of 150,000 sf of floor area located above the ground floor would be developed across the Saks Rehabilitation and Parcel B subareas. In addition (and consistent with Specific Plan Buildout Scenario 1, No Residential Conversion), 70 residential units and 15,000 sf of ground floor Small Shop/Boutique Retail would be developed in the Neighborhood District. This scenario assumes that no Residential Conversion Units would be developed on the 9570 Wilshire subarea, because while permissible in concept pursuant to the proposed Specific Plan, express findings under a conditional use permit, which the Applicant is not seeking at this time, and additional environmental review and clearance would be required in order to authorize any such conversion to be made. A total of 265,000 sf of commercial uses and 145 residential units would be developed across the site.

The siting, footprint, mass, overall layout, street and public accessible open space locations, and appearance of the proposed buildings within the proposed mixed-use project would be substantially the same under the proposed Conceptual Plan and under both of the Specific Plan buildout scenarios.

2.5.4 Construction and Operation

Construction

Construction of the development anticipated by the analysis scenarios would follow the same timeline. Construction would commence in 2024 and would over approximately 50 months. Construction activities would include demolition (including demolition of the existing Shoe Building), site preparation, grading, building construction, paving, and architectural coating activities. Construction would also include the following activities: (1) relocate utilities within the Specific Plan Area and the public right-of-way; (2) construct new building on Parcel A; (3) seismic retrofit and construct new levels on the existing Saks Rehabilitation Building; (4) construct eastern portion of underground parking structure; (5) construct western portion of underground parking structure; (6) construct new Parcel B building core and shell; (7) construct East Neighborhood building; (8) construct West Neighborhood building; and (9) site and finish work (e.g., final paving, sidewalks and landscaping). The anticipated construction schedule is shown in Table 2-6.

Table 2-6 Anticipated Construction Schedule

Construction Activity	Start (month/year)	Finish (month/year)
Utility Relocation	August 2024	September 2025
Demolition	October 2025	November 2025
Excavation	December 2025	March 2027
Building Construction	April 2027	July 2028
Paving	August 2028	September 2028

Note: This table includes an estimated construction schedule and is subject to change.

Construction activities would comply with a Construction Management Plan that would be approved by the City, including construction hours, construction staging areas, worker parking, haul routes, and lane and roadway closure procedures. In accordance with BHMC Section 5-1-205, construction would primarily occur between the hours of 8:00 a.m. and 6:00 p.m. Certain work, such as continuous foundation pours to ensure structural integrity would occur between the hours of 6:00 p.m. and 8:00 a.m. on a weekday, or at any time on a Saturday, Sunday, or holiday, and would require an after-hours construction permit or other comparable authorization from the City. Nighttime construction is anticipated to be required for a total of 27 days (which may be nonconsecutive). Construction staging would occur within the Specific Plan area while occasional materials deliveries may occur after hours.

Construction of the subterranean parking structure would extend to a maximum depth of approximately 55 feet below ground surface. During construction, approximately 198,950 cubic yards (cy) of earth would be removed from the Specific Plan Area. In addition, approximately 2,939 cy of debris from demolished building and parking areas would be exported from the site. Soil and construction debris would be hauled using tandem belly dump trucks with 14 cy capacities, resulting in approximately 120 truck trips per day over a

six-month period. The designated outbound haul route is anticipated to be from the Specific Plan Area to northbound South Bedford Drive and South Camden Drive. From South Bedford Drive, trucks would then travel west on Wilshire Boulevard toward I-405. The reverse of this route would be used for inbound truck traffic. From South Camden Drive, each of the following two alternative routes would be authorized (the selection would be made on a case-by-case basis based on real-time traffic conditions): first, trucks could travel east on Wilshire Boulevard turning south on Beverly Boulevard and then west on Olympic Boulevard toward I-405; second, trucks could travel east on Wilshire Boulevard turning north on Beverly Boulevard and then west on Santa Monica Boulevard towards I-405. For the entirety of construction, the portion of South Peck Drive within the boundaries of the Specific Plan Area could be closed. Full or partial pedestrian and vehicle access would be maintained along South Bedford Drive, South Camden Drive, and Wilshire Boulevard, with covered pedestrian walkways provided along certain portions of the Wilshire Boulevard and East Neighborhood, South Camden Drive, project construction frontages.

Construction employee parking during the initial months of construction would utilize City and privately-owned facilities near the Specific Plan Area. Estimated daily parking needs would be determined as the actual construction start date is finalized. As construction of the parking structure progresses, the construction employees would utilize on-site parking spaces as they become available. This would reduce the off-site construction parking demand. Parking would be provided within proximate lots or elsewhere via agreement, with a shuttle service to and from the Specific Plan Area. Security provisions would be present throughout the duration of construction to ensure site safety.

Project Operation

Operation of the project would be expected to begin in late 2028. The Specific Plan authorizes operating hours for indoor uses Monday through Sunday 24-hours, for outdoor uses Sunday through Thursday 6:00 a.m. – 10:00 p.m., Friday and Saturday 6:00 am. to 12:00 a.m. The Conceptual Plan submittal provides additional details and restrictions as to operating hours specific to the uses and design proposed by the Conceptual Plan. Table 2-7 provides the access restrictions and hours of operation for the proposed uses for the Conceptual Plan.

Table 2-7 Conceptual Plan - Operating Hours and Access Standards

Location	Land Use	Access	Permitted Hours of Operation
Saks Rehabilitation Building and Parcel B	Spa	Public	7:00 a.m.—10:00 p.m. daily
	Retail	Public	7:00 a.m.—10:00 p.m. daily
	Restaurant	Public	6:00 a.m.—12:00 a.m. daily
	Ancillary Open Air Dining	Public	6:00 a.m.—10:00 p.m. (Sunday—Thursday), 6:00 a.m.—12:00 a.m. (Friday and Saturday)
	Residential Conversion Units	Resident only	24 hours daily
	Pool and Deck	Resident, Social Club/ Boutique Hotel only	6:00 a.m.—12:00 a.m. daily
	Social Club Bar/Lounge	Social Club only	6:00 a.m.—12:00 a.m. daily
	Social Club Restaurant	Social Club only	6:00 a.m.—12:00 a.m. daily
	Boutique Hotel	Public	24 hours daily
	Office	Office tenants, patrons and building staff	24 hours daily
Parcel A	Office	Office members and building staff only	24 hours daily
	Restaurant	Public	6:00 a.m.—12:00 a.m. daily
	Ancillary Open-Air Dining	Public	6:00 a.m.—10:00 p.m. (Sunday—Thursday), 6:00 a.m.—12:00 a.m. (Friday and Saturday)
East and West Residential	Residential Units	Resident only	24 hours daily
	Amenity	Resident only	24-hours daily
	Small Shop/Boutique Retail	Public	6:00 a.m.—10:00 p.m. daily
Throughout Specific Plan	Via ¹	Public	24 hours daily
	Terrace	Public	7:00 a.m.—10:00 p.m. daily

¹ Pedestrian zone within the Via may be closed to vehicle access during designated periods.

No group or family memberships would be sold. Excluding events, Social Club members would be authorized to each bring a maximum of four guests at any one time to use Social Club facilities. No more than 52 Social Club and/or Boutique Hotel special events would occur per year, and these events would be open by reservation to no more than 150 attendees who would be Boutique Hotel guests, Social Club members or their respective guests. A maximum of six Social Club and/or Boutique Hotel special events per year that exceed 150 attendees, open by reservation to no more than 250 attendees who shall be

Boutique Hotel guests, Social Club members or their respective guests, would occur. Rooftop terrace spaces may also be used for events no more than ten times per year in each space, with attendees limited to 150. For purposes of events, “attendees” shall include guests staying in any suites.

Amplified entertainment including live music and karaoke, conducted outdoors, as an ancillary use, would be subject to BHM Title 5, Chapter 1, Article 2, Section 5-1-201 and only permitted between the hours of 11:00 a.m. and 10:00 p.m. in the Wilshire Boulevard District.

Commercial loading docks within the Specific Plan Area would be operated consistent with the existing hour range of Monday through Friday between 7:00 a.m. and 5:00 p.m. and weekends between 8:30 a.m. and 4:00 p.m. Loading docks would be used by a mix of larger delivery trucks, smaller delivery vans, and service vehicles. Under the Conceptual Plan and Specific Plan Buildout Scenario 1 (No Residential Conversion), the number of delivery trucks is estimated to be 40 per day. A total of 30 delivery trucks per day would be anticipated under Specific Plan Buildout Scenario 2 (Maximum Residential Conversion).

2.5.5 Project Design Features

The following project design feature (PDF) is proposed by the Applicant which would reduce potential environmental impacts related to energy use.

PDF E-1 Energy Efficiency

The proposed project would include the following energy efficiency features:

- All structures would incorporate photovoltaic (PV) provisions as required by the State of California 2022 Energy Code (Title 24)
- Development shall be designed to achieve a Leadership in Energy and Environmental Design (LEED) Silver V4.1 equivalency
- Development shall be designed to use and shall achieve ten percent less energy than required by the 2022 Title 24
- New development shall utilize all-electric HVAC systems consisting of heat recovery/heat pump type variable refrigerant flow systems for all residential and commercial structures
- Provide EV parking in accordance with CALGreen requirements and provide electrical capacity sufficient to accommodate EV charging for up to 50 percent of residential parking and 25 percent of commercial parking spaces.

2.6 Project Objectives

The underlying purpose of the project is to revitalize the two city blocks fronting Wilshire Boulevard and transform the project site from a primarily vehicular zone to a pedestrian-oriented zone by creating a mixed-use, compact and pedestrian-friendly development, and preserve the historic Saks Women’s Building in accordance with the Secretary of the

9600 Wilshire Boulevard Specific Plan

Interior's Standards (SOI) Standards for Treatment of Historic Properties (SOI Standards). Specific objectives include the following:

- Respond to the reality that retail department stores and office have experienced substantial modification in their utilization of physical space due to changing consumer and other economic demands by creating a framework for a range of new uses that can evolve over time in response to further changes in the economic landscape; facilitate retention of existing landmark structures in an economically viable manner; restore economic activity to the Specific Plan Area; and provide for uses that will serve the needs of the nearby community, including (among others) cafes, restaurants, artisanal food, clothiers and similar uses, and neighborhood services.
- Require the preservation and adaptive reuse of the Saks Women's Building at an anchor location on Wilshire Boulevard and ensure its structural stability (including seismic requirements), economic viability, and accessibility by requiring its rehabilitation in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties.
- Enact development standards that meet or satisfy City design standards as further articulated in the Specific Plan, while also allowing for transit-adjacent and pedestrian-friendly development.
- Enhance the architectural and aesthetic character of Wilshire Boulevard by providing a contextual and contiguous building edge condition along each of the two blocks on Wilshire Boulevard, informed by the massing and height of the approximately 98-foot-tall historic Saks Women's Building.
- Create a pedestrian-friendly environment by developing well-designed and attractive buildings, streets, sidewalks and publicly accessible open space. To achieve this broad goal, the Specific Plan is intended to provide for each of the following: an identifiable sense of place through development standards that are unique to the Specific Plan Area; open space areas that can facilitate programs that serve the local neighborhood (including but not limited to farmer's markets), as well as residents, restaurants, retailers, and other uses within the Specific Plan Area; and pedestrian-friendly street designs that include appropriately-scaled sidewalks, attractive landscaping, and neighborhood-serving ground floor commercial and restaurant uses.
- Support neighborhood character, transition, and connectivity by replacing commercial surface parking lots and sparsely planted alleyways with a cohesive blend of commercial and residential uses, as well as enhanced landscaping along South Bedford Drive, South Peck Drive, and South Camden Drive to create an appealing transition between the Specific Plan Area and the existing multi-family residential neighborhood to the south.
- Create an environment accessible from the City's major shopping areas and close to the City's major streets that can attract high-quality, major employers to support and attract new businesses and sustain employment, well-paying jobs, and a high level of economic activity.

- Concentrate new housing and amenities near existing and anticipated transportation nodes and stations to encourage the use of alternative modes of transportation to automobile travel.
- Introduce high-quality housing options designed to cater to residents wanting to stay in Beverly Hills as their housing needs change over time, with the convenience of full-service, amenitized housing.
- Protect and enhance the residential character of existing neighborhoods south of the Specific Plan Area by replacing surface commercial parking lots with a newly established Neighborhood District between Wilshire Boulevard and the existing multi-family residences south of the Specific Plan Area, and transforming existing alleys along the southern boundary of the Specific Plan Area into an enhanced South Drive featuring improved landscaping.
- Improve the streetscape along South Peck Drive, South Camden Drive, and South Bedford Drive in keeping with the City’s Complete Streets Plan and in a manner that both calms traffic and creates a safe pedestrian environment for neighbors to walk to and enjoy, while discouraging cut-through traffic on residential streets by incorporating improved landscaping, canopy trees, raised crosswalks, sidewalk enhancements, and specialized paving. .
- Implement a parking strategy that reduces the visual impact of parking spaces by emphasizing subterranean parking in lieu of large expanses of surface parking.
- Generate additional annual tax revenues for the City of Beverly Hills, including property taxes, sales taxes, and transient occupancy taxes.
- Support the growth of the City’s economic base by creating new construction jobs and permanent jobs.
- Develop buildings that will integrate active and passive sustainability practices, including drought-tolerant landscaping, high-efficiency equipment, gray water systems, and other sustainable strategies to reduce city and regional dependency on fossil fuels, minimize the use of water, and achieve a Leadership in Energy and Environmental Design (“LEED”) Silver V4.1 equivalency.

2.7 Required Approvals and Intended Uses of the EIR

City of Beverly Hills approvals:

- General Plan Amendment
- Specific Plan Adoption
- Zoning Map and Zone Text Amendment
- Vesting Tentative Tract Map
- Encroachment permits for work affecting the adjacent roadways
- Approval of a Conceptual Plan
- Development Agreement

9600 Wilshire Boulevard Specific Plan

In addition to the entitlements identified above, additional or subsequent discretionary and/or ministerial approvals may also be required for the project from the City and other agencies, including (but not limited to) architectural review, signage and lighting permits, vacation and relocation of existing alleys and easements, demolition permit, haul route permit, excavation permit, shoring permit, grading permit, foundation permit, approval of potable and fire water as well as sewer and storm drain and various building permits. The project would also require approvals from Southern California Edison (SCE) and Sempra Energy (SoCal Gas) and approval of encroachment permits by Metro for any construction work that occurs within 100-feet of a Metro right-of-way, including the planned Purple Line subway tunnel below Wilshire Boulevard. The project Environmental Impact Report (EIR) will analyze impacts associated with the project and will provide environmental review sufficient for all necessary entitlements and public agency actions associated therewith.

3 Environmental Setting

Pursuant to CEQA Guidelines Section 15125(a), “an EIR must include a description of the physical environmental conditions in the vicinity of the project. This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant.” CEQA Guidelines Section 15125(a)(1) states generally that the lead agency should describe these conditions, as they exist at the time the Notice of Preparation (NOP) is published. This EIR evaluates impacts against existing, or baseline, conditions which are the conditions existing at the time of the release of the Notice of Preparation (March of 2023), in accordance with CEQA Guidelines Section 15125. This section provides a general overview of the environmental setting and baseline physical conditions for the proposed project, including an overview of the regional and project site setting. Section 2, *Project Description*, provides additional information regarding the existing site conditions. More detailed descriptions of the environmental setting and baseline physical conditions applicable to each environmental issue area can be found throughout Section 4, *Environmental Impact Analysis*.

3.1 Regional Setting

The proposed project is located in the City of Beverly Hills, approximately 12 miles west of the civic center of the City of Los Angeles. The project site encompasses addresses 9570, 9588-9596, 9600-9610, and 9620 Wilshire Boulevard, 133 South Camden Drive, and 128 South Bedford Drive and is located along Wilshire Boulevard between the intersections of Bedford Drive to the west and Camden Drive to the east. Figure 2-1 in Section 2, *Project Description*, shows the project location on a regional scale and Figure 2-2 shows the project site in relation to the surrounding neighborhood.

A grid system of east-west and north-south roadways, including arterials, collectors, and local streets, provides vehicular access throughout the city. The major roadways include Santa Monica Boulevard, Wilshire Boulevard, Sunset Boulevard, Olympic Boulevard, and Beverly Drive. The closest freeways are Interstate 405 (I-405) and Interstate 10 (I-10). I-405 is located approximately 2.7 miles southwest of the project site, and I-10 is located approximately two and a half miles south of the proposed project.

The Mediterranean climate of the region and the coastal influence produce moderate temperatures year-round, with rainfall concentrated in the winter months. Although air quality in the area has steadily improved in recent years, the Los Angeles region remains a nonattainment area for ozone (urban smog). The City of Beverly Hills is located approximately seven miles inland from the coastline of the Pacific Ocean.

3.2 Project Site Setting

As shown in Figure 2-2 in Section 2, *Project Description*, of this Draft EIR, the project site is bounded by Wilshire Boulevard to the north, South Camden Drive to the east, South Bedford Drive to the west, and multi-family residential to the south. South Peck Drive bisects the project site. The project site is bordered by commercial development to the north, east, and west, and multi-family residences to the south, which range from one to four stories in height. Parcels to the east across South Camden Drive are improved with multi-family residential buildings, and a five-story commercial office building with ground floor commercial uses. Parcels to the west across South Bedford Drive are improved with a four-story retail department store and associated three-story parking structure (the Saks Men's Department). The project site currently contains three existing commercial structures, an ancillary loading facility, and three surface parking lots. The existing buildings include the four-story (approximately 98-foot tall) Saks Women's Building and attached single-story Saks Shoe Building, totaling 145,039 square feet (sf), at 9600 Wilshire Boulevard and the five-story, approximately 107,000 sf former Barney's New York Building at 9570 Wilshire Boulevard. The Saks Women's Building and Shoe Building currently serve as a Saks Fifth Avenue department store. Independent of this project, the former Barneys Building is currently vacant and is presently undergoing interior renovations to accommodate retail department store operation in the future. The project site also contains a portion of South Peck Drive, an approximately 27-foot-wide publicly accessible alley that runs along the southwestern boundary of the site between South Bedford Drive and South Peck Drive, and an additional approximately 20-foot-wide publicly accessible alley in the southeastern portion of the site that connects to South Camden Drive and an existing residential alley to the south of the proposed project.

As described in Section 2.4, *Current Land Use Designation and Zoning*, the project site currently has a General Plan Land Use Designation of Low Density General Commercial, Medium Density Retail, and High Density Multi-Family Residential (Beverly Hills 2010). The portions of the project site along Wilshire Boulevard have a zoning designation of Commercial Zone (C-3) with a Commercial Retail Planned Development (C-R-PD) Overlay and Mixed Use Overlay. Uses permitted in the C-3 zone include a wide range of commercial uses such as restaurants, hotels, parking garages, offices, and retail. The remainder of the project site is zoned Multiple Residential Zone (R-4), Multiple Residential Zone (R-4X2), and Residential Parking Zone (R-4-P). Uses permitted within the R-4 zone include single or multi-family housing, public library, small community care facilities, or transitional and supportive housing.

3.3 Cumulative Development

In addition to the specific impacts of individual projects, CEQA requires EIRs to consider potential cumulatively considerable impacts of the proposed project. CEQA defines "cumulative impacts" as two or more individual impacts that, when considered together, are substantial or will compound other environmental impacts. Cumulative impacts are the combined changes in the environment that result from the incremental impact of

development of the proposed project and other nearby projects. For example, traffic impacts of two nearby projects may be less than significant when analyzed separately but could have a significant impact when analyzed together. As defined in CEQA Guidelines Section 15065(a)(3), “cumulatively considerable” means that the “incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.” Cumulative impact analysis allows the EIR to provide a reasonable forecast of future environmental conditions and can more accurately gauge the effects of a series of projects.

As provided by CEQA Guidelines Section 15130(b), CEQA requires cumulative impact analysis in EIRs to consider either a list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency, or a summary of projections contained in an adopted local, regional, or statewide plan, or related planning document, that describes or evaluates conditions contributing to the cumulative effect. Currently planned and pending projects in Beverly Hills, are listed in Table 3-1 and shown in Figure 3-1. These projects are in various stages of the approval, entitlement, and development process, and not all will necessarily be developed. Cumulative Project Nos. 1, 15, 18, 19, 20 are in close proximity (within 0.25 mile) of the project site and Cumulative Project Nos. 26, 27, 28, and 29 are along the same major arterial as the project site. These projects are considered in the cumulative analyses in Section 4, *Environmental Impact Analysis*.

Table 3-1 Cumulative Projects List

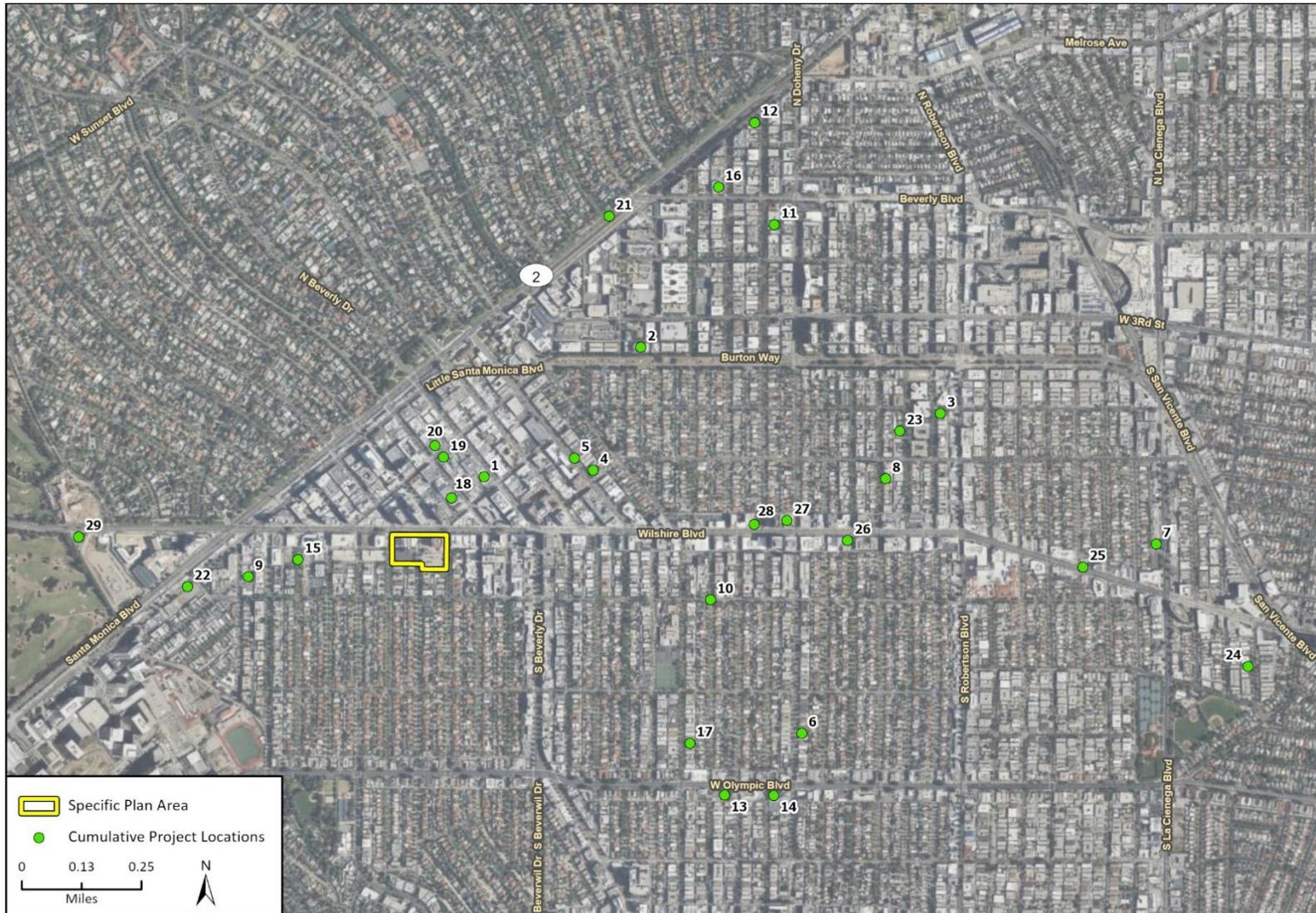
Project No.	Project Location	Land Use	Development	Status
1	317 North Beverly Drive	Commercial/ Office	9,793 sf of retail and 4,550 sf of office	In Plan Check
2	9291 Burton Way	Restaurant	2,025 sf restaurant expansion	Application Under Review
3	244-256 North Clark Drive	Senior Housing	55 dwelling units	Application Under Review
4	208 North Crescent Drive	Condominiums	10 dwelling units	Application Under Review
5	250 North Crescent Drive	Multi-Family Residential	8 dwelling units	Permits Issued and/or Under Construction
6	332 South Doheny Drive	Multi-Family Residential	9 dwelling units	Entitlement Approved
7	55 North La Cienega Boulevard	Mixed-Use	105 dwelling units, 18,500 sf of retail/restaurant	Entitlement Approved
8	154-186 North La Peer Drive	Multi-Family Residential	16 dwelling units	In Plan Check
9	140 South Lasky Drive	Hotel	36,760 sf/66 room hotel, 1,845 sf restaurant	Application Under Review
10	149-159 South Maple Drive & 9225 Charleville Boulevard	Multi-Family Residential	29 dwelling units	Entitlement Approved

City of Beverly Hills
9600 Wilshire Boulevard Specific Plan

Project No.	Project Location	Land Use	Development	Status
11	412 North Oakhurst Avenue	Multi-Family Residential	46 dwelling units	Application Under Review
12	457 North Oakhurst Drive	Condominiums	5 dwelling units	Entitlement Approved
13	9212 Olympic Boulevard	Commercial/Office	13,300 sf office, 1,000 sf restaurant, 4,700 sf retail	Permits Issued and/or Under Construction
14	9120 Olympic Boulevard	Educational Facility	26,843 sf addition	Application Under Review
15	124-129 Linden Drive	Mixed-Use	165 dwelling units, 74-room hotel, 3,497 sf restaurant	Application Under Review
16	425 North Palm Drive	Multi-Family Residential	20 dwelling units	Permits Issued and/or Under Construction
17	340 South Rexford	Condominium	3 dwelling units	Permits Issued and/or Under Construction
18	319 North Rodeo Drive	Commercial	30,000 sf retail	Entitlement Approved
19	370 North Rodeo Drive	Commercial	15,250 sf retail	Entitlement Approved
20	400-408 North Rodeo Drive	Commercial	29,767 sf retail	Permits Issued and/or Under Construction
21	9220 North Santa Monica Boulevard	Office	114,202 sf office	Permits Issued and/or Under Construction
22	9900-9908 South Santa Monica Boulevard	Mixed-Use	12,560 sf retail, 17 dwelling units	Permits Issued and/or Under Construction
23	227-231 North Swall Drive	Condominium	18 dwelling units	Application Under Review
24	227 Tower Drive	Multi-Family Residential	10 dwelling units	Application Under Review
25	8633 Wilshire Boulevard	Office	25,566 sf	Application Under Review
26	9000 Wilshire Boulevard	Office	31,702 sf	Permits Issued and/or Under Construction
27	9111 Wilshire Boulevard	Hotel	112,400 sf/154 rooms	Entitlement Approved
28	9145 Wilshire Boulevard	Religious Institution	8,269 sf	Completed (Operational, Certificate of Occupancy Issued)
29	9850, 9876, 9900 & 9988 Wilshire Boulevard	Mixed-Use	360 dwelling units, 42-room hotel, 17,387 sf restaurant, 250-membership private club	Entitlement Approved

Note: Cumulative project details were sourced from the City of Beverly Hills Major Projects Division on June 23, 2023. The Cheval Blanc Beverly Hills Specific Plan project has been removed from the cumulative projects list due to the results of the referendum election held on May 23, 2023.

Figure 3-1 Cumulative Projects Map



EIR Figures
Fig 3-1 Cumulative Projects

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4 Environmental Impact Analysis

This section discusses the physical environmental effects that would potentially occur from implementation of the 9600 Wilshire Boulevard Specific Plan Project. This includes the specific issue areas that were identified through the scoping process as having the potential to experience significant effects on the environment. A “significant effect” as defined by the CEQA Guidelines Section 15382:

means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant.

The assessment of each issue area begins with a discussion of the environmental setting related to the issue, which is followed by the impact analysis. In the impact analysis, the first subsection identifies the methodologies used and the “significance thresholds,” which are those criteria used by the City to determine at what level of threshold of impact would be considered significant. These thresholds are provided by the City of Beverly Hills unless otherwise specifically noted. Thresholds of significance are identifiable qualitative, quantitative, or performance levels of a particular environmental effect that are supported by substantial evidence. CEQA Guidelines Section 15064.7 states that “a lead agency may consider thresholds of significance previously adopted or recommended by other public agencies or recommended by experts, provided the decision of the lead agency to adopt such thresholds is supported by substantial evidence.” Any relevant project design features are also described in the first subsection, along with the methodologies and significance thresholds. The next subsection describes each impact of the proposed project, mitigation measures for significant impacts, and the level of significance after mitigation. The proposed project is described in terms of three project development scenarios, as further defined in Section 2, *Project Description*, in order to analyze and discuss the range of impacts that would occur through a programmatic analysis of the build-out of the Specific Plan and project level analysis of construction of the Conceptual Plan. Where project impacts are the same across the three project development scenarios, the impacts are addressed as a whole. Where the project development scenarios would result in differing environmental impacts, each scenario is addressed separately. The analysis of environmental impacts considers both the construction and operational phases associated with implementation of the proposed project as required by CEQA Guidelines 15126.2(a). Direct, indirect, short-term, long-term, on-site, and/or off-site impacts are addressed as appropriate for the environmental issue area being analyzed. Detailed technical appendices are also provided for several technical sections as appropriate and can be located as referred to in the document. Each effect under consideration for an issue area is separately listed in bold text with the discussion of the effect and its significance. Each bolded impact

statement also contains a statement of the significance determination for the environmental impact as follows:

- **Significant and Unavoidable.** An impact that cannot be reduced to below the threshold level given feasible mitigation measures. Such an impact requires a Statement of Overriding Considerations to be issued if the project is approved pursuant to Section 15093 of the CEQA Guidelines.
- **Less than Significant with Mitigation Incorporated.** An impact that can be reduced to below the threshold level given feasible mitigation measures. Such an impact requires findings under Section 15091 of the CEQA Guidelines.
- **Less than Significant.** An impact that may be adverse but does not exceed the threshold levels and does not require mitigation measures. However, mitigation measures that could further lessen the environmental effect may be suggested.
- **No Impact.** The proposed project would have no effect on environmental conditions or would reduce existing environmental problems or hazards.

Following each environmental impact discussion is a list of mitigation measures (if required) and the residual effects or level of significance remaining after implementation of the measure(s). In cases where the mitigation measure for an impact could have a significant environmental impact, this impact is discussed and evaluated as a secondary impact. The impact analysis concludes with a discussion of cumulative effects, which evaluates the impacts associated with the proposed project in conjunction with other past, present, and reasonably foreseeable causing related impacts as discussed in Section 3, *Environmental Setting*. The Executive Summary of this EIR summarizes all impacts and mitigation measures that apply to the proposed project.

4.1 Air Quality

This section addresses the air emissions generated by construction and operation of the project, including emissions that may lead to odors. The analysis also addresses the consistency of the project with the air quality policies in the South Coast Air Quality Management District's (SCAQMD) Air Quality Management Plan (AQMP) and the City of Beverly Hills General Plan (General Plan). The analysis of project-generated air emissions focuses on whether the project would cause an exceedance of an ambient air quality standard or SCAQMD significance thresholds. Air emissions related to greenhouse gases are analyzed in Section 4.6, *Greenhouse Gas Emissions*. Calculation worksheets, assumptions, and model outputs used in the analysis are included in Appendix B.

4.1.1 Regulatory Setting

The federal and state governments have authority under the federal and state Clean Air Acts (CAA) to regulate emissions of airborne pollutants and have established ambient air quality standards (AAQS) for the protection of public health. An air quality standard is defined as “the maximum amount of a pollutant averaged over a specified period of time that can be present in outdoor air without harming public health” (California Air Resource Board [CARB] 2023a). The United States Environmental Protection Agency (USEPA) is the federal agency designated to administer air quality regulation, while CARB is the state equivalent in California. Federal and state AAQS have been established for six criteria pollutants: ozone (O₃), carbon monoxide (CO), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), particulate matter 10 microns in diameter or less (PM₁₀), particulate matter 2.5 microns in diameter or less (PM_{2.5}), and lead (Pb). AAQS are designed to protect those segments of the public most susceptible to respiratory distress, such as children under the age of 14, the elderly (over the age of 65), persons engaged in strenuous work or exercise, and people with cardiovascular and chronic respiratory diseases (USEPA 2022a). In addition, the state of California has established health-based ambient air quality standards for these and other pollutants, some of which are more stringent than the federal standards (CARB 2023b). The federal and state CAA are described in more detail below.

a. Federal Regulations

Federal Clean Air Act

The CAA was enacted in 1970 and amended in 1977 and 1990 [42 United States Code (USC) 7401] for the purposes of protecting and enhancing the quality of the nation's air resources to benefit public health, welfare, and productivity. In 1971, to achieve the purposes of Section 109 of the CAA [42 USC 7409], USEPA developed primary and secondary National Ambient Air Quality Standards (NAAQS).

The primary NAAQS “in the judgment of the Administrator¹, based on such criteria and allowing an adequate margin of safety, are requisite to protect the public health,” and the secondary standards are to “protect the public welfare from any known or anticipated adverse effects associated with the presence of such air pollutant in the ambient air” [42 USC 7409(b)(2)]. USEPA classifies specific geographic areas as either “attainment” or “nonattainment” areas for each pollutant based on the comparison of measured data with the NAAQS². States are required to adopt enforceable plans, known as a State Implementation Plan (SIP), to achieve and maintain air quality meeting the NAAQS. State plans also must control emissions that drift across state lines and harm air quality in downwind states. Table 4.1-1 lists the current federal standards for regulated pollutants.

Table 4.1-1 Federal and State Ambient Air Quality Standards

Pollutant	NAAQS	CAAQS	NAAQS Status	CAAQS Status
Ozone	0.070 ppm (8-hr avg)	0.09 ppm (1-hr avg) 0.070 ppm (8-hr avg)	Nonattainment (Extreme)	Nonattainment
Carbon Monoxide	35.0 ppm (1-hr avg) 9.0 ppm (8-hr avg)	20.0 ppm (1-hr avg) 9.0 ppm (8-hr avg)	Unclassified/ Attainment	Unclassified/ Attainment
Nitrogen Dioxide	0.100 ppm (1-hr avg) 0.053 ppm (annual avg)	0.18 ppm (1-hr avg) 0.030 ppm (annual avg)	Unclassified/ Attainment	Unclassified/ Attainment
Sulfur Dioxide	0.075 ppm (1-hr avg) 0.5 ppm (3-hr avg) 0.14 ppm (24-hr avg) 0.030 ppm (annual avg)	0.25 ppm (1-hr avg) 0.04 ppm (24-hr avg)	Unclassified/ Attainment	Unclassified/ Attainment
Lead	0.15 mg/m ³ (rolling 3-month avg) 1.5 mg/m ³ (calendar quarter)	1.5 mg/m ³ (30-day avg)	Nonattainment	Unclassified/ Attainment
Particulate Matter (PM ₁₀)	150 mg/m ³ (24-hr avg)	50 mg/m ³ (24-hr avg) 20 mg/m ³ (annual avg)	Unclassified/ Attainment	Nonattainment
Particulate Matter (PM _{2.5})	35 mg/m ³ (24-hr avg) 12 mg/m ³ (annual avg)	12 mg/m ³ (annual avg)	Nonattainment (Serious)	Nonattainment
Visibility-Reducing Particles	No Federal Standards	Extinction coefficient of 0.23 per kilometer – visibility of ten miles or more (0.07 - 30 miles or more for Lake Tahoe) due to particles when relative humidity is less than 70 percent. Method: Beta Attenuation and Transmittance through Filter Tape. (8-hr avg)	N/A	Unclassified/ Attainment

¹ The term “Administrator” means the Administrator of the USEPA.

² Air quality in a geographic area that meets or is cleaner than the NAAQS is called an attainment area (designated “attainment/unclassifiable”). Areas that don’t meet the NAAQS are called nonattainment areas.

Pollutant	NAAQS	CAAQS	NAAQS Status	CAAQS Status
Sulfates	No Federal Standards	25 mg/m ³ (24-hr avg)	N/A	Unclassified/ Attainment
Hydrogen Sulfide	No Federal Standards	0.03 ppm (1-hr avg)	N/A	Unclassified/ Attainment
Vinyl Chloride	No Federal Standards	0.01 ppm (24-hr avg)	N/A	Unclassified/ Attainment

NAAQS = National Ambient Air Quality Standards; CAAQS = California Ambient Air Quality Standards; ppm = parts per million; avg = average; µg/m³ = micrograms per cubic meter

Source: CARB 2016

To derive the NAAQS, USEPA reviews data from integrated science assessments and risk/exposure assessments to determine the ambient pollutant concentrations at which human health impacts occur, then reduces these concentrations to establish a margin of safety (USEPA 2022b). As a result, human health impacts caused by the air pollutants discussed above may affect people when ambient air pollutant concentrations are at or above the concentrations established by the NAAQS. The closer a region is to attaining a particular NAAQS, the lower the human health impact is from that pollutant (San Joaquin Valley Air Pollution Control District 2015). Accordingly, ambient air pollutant concentrations below the NAAQS are considered to be protective of human health (CARB 2023a and 2023b). The NAAQS and the underlying science that forms the basis of the NAAQS are reviewed every five years to determine whether updates are necessary to continue protecting public health with an adequate margin of safety (USEPA 2015).

Construction Equipment Fuel Efficiency Standard

The USEPA sets emission standards for construction equipment. The first federal standards (Tier 1) were adopted in 1994 for all off-road engines over 50 horsepower (hp) and were phased in by 2000. A new standard was adopted in 1998 that introduced Tier 1 for all equipment below 50 hp and established the Tier 2 and Tier 3 standards. The Tier 2 and Tier 3 standards were phased in by 2008 for all equipment. The current iteration of emissions standards for construction equipment are the Tier 4 efficiency requirements are contained in 40 Code of Federal Regulations Parts 1039, 1065, and 1068 (originally adopted in 69 Federal Register 38958 [June 29, 2004], and most recently updated in 2014 [79 Federal Register 46356]). Emissions requirements for new off-road Tier 4 vehicles were completely phased in by the end of 2015.

Energy Policy and Conservation Act

Enacted in 1975, the Energy Policy and Conservation Act legislation established fuel economy standards for new light-duty vehicles (autos, pickups, vans, and sport-utility vehicles). The law placed responsibility on the NHTSA, a part of the U.S. Department of Transportation (USDOT), for establishing and regularly updating vehicle standards. The USEPA administers the Corporate Average Fuel Economy (CAFE) program, which determines vehicle manufacturers' compliance with existing fuel economy standards. Since the

inception of the program, the average fuel economy for new light-duty vehicles steadily increased from 13.1 miles per gallon (mpg) for the 1975 model year to 30.7 mpg for the 2014 model year and can increase to 54.5 mpg by 2025.

On August 2, 2018, the NHTSA and USEPA, operating under the direction of the Trump Administration, proposed the Safer Affordable Fuel-Efficient Vehicles Rule Part One (SAFE I Rule). This rule addresses emissions and fuel economy standards for motor vehicles and is separated in two parts as described below.

- Part One, “One National Program” (84 Federal Register 51310) revokes a waiver granted by USEPA to the State of California under Section 209 of the Clean Air Act to enforce more stringent emission standards for motor vehicles than those required by USEPA for the explicit purpose of GHG emission reduction, and indirectly, criteria air pollutants and ozone precursor emission reduction. This revocation became effective on November 26, 2019, potentially restricting the ability of the California Air Resources Board (CARB) to enforce more stringent GHG emission standards for new vehicles and set zero emission vehicle mandates in California.
- Part Two addresses CAFE standards for passenger cars and light trucks for model years 2021 to 2026. This rulemaking proposes new CAFE standards for model years 2022 through 2026 and would amend existing CAFE standards for model year 2021. The proposal would retain the model year 2020 standards (specifically, the footprint target curves for passenger cars and light trucks) through model year 2026. The proposal addressing CAFE standards was jointly developed by NHTSA and USEPA, with USEPA simultaneously proposing tailpipe carbon dioxide standards for the same vehicles covered by the same model years.

The USEPA and NHTSA published final rules to amend and establish national carbon dioxide and fuel economy standards on April 30, 2020 (Part Two of the SAFE Vehicles Rule) (85 Federal Register 24174). On April 22, 2021, the Biden Administration formally proposed to roll back portions of the SAFE Rule, thereby restoring California’s right to enforce more stringent fuel efficiency standards. Most recently, on December 21, 2021, the NHTSA finalized rules to repeal the SAFE I Rule. The final rule concludes the SAFE I Rule overstepped the agency’s legal authority and established overly broad prohibitions that did not account for a variety of important State and local interests. The final rule ensures the SAFE I Rule will no longer form an improper barrier to states exploring creative solutions to address their local communities’ environmental and public health challenges.

National Energy Policy Act of 1992

The National Energy Policy Act calls for programs that promote efficiency and the use of alternative fuels. The National Energy Policy Act requires certain federal, state, and local government and private fleets to purchase a percentage of light duty alternative fuel vehicles capable of running on alternative fuels each year. In addition, the National Energy Policy Act has financial incentives. Federal tax deductions are allowed for businesses and individuals to cover the incremental cost of alternative fuel vehicles. The National Energy

Policy Act also requires states to consider a variety of incentive programs to help promote alternative fuel vehicles.

b. State Regulations

California Clean Air Act

The California Clean Air Act (CCAA) was enacted in 1988 (California Health & Safety Code (H&SC) Section 39000 et seq.). Under the CCAA, the state has developed the California Ambient Air Quality Standards (CAAQS), which are generally more stringent than the NAAQS. Table 4.1-1 lists the current state standards for regulated pollutants. In addition to the federal criteria pollutants, the CAAQS also specify standards for visibility-reducing particles, sulfates, hydrogen sulfide, and vinyl chloride. Similar to the federal CAA, the CCAA classifies specific geographic areas as either “attainment” or “nonattainment” areas for each pollutant, based on the comparison of measured data within the CAAQS.

California Building Standards Code (Title 24)

California Building Energy Efficiency Standards (Title 24, Part 6)

California Code of Regulations (CCR) Title 24, Part 6 is the Building Energy Efficiency Standards or California Energy Code. This code, originally enacted in 1978, establishes energy-efficiency standards for residential and non-residential buildings in order to reduce California’s energy demand. New construction and major renovations must demonstrate their compliance with the current Energy Code through submittal and approval of a Title 24 Compliance Report to the local building permit review authority and the California Energy Commission (CEC). The 2022 Title 24 standards are the applicable building energy efficiency standards for the proposed Project because they became effective on January 1, 2023 (CEC 2022a).

California Green Building Standards (Title 24, Part 11)

The California Green Building Standards Code, referred to as CALGreen, was added to Title 24 as Part 11, first in 2009 as a voluntary code, which then became mandatory effective January 1, 2011 (as part of the 2010 California Building Standards Code). The 2022 CALGreen includes mandatory minimum environmental performance standards for all ground-up new construction of residential and non-residential structures. It also includes voluntary tiers with stricter environmental performance standards for residential and non-residential buildings. Local jurisdictions must enforce the minimum mandatory CALGreen standards and may adopt additional amendments for stricter requirements.

The mandatory standards require:

- 20 percent reduction in indoor water use relative to specified baseline levels;³
- Waste Reduction:
 - Non-residential and multi-family dwellings with five or more units: Provide readily accessible areas identified for the depositing, storage and collection of nonhazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastic, organic waste, and metals; and/or
 - Non-residential: Reuse and/or recycling of 100 percent of trees, stumps, rocks, and associated vegetation soils resulting from primary land clearing;
- Inspections of energy systems to ensure optimal working efficiency;
- Low-pollutant emitting exterior and interior finish materials such as paints, carpets, vinyl flooring, and particleboards;
- Electric Vehicle (EV) Charging for New Construction:⁴
 - Non-residential land uses shall comply with the following EV charging requirements based on the number of passenger vehicle parking spaces:
 - 0-9: no EV capable spaces or charging stations required;
 - 10-25: 4 EV capable spaces but no charging stations required;
 - 26-50: 8 EV capable spaces of which 2 must be equipped with charging stations;
 - 51-75: 13 EV capable spaces of which 3 must be equipped with charging stations;
 - 76-100: 17 EV capable spaces of which 4 must be equipped with charging stations;
 - 101-150: 25 EV capable spaces of which 6 must be equipped with charging stations;
 - 151-200: 35 EV capable spaces of which 9 must be equipped with charging stations; and
 - More than 200: 20 percent of the total available parking spaces of which 25 percent must be equipped with charging stations;
 - Non-residential land uses shall comply with the following EV charging requirements for medium- and heavy-duty vehicles: warehouses, grocery stores, and retail stores with planned off-street loading spaces shall install EV supply and distribution equipment, spare raceway(s) or busway(s) and adequate capacity for transformer(s), service panel(s), or subpanel(s) at the time of construction based on the number of

³ Similar to the compliance reporting procedure for demonstrating Energy Code compliance in new buildings and major renovations, compliance with the CALGreen water-reduction requirements must be demonstrated through completion of water use reporting forms. Buildings must demonstrate a 20 percent reduction in indoor water use by either showing a 20 percent reduction in the overall baseline water use as identified in CALGreen or a reduced per-plumbing-fixture water use rate.

⁴ EV Capable = a vehicle space with electrical panel space and load capacity to support a branch circuit and necessary raceways to support EV charging; EV-ready = a vehicle space which is provided with a branch circuit and any necessary raceways to accommodate EV charging stations, including a receptacle for future installation of a charger (see 2022 California Green Building Standard Code, Title 24 Part 11 for full explanation of mandatory measures, including exceptions).

off-street loading spaces as indicated in Table 5.106.5.4.1 of the California Green Building Standards;

- **Bicycle Parking:**
 - Non-residential short-term bicycle parking for projects anticipated to generate visitor traffic are required to provide permanently anchored bicycle racks that allow at least two bikes to be parked in the rack, within 200 feet of visitor entrance; and/or
 - Non-residential bicycle racks shall be implemented at a rate of five percent of new vehicle parking spaces; and/or;
 - Non-residential buildings with tenant spaces of 10 or more employees/tenant-occupants shall provide secure bicycle parking shall be provided at a rate of 5 percent of vehicle parking spaces and a minimum of one bicycle parking facility.
- **Shade Trees (Non-Residential):**
 - Surface parking: minimum No. 10 container size or equal shall be installed to provide shade over 50 percent of the parking within 15 years (unless parking area covered by appropriate shade structures and/or solar);
 - Landscape areas: minimum No. 10 container size or equal shall be installed to provide shade of 20 percent of the landscape area within 15 years; and/or
- **Hardscape areas:** minimum No. 10 container size or equal shall be installed to provide shade of 20 percent of the landscape area within 15 years (unless covered by applicable shade structures and/or solar or the marked area is for organized sports activities).

The voluntary standards, if adopted, require:

- Deconstruct existing buildings and reuse applicable salvaged materials;
- Residential – Cool Roofs: have a thermal mass over the roof membrane, including green roofs weighing a minimum of 25 pounds per square foot or roof areas covered by solar photovoltaic panels and building integrated solar thermal panels;
- Residential – Reduce nonroof heat island for 50 percent of sidewalks, patios, driveways or other paved areas;
- Residential Bicycle Parking:
 - Multi-family/hotel/motel short-term parking: provide permanently anchored bicycle racks within 100 feet of visitor’s entrance for 5 percent of visitor motorized vehicle parking capacity (minimum one 2-bike capacity rack);
 - Multi-family buildings long-term parking: provide acceptable on-site bicycle parking for at least one bicycle per every two dwelling units; and/or
 - Hotel/motel long-term parking: provide one acceptable on-site bicycle parking space for every 25,000 square feet but not less than two spaces;

- Tier I:
 - Stricter energy efficiency requirements;
 - Stricter water conservation requirements for specific fixtures;
 - Minimum 65 percent reduction in construction waste with third-party verification, Minimum 10 percent recycled content for building materials;
 - Minimum 20 percent permeable paving;
 - Minimum 20 percent cement reduction;
 - Multi-family developments/hotels/motels: minimum 35 percent of total parking spaces shall be EV ready and for projects with 20 or more dwelling units/rooms a minimum of 10 percent of the total number of parking spaces shall be equipped with EV charging stations.

- Tier II:
 - Stricter energy efficiency requirements;
 - Stricter water conservation requirements for specific fixtures;
 - Minimum 75 percent reduction in construction waste with third-party verification;
 - Minimum 15 percent recycled content for building materials;
 - Minimum 30 percent permeable paving;
 - Minimum 25 percent cement reduction; and/or
 - Multi-family developments/hotels/motels: minimum 40 percent of total parking spaces shall be EV ready and for projects with 20 or more dwelling units/rooms, a minimum of 15 percent of the total number of parking spaces shall be equipped with EV charging stations.

California Appliance Efficiency Regulations

The Appliance Efficiency Regulations (Title 20, Sections 1601 through 1608), adopted by the CEC, include standards for new appliances (e.g., refrigerators) and lighting, if they are sold or offered for sale in California. These standards include minimum levels of operating efficiency, and other cost-effective measures, to promote the use of energy- and water-efficient appliances.

Advanced Clean Cars Regulations

The Advanced Clean Cars emissions-control program was approved by CARB in 2012 and is closely associated with the Pavley regulations⁵. The program requires a greater number of zero-emissions vehicle (ZEV) models for the years 2015 through 2025 to control smog, soot and GHG emissions. This program includes the low-emissions vehicle (LEV) regulations to reduce criteria pollutants and GHG emissions from light- and medium-duty vehicles and the

⁵ Assembly Bill (AB) 1493 (commonly referred to as CARB's Pavley regulations). Under this legislation, CARB adopted regulations to reduce GHG emissions from non-commercial passenger vehicles (cars and light-duty trucks) for model years 2009–2016. Pavley regulations achieve the maximum feasible and cost-effective reduction of greenhouse gas emissions from passenger vehicles, beginning with the 2009 model year.

ZEV regulations to require manufacturers to produce an increasing number of pure ZEVs (meaning battery and fuel cell electric vehicles) with the provision to produce plug-in hybrid electric vehicles (PHEV) between 2018 and 2025. Implementation of the ZEV and PHEV regulations reduce transportation fuel consumption by increasing the number of vehicles that are partially or fully electric-powered (CARB 2023a).

California Air Toxics Program

A toxic air containment (TAC) is an air pollutant that may cause or contribute to an increase in mortality or serious illness, or which may pose a present or potential hazard to human health. TACs may result in long-term health effects such as cancer, birth defects, neurological damage, asthma, or genetic damage, or short-term acute effects such as eye watering, respiratory irritation, runny nose, throat pain, and headaches. TACs are considered either carcinogenic or non-carcinogenic based on the nature of the health effects associated with exposure.

In 1983, the California Legislature enacted a program to identify the health effects of TACs and to reduce exposure to these contaminants to protect the public health (Assembly Bill [AB] 1807: Health and Safety Code Sections 39650–39674). The Legislature established a two-step process to address the potential health effects from TACs. The first step is the risk assessment (or identification) phase. The second step is the risk management (or control) phase of the process.

The California Air Toxics Program establishes the process for the identification and control of TACs and includes provisions to make the public aware of significant toxic exposures and for reducing risk. Additionally, the Air Toxics "Hot Spots" Information and Assessment Act (AB 2588, 1987, Connelly Bill) was enacted in 1987 and requires stationary sources to report the types and quantities of certain substances routinely released into the air. The goals of the Air Toxics "Hot Spots" Act are to collect emission data, identify facilities having localized impacts, ascertain health risks, notify nearby residents of significant risks, and reduce those significant risks to acceptable levels. The Children's Environmental Health Protection Act, California Senate Bill (SB) 25 (Chapter 731, Escutia, Statutes of 1999), focuses on children's exposure to air pollutants. The act requires CARB to review its air quality standards from a children's health perspective, evaluate the statewide air quality monitoring network, and develop any additional air toxic control measures needed to protect children's health.

Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling

The Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling (Title 13, CCR, Division 3, Chapter 10, Section 2485) was adopted to reduce public exposure to diesel particulate matter and other air contaminants by limiting the idling of diesel-fueled commercial motor vehicles. This measure does not allow diesel-fueled commercial vehicles to idle for more than five minutes at any given location. This measure applies to diesel-fueled commercial motor vehicles with gross vehicular weight ratings of greater than 10,000 pounds that are or must be licensed for operation on highways. Reducing idling of

diesel-fueled commercial motor vehicles reduces the number of petroleum-based fuels used by the vehicle.

In-Use Off-Road Diesel Fueled Fleets Regulation

Since off-road vehicles that are used in construction and other related industries can last 30 years or longer, most of those that are in service today are still part of an older fleet that do not have emission controls. In 2007, CARB approved the “In-Use Off-Road Diesel Fueled Fleets Regulation” to reduce emissions from existing (in-use) off-road diesel vehicles that are used in construction and other industries. This regulation sets an idling limit of five minutes for all off-road vehicles 25 horsepower and up. It also establishes emission rates targets for the off-road vehicles that decline over time to accelerate turnover to newer, cleaner engines and require exhaust retrofits to meet these targets. The regulation enforces phase-out requirements and restrictions against adding new equipment. As shown in Table 1 of CARB’s Overview of Amendments to the In-Use Off-Road Diesel-Fueled Fleets Regulation webpage, Tier 0 through Tier 2 engines with model year 2003 or older would be phased out of large to ultra-small fleets. In addition, addition restriction to Tier 3 and Tier 4 interim engines with model year 2006 or older, effective October 1, 2023. Tier 3 and Tier 4 interim engines for large and medium fleets for model year 2006 or older would be phased out by January 1, 2024. In addition, Tier 4 interim engines with model year 2006 or older would be phased out by small fleets by 2028 and by ultra-small fleets by 2035. Starting January 1, 2024, the regulation requires contracting entities to obtain and retain a fleet’s valid Certificate of Reported Compliance prior to awarding a contract or hiring a fleet (CARB 2024).

State Implementation Plan

The SIP is a collection of documents that set forth the state’s strategies for achieving the NAAQS and CAAQS. In California, the SIP is a compilation of new and previously submitted plans, programs (such as monitoring, modeling, and permitting), district rules, state regulations, and federal controls. CARB is the lead agency for all purposes related to the SIP under state law. Local air districts and other agencies, such as the Department of Pesticide Regulation and the Bureau of Automotive Repair, prepare SIP elements and submit them to CARB for review and approval. CARB then forwards SIP revisions to the USEPA for approval and publication in the Federal Register. The items included in the California SIP are listed in the Code of Federal Regulations at 40 Code of Federal Regulations 52.220.

The 2022 SCAQMD AQMP is the SIP for Los Angeles County. The AQMP accommodates growth by projecting the growth in emissions based on different indicators. For example, population growth forecasts adopted by SCAG are used to forecast population-related emissions, as described below under Section 4.1.1c, *Local Regulations*. Through the planning process, emissions growth is offset by basin-wide controls on stationary, area, and transportation sources of air pollution.

California Code of Regulations

The California Code of Regulations is the official compilation and publication of the regulations adopted, amended, or repealed by state agencies pursuant to the Administrative Procedure Act. They are compiled into Titles and organized into Divisions containing the regulations of state agencies. The following policies in the California Code of Regulations would be applicable to the proposed project:

- **Engine Idling.** In accordance with Section 2485 of Title 13 of the California Code of Regulations, the idling of all diesel-fueled commercial vehicles (weighing over 10,000 pounds) during construction shall be limited to five minutes at any location.
- **Emission Standards.** In accordance with Section 93115 of Title 17 of the California Code of Regulations, operation of any stationary, diesel-fueled, compression-ignition engines shall meet specified fuel and fuel additive requirements and emission standards.

NAAQS and CAAQS Attainment Status

California is divided geographically into 15 air basins for managing the air resources of the State on a regional basis. Areas within each air basin are considered to share the same air masses and, therefore, are expected to have similar ambient air quality. If an air basin is not in either Federal or State attainment for a particular pollutant, the basin is classified as a nonattainment area for that pollutant. Under the Federal and State CAA, once a nonattainment area has achieved the air quality standards for a particular pollutant, it may be redesignated to an attainment area for that pollutant. To be redesignated, the area must meet air quality standards and have a 10-year plan for continuing to meet and maintain air quality standards, as well as satisfy other requirements of the Federal CAA. Areas that have been redesignated to attainment are called maintenance areas. The project site is within Los Angeles County, which is designated nonattainment for the NAAQS for O₃, PM_{2.5}, and Pb, as well as the CAAQS for O₃, PM₁₀, and PM_{2.5}. (CARB 2022).

Senate Bill 1389

SB 1389 (Public Resources Code Sections 25300–25323) requires the development of an integrated plan for electricity, natural gas, and transportation fuels. The CEC must adopt and transmit to the Governor and Legislature an Integrated Energy Policy Report every two years. The 2022 Integrated Energy Policy Report, adopted in February 2023, highlights the implementation of California’s policies and the role they have played in establishing a clean energy economy. The Integrated Energy Policy Report contains recommendations on energy usage policies such as decarbonizing buildings, energy efficiency savings, increasing flexibility in the electrical system to integrate more renewable energy and improve energy reliability, and reducing gasoline and diesel use in cars and trucks by up to 50 percent (CEC 2023b).

Clean Energy, Jobs, and Affordability Act of 2022 (Senate Bill 1020)

Established in 2002 under SB 1078, and accelerated by SB 107 (2006), SB X 1-2 (2011), SB 100 (2018), and SB 1020, California’s Renewable Portfolio Standard (RPS) obligates investor-

owned utilities, energy service providers, and community choice aggregators to supply 90 percent of retail sale electricity by 2035, 95 percent by 2040, 100 percent by 2045, and 100 percent of electricity procured to serve all state agencies by 2035. The California Public Utilities Commission (CPUC) and the CEC are jointly responsible for implementing the program.

c. Local Regulations

Regional Transportation Plan/Sustainable Communities Strategy

SB 375 requires each MPO to prepare a SCS in their RTP. In general, the SCS outlines a development pattern for the region, which, when integrated with the transportation network and other transportation measures and policies, would reduce vehicle miles traveled (VMT) from automobiles and light duty trucks and, thereby, reduce GHG emissions from these sources. For the SCAG region, the 2020-2045 RTP/SCS adopted on September 3, 2020, is the current RTP/SCS.

The 2020-2045 RTP/SCS focuses on the continued efforts of the previous RTP/SCS plans for an integrated approach in transportation and land use strategies in development of the SCAG region through horizon year 2045. The 2020-2045 RTP/SCS projects that the SCAG region will meet the GHG per capita reduction targets established for the SCAG region of 8 percent by 2020 and 19 percent by 2035. Additionally, its implementation is projected to reduce VMT per capita for the year 2045 by 4.1 percent compared to baseline conditions for the year. Rooted in the 2008 and 2012 RTP/SCS plans, the 2020-2045 RTP/SCS includes a “Core Vision” that centers on maintaining and better managing the transportation network for moving people and goods while expanding mobility choices by location housing, jobs, and transit closer together, and increasing investments in transit and complete streets. Refer to Section 4.6, *Greenhouse Gas Emissions*, for additional details regarding these requirements.

South Coast Air Quality Management District 2022 Air Quality Management Plan

To meet the NAAQS and CAAQS, the SCAQMD has adopted a series of AQMPs, which serve as a regional blueprint to develop and implement an emission reduction strategy that will bring the area into attainment with the standards in a timely manner. The most significant air quality challenge in the South Coast Air Basin (SCAB) is to reduce NO_x emissions sufficiently to meet the 2037 O₃ standard deadline for the non-Coachella Valley portion of the SCAB, as NO_x plays a critical role in the creation of O₃. The 2022 AQMP includes strategies to ensure the SCAQMD does its part to further the Air District’s ability to meet the 2015 federal O₃ standards. The district would need to reduce emissions of NO_x by 67 percent beyond what is required by the adopted rules and regulations in 2037 to meet the 2015 federal O₃ standard (SCAQMD 2022). The 2022 AQMP builds on the measures already in place from the previous AQMPs and includes a variety of additional strategies such as regulation, accelerated deployment of available cleaner technology, best management practices, co-benefits from existing programs, incentives, and other CAA measures to meet

the 8-hour O₃ standard. Since NO_x emissions also lead to the formation of PM_{2.5}, the NO_x reductions needed to meet the O₃ standards will likewise lead to improvement of PM_{2.5} levels and attainment of annual PM_{2.5} standards (SCAQMD 2017a).⁶

The SCAQMD's strategy to meet the NAAQS and CAAQS distributes the responsibility for emission reductions across federal, State, and local levels and industries. The majority of these emissions are from heavy-duty trucks, ships, and other State- and Federally-regulated mobile source emissions that are beyond SCAQMD's control. The 2022 AQMP is composed of stationary and mobile source emission reductions from traditional regulatory control measures, incentive-based programs, co-benefits from climate programs, mobile source strategies, and reductions from federal sources, which include aircraft, locomotives, and ocean-going vessels. These strategies are to be implemented in partnership with CARB and USEPA. The district will not meet the standard without significant federal action. In addition to federal action, the 2022 AQMP relies on substantial future development of advanced technologies to meet the standards, including the transition to zero and low emission technologies. Of the needed NO_x emissions reductions, 46 percent will come from federal actions, 34 percent from CARB actions, and 20 percent will come directly from SCAQMD actions (SCAQMD 2022).

The AQMP also incorporates the transportation strategy and transportation control measures from the Southern California Association of Governments (SCAG) 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS or Connect SoCal) (SCAG 2020). 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. SCAG coordinates with various air quality and transportation stakeholders in southern California to ensure compliance with Federal and State air quality requirements. Pursuant to California Health and Safety Code Section 40460, SCAG has the responsibility of preparing and approving the portions of the AQMP relating to the regional demographic projections and integrated regional land use, housing, employment, and transportation programs, measures, and strategies. SCAG is required by law to ensure that transportation activities "conform" to, and are supportive of, the goals of regional and State air quality plans to attain the NAAQS. Connect SoCal includes transportation programs, measures, and strategies generally designed to reduce vehicle miles traveled (VMT), which are contained in the AQMP. The SCAQMD combines its portion of the AQMP with those prepared by SCAG (SCAQMD 2022). SCAG's regional growth assumptions and Transportation Control Measures, included as Appendix IV-C of the 2022 AQMP, are based on SCAG's Connect SoCal.

The 2022 AQMP forecasts the 2037 emissions inventories "with growth" based on SCAG's Connect SoCal. The region is projected to see a 12 percent growth in population, 17 percent growth in housing units, 11 percent growth in employment, and 5 percent growth in VMT between 2018 and 2037. Despite regional growth in the past, air quality has improved

⁶ Estimates are based on the inventory and modeling results and are relative to the baseline emission levels for each attainment year (see Final 2016 AQMP for detailed discussion).

substantially over the years, primarily because of air quality control programs at the local, State, and Federal levels (SCAQMD 2022).

Project-level significance thresholds established by local air quality management districts set the level at which a project would cause or have a cumulatively considerable contribution to an exceedance of the NAAQS and/or CAAQS. Therefore, if a project's air pollutant emissions exceed the NAAQS and/or CAAQS, the project could cause or contribute to human health impacts.

South Coast Air Quality Management District Rules and Regulations

The SCAQMD implements rules and regulations for emissions that may be generated by various uses and activities. The rules and regulations detail pollution-reduction measures that must be implemented during construction and operation of projects. Rules and regulations relevant to the project include the following:

- **Rule 401 (Visible Emissions):** This rule prohibits the discharge of visible air pollutant emissions from various sources as determined by shade and opacity criteria based on the Ringelmann Chart.
- **Rule 402 (Nuisance):** This rule prohibits the discharge of quantities of air contaminants or other material that causes 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.
- **Rule 403 (Fugitive Dust Control):** This rule includes various requirements to prevent, reduce, and mitigate the amount of particulate matter entrained in the ambient air from man-made fugitive dust sources.
- **Rule 1113 (Architectural Coatings):** This rule establishes volatile organic compound (VOC) content limits for a variety of architectural coatings, including 50 grams per liter for flat and non-flat coatings.

City of Beverly Hills General Plan

The City of Beverly Hills General Plan Land Use, Open Space, Circulation, Conservation, and Housing elements contain the following policies specific to air quality (City of Beverly Hills 2010):

- **Policy LU 14.1 City Form.** Accommodate a balanced mix of land uses and encourage development to be located and designed to enable residents access by walking, bicycling, or taking public transit to jobs, shopping, entertainment, services, and recreation, thereby reducing automobile use, energy consumption, air pollution, and greenhouse gases.
- **Policy OS 7.5 Coordination with SCAQMD.** Coordinate with SCAQMD to ensure that projects incorporate feasible mitigation measures if those measures are not already provided for through project design.

- **Policy OS 7.6 Employer Education Programs.** Encourage employers to participate in SCAQMD public education programs.
- **Policy OS 7.8 Emissions Reduction.** Require new development projects that exceed the SCAQMD's VOC and NO_x operational thresholds to incorporate design or operational features that reduce emissions equal to 15 percent from the level that would be produced by an unmitigated project.
- **Policy OS 7.11 Air Quality Education.** Educate the public about air quality standards, health effects, and efforts that residents can make to improve air quality and reduce greenhouse gas emissions in the Los Angeles Basin.
- **Policy CIR 1.4 Level of Service.** Develop standards to address regional traffic growth through the city to promote transit ridership, biking, and walking, thereby reducing auto travel, air pollution, and energy consumption.
- **Policy CON 8.3 National Pollutant Discharge Elimination System (NPDES) and SCAQMD Regulations.** Continue to implement, as appropriate, the requirements of the NPDES and SCAQMD regulations, including requiring the use of Best Management Practices by businesses in the city.
- **Policy H 2.9 Jobs/Housing Balance.** Promote programs seeking to provide housing opportunities for people who work in the city as a means of reducing long commutes, easing local traffic, improving air quality and helping to achieve a balanced regional jobs/housing distribution for the western portion of Los Angeles County.

City of Beverly Hills Sustainable City Plan

The Beverly Hills Sustainable City Plan (City of Beverly Hills 2009) establishes guiding principles and goals that the City uses to develop and implement programs that focus on sustainability. The following goal, objective, and policies related to air quality are applicable to the proposed project:

Climate Change and Air Quality Goal: Combat climate change and improve air quality.

Objective: Reduce and encourage the reduction of air emissions in City operations and Citywide.

Policy 2: Minimize mobile source emissions from on- and off-road (construction) vehicles.

Policy 3: Minimize stationary source air emissions.

Policy 4: Minimize particulate matter, both airborne photochemical precipitates and windborne dust.

Beverly Hills Green Building Standards Code

To achieve the goals outlined in its policy documents addressing climate change, in 2017, the City adopted the Green Building Standards Code to address the impacts of new development. The City of Beverly Hills Green Building Code (BHMC Title 9, Chapter 1, Article 11) was amended to incorporate various provisions of the CALGreen Code. Mandatory

measures include installation of electrical raceways to future electric vehicle supply equipment (EVSE), metering outdoor water use, and prewiring for future solar electricity generation.

City of Beverly Hills Complete Streets Plan

In April 2021, the City adopted the Beverly Hills Complete Streets Plan, a long-range planning document that outlines the City's overall transportation policy guidance with the aim of transforming Beverly Hills from an auto-dominated community to one that embraces all modes of travel, reduces vehicle trips on local streets, and is a world class bicycling city. The plan includes recommendations for bikeway network enhancements, priority corridors for pedestrian improvements, first/last mile transit improvements, transportation network efficiency improvements, and neighborhood traffic management, among others.

4.1.2 Environmental Setting

a. Climate and Topography

The project site is located in the SCAB, which is under the jurisdiction of the SCAQMD. The SCAB is bounded by the Pacific Ocean to the west and the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east. The SCAB includes all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino Counties, in addition to the San Gorgonio Pass area in Riverside County.⁷ The regional climate in the SCAB is semi-arid and is characterized by warm summers, mild winters, infrequent seasonal rainfall, moderate daytime onshore breezes, and moderate humidity. The air quality in the SCAB is primarily influenced by meteorology and a wide range of emission sources, such as dense population centers, substantial vehicular traffic, and industry.

The majority of annual rainfall in the SCAB occurs between November and April. Summer rainfall is minimal and is generally limited to scattered thundershowers in coastal regions and slightly heavier showers in the eastern portion of the SCAB and along the coastal side of the mountains. Beverly Hills has a Mediterranean climate with moderate, dry summers. The nearest meteorological monitoring station from the project site is located at the University of California, Los Angeles, approximately 2.4 miles from the project site. The average maximum and minimum temperature at this air monitoring site is 71.4 and 55.0 degrees Fahrenheit, respectively. The average annual rainfall is 17.48 inches (Western Regional Climate Center 2016).

The SCAB experiences a persistent temperature inversion (increasing temperature with increasing altitude) as a result of the Pacific High-pressure system. This inversion limits the vertical dispersion of air contaminants, holding them relatively near the ground. As the sun warms the ground and the lower air layer, the temperature of the lower air layer approaches the temperature of the base of the inversion layer (i.e., the upper layer) until the inversion layer finally breaks, allowing vertical mixing with the lower layer. This

⁷ A map of SCAQMD jurisdiction is available at: <http://www.aqmd.gov/docs/default-source/default-document-library/map-of-jurisdiction.pdf>

phenomenon is observed in the mid- to late-afternoon on hot summer days. Winter inversions frequently break by mid-morning.

The combination of stagnant wind conditions and low inversions produces the greatest pollutant concentrations. On days of no inversion or high wind speeds, ambient air pollutant concentrations are lowest. During periods of low inversions and low wind speeds, air pollutants generated in urbanized areas are transported predominantly onshore into Riverside and San Bernardino counties. In the winter, the greatest pollution problem is the accumulation of CO and NO_x due to low inversions and air stagnation during the night and early morning hours. In the summer, the longer daylight hours and brighter sunshine combine to cause a reaction between hydrocarbons and NO_x to form photochemical smog.

Air pollutant emissions in the SCAB are generated primarily by stationary and mobile sources. Stationary sources can be divided into two major subcategories: point and area sources. Point sources occur at a specific location and are often identified by an exhaust vent or stack. Examples include boilers or combustion equipment that produce electricity or generate heat. Area sources are widely distributed and include such sources as residential and commercial water heaters, painting operations, lawn mowers, agricultural fields, landfills, and some consumer products. Mobile sources refer to emissions from motor vehicles, including tailpipe and evaporative emissions, and are classified as either on-road or off-road. On-road sources may be legally operated on roadways and highways. Off-road sources include aircraft, ships, trains, and self-propelled construction equipment. Air pollutants can also be generated by the natural environment, such as when high winds suspend fine dust particles.

b. Air Pollutants of Primary Concern

The Federal and State CAA mandate the control and reduction of certain air pollutants. Under these laws, the USEPA and the CARB have established the NAAQS and the CAAQS for “criteria pollutants” and other pollutants, which are discussed in more detail and presented in Table 4.1-1, under Section 4.1.1, *Regulatory Setting*. Primary criteria pollutants are emitted directly from a source (e.g., vehicle tailpipe, an exhaust stack of a factory, etc.) into the atmosphere and include CO, VOC/reactive organic gases (ROG),⁸ NO_x, particulate matter, SO₂, and Pb. Secondary criteria pollutants are created by atmospheric chemical and photochemical reactions primarily between VOC and NO_x. Secondary pollutants include oxidants, O₃, and sulfate and nitrate particulates (smog). The characteristics, sources and effects of criteria pollutants are discussed in the following subsections.

Ozone

O₃ is a highly oxidative unstable gas produced by a photochemical reaction (triggered by sunlight) between NO_x and VOC. VOC is composed of non-methane hydrocarbons (with specific exclusions), and NO_x is composed of different chemical combinations of nitrogen

⁸ CARB defines VOC and ROG similarly as, “any compound of carbon excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate,” with the exception that VOC are compounds that participate in atmospheric photochemical reactions. For the purposes of this analysis, ROG and VOC are considered comparable in terms of mass emissions, and the term VOC is used in this EIR.

and oxygen, mainly nitric oxide and NO₂. NO_x is formed during the combustion of fuels, while VOC is formed during the combustion and evaporation of organic solvents. As a highly reactive molecule, O₃ readily combines with many different atmosphere components. Consequently, high O₃ levels tend to exist only while high VOC and NO_x levels are present to sustain the O₃ formation process. Once the precursors have been depleted, O₃ levels rapidly decline. Because these reactions occur on a regional rather than local scale, O₃ is considered a regional pollutant. In addition, because O₃ requires sunlight to form, it mainly occurs in concentrations considered serious between April and October. People most at risk from O₃ include people with asthma, children, older adults, and people who are active outdoors, especially outdoor workers. In addition, people with reduced intake of certain nutrients, such as vitamins C and E, are at greater risk from O₃ exposure. Depending on the level of exposure, O₃ can cause coughing and a sore or scratch throat; make it more difficult to breathe deeply and vigorously and cause pain when taking a deep breath; inflame and damage the airways; make the lungs more susceptible to infection; aggravate lung diseases such as asthma, emphysema, and chronic bronchitis; and increase the frequency of asthma attacks (USEPA 2023c).

Carbon Monoxide

CO is a localized pollutant found in high concentrations only near its source. The primary source of CO, a colorless, odorless, poisonous gas, is automobile traffic's incomplete combustion of petroleum fuels. Therefore, elevated concentrations are usually only found near areas of high traffic volumes. When CO levels are elevated outdoors, they can be of particular concern for people with some types of heart disease. These people already have a reduced ability to get oxygenated blood to their hearts in situations where they need more oxygen than usual. As a result, they are especially vulnerable to the effects of CO when exercising or under increased stress. In these situations, short-term exposure to elevated CO may result in reduced oxygen to the heart accompanied by chest pain, also known as angina (USEPA 2023d).

Nitrogen Dioxide

NO₂ is a by-product of coal, oil, gas or diesel fuel combustion. The primary sources are motor vehicles and industrial boilers, and furnaces. The principal form of NO_x produced by combustion is nitric oxide (NO), but NO reacts rapidly to form NO₂, creating the mixture of NO and NO₂, commonly called NO_x. NO₂ is a reactive, oxidizing gas and an acute irritant capable of damaging cell linings in the respiratory tract. Breathing air with a high concentration of NO₂ can irritate airways in the human respiratory system. Such exposures over short periods can aggravate respiratory diseases leading to respiratory symptoms (such as coughing, wheezing, or difficulty breathing), hospital admissions, and visits to emergency rooms. Longer exposures to elevated concentrations of NO₂ may contribute to the development of asthma and potentially increase susceptibility to respiratory infections. People with asthma and children and the elderly are generally at greater risk for the health effects of NO₂ (USEPA 2023e). NO₂ absorbs blue light and causes a reddish-brown cast to the atmosphere and reduced visibility. It can also contribute to the formation of O₃/smog and acid rain.

Particulate Matter

Suspended atmospheric PM₁₀ and PM_{2.5} are comprised of finely divided solids and liquids such as dust, soot, aerosols, fumes, and mist. Both PM₁₀ and PM_{2.5} are emitted into the atmosphere as by-products of coal, gas, oil, or diesel fuel combustion and wind erosion of soil and unpaved roads. The atmosphere, through chemical reactions, can form particulate matter. The characteristics, sources, and potential health effects of PM₁₀ and PM_{2.5} can be very different. PM₁₀ is generally associated with dust mobilized by wind and vehicles. In contrast, PM_{2.5} is generally associated with combustion processes and formation in the atmosphere as a secondary pollutant through chemical reactions. PM₁₀ can cause increased respiratory disease, lung damage, cancer, premature death, reduced visibility, surface soiling. For PM_{2.5}, short-term exposures (up to 24-hours duration) have been associated with premature mortality, increased hospital admissions for heart or lung causes, acute and chronic bronchitis, asthma attacks, emergency room visits, respiratory symptoms, and restricted activity days. These adverse health effects have been reported primarily in infants, children, and older adults with preexisting heart or lung diseases (CARB 2023a).

Sulfur Dioxide

SO₂ is included in a group of highly reactive gases known as “oxides of sulfur.” The largest sources of SO₂ emissions are from fossil fuel combustion at power plants (73 percent) and other industrial facilities (20 percent). Smaller sources of SO₂ emissions include industrial processes such as extracting metal from ore and burning fuels with a high sulfur content by locomotives, large ships, and off-road equipment. Short-term exposures to SO₂ can harm the human respiratory system and make breathing difficult. People with asthma, particularly children, are sensitive to these effects of SO₂ (USEPA 2023f).

Lead

Pb is a metal found naturally in the environment, as well as in manufacturing products. The major sources of Pb emissions historically have been mobile and industrial. However, due to the USEPA’s regulatory efforts to remove Pb from gasoline, atmospheric Pb concentrations have declined substantially over the past several decades. The most dramatic reductions in Pb emissions occurred before 1990 due to the removal of Pb from gasoline sold for most highway vehicles. Pb emissions were further reduced substantially between 1990 and 2008, with reductions occurring in the metals industries at least partly due to national emissions standards for hazardous air pollutants (USEPA 2014). As a result of phasing out leaded gasoline, metal processing is currently the primary source of Pb emissions. The highest Pb level in the air is generally found near Pb smelters. Other stationary sources include waste incinerators, utilities, and Pb-acid battery manufacturers. Pb can adversely affect the nervous system, kidney function, immune system, reproductive and developmental systems, and cardiovascular system depending on exposure. Pb exposure also affects the oxygen-carrying capacity of the blood. The Pb effects most likely encountered in current populations are neurological in children. Infants and young children are susceptible to Pb exposures, contributing to behavioral problems, learning deficits, and lowered IQ (USEPA 2023g).

Toxic Air Contaminants

In addition to the criteria pollutants discussed above, TACs are airborne substances and a diverse group of air pollutants that may cause or contribute to an increase in deaths or serious illness, or that may pose a present or potential hazard to human health. TACs include both organic and inorganic chemical substances that may be emitted from a variety of common sources, including gasoline stations, motor vehicles, dry cleaners, industrial operations, painting operations, and research and teaching facilities. One of the main sources of TACs in California is diesel engine exhaust that contains solid material known as diesel particulate matter (DPM). More than 90 percent of DPM is less than one micron in diameter (about 1/70th the diameter of a human hair) and thus is a subset of PM_{2.5}. Because of their extremely small size, these particles can be inhaled and eventually trapped in the bronchial and alveolar regions of the lungs (CARB 2023a).

TACs are different than criteria pollutants because ambient air quality standards have not been established for TACs. TACs occurring at extremely low levels may still cause health effects and it is typically difficult to identify levels of exposure that do not produce adverse health effects. TAC impacts are described by carcinogenic risk and by chronic (i.e., long duration) and acute (i.e., severe but of short duration) adverse effects on human health. People exposed to TACs at sufficient concentrations and durations may have an increased chance of getting cancer or experiencing other serious health effects. These health effects can include damage to the immune system, as well as neurological, reproductive (e.g., reduced fertility), developmental, respiratory, and other health problems (USEPA 2023h).

c. Current Air Quality

Ambient Air Quality

The SCAQMD operates a network of air quality monitoring stations throughout Los Angeles County. The monitoring stations aim to measure ambient concentrations of pollutants and determine whether ambient air quality meets the California and federal standards. The closest air quality monitoring station to the project site is the West Los Angeles-VA Hospital, located at 11301 Wilshire Boulevard, approximately three miles northeast of the project site. The nearest monitoring station for PM₁₀ and PM_{2.5} measurements is the Los Angeles-North Main Street, located approximately 10.5 miles west of the project site at 1630 N Main Street, Los Angeles. Table 4.1-2 indicates the number of days each federal and State standard were exceeded. As shown, hourly O₃ measurements exceeded the Federal and State standards in 2020 and 2021. In addition, 8-hour O₃ exceeded the Federal and State standards in 2019, 2020, and 2021. The PM₁₀ and PM_{2.5} measurements exceeded the federal standards in the years 2019, 2020, and 2021. In addition, PM_{2.5} measurements exceeded the Federal PM_{2.5} standard in 2020 and 2021. SO₂ and lead are in attainment with the Los Angeles region, and monitoring data within Los Angeles County did not exceed measurement standards.

Table 4.1-2 Representative Annual Ambient Air Quality Data

Pollutant	2019	2020	2021
O₃- Ozone (ppm), Highest 1-Hour¹	0.086	0.134	0.095
Number of days above CAAQS (>0.09 ppm)	0	6	1
O₃- Ozone (ppm), Highest 8-Hour Average¹	0.075	0.092	0.082
Number of days above NAAQS and CAAQS (>0.070 ppm)	1	8	1
CO- Carbon Monoxide (ppm), Highest 8-Hour Average¹	1.9	2.0	1.5
Number of days above CAAQS or NAAQS (>9.0 ppm)	0	0	0
NO₂- Nitrogen Dioxide (ppm), Highest 1 Hour¹	0.049	0.077	0.061
Number of days above CAAQS (>0.180 ppm)	0	0	0
Number of days above NAAQS (>0.100 ppm)	0	0	0
PM₁₀- Particulate Matter <10 microns (µg/m³), Highest 24-Hour Average²	93.9	185.2	138.5
Number of days above CAAQS (>50 µg/m ³)	15	34	14
Number of days above NAAQS (>150 µg/m ³)	0	1	0
PM_{2.5}- Particulate Matter <2.5 microns (µg/m³), Highest 24 Hour Average²	43.5	175	61
Number of days above NAAQS (>35 µg/m ³)	1	12	13
SO₂- Sulfur Dioxide (ppm), Highest 1-Hour³	0.01	0.01	0.01
Number of days above NAAQS (>0.075 ppm)	0	0	0
Pb - Lead, Max 3 Month Rolling Average Concentrations³	0.012	0.013	0.012
Number of days above NAAQS (>0.15 mg/m ³)	0	0	0

ppm = parts per million; µg/m³ = micrograms per cubic meter; CAAQS = California Ambient Air Quality Standard; NAAQS = National Ambient Air Quality Standard

Note: The ambient air quality data presented in this table is intended to be representative of existing conditions and is not a comprehensive summary of all monitoring efforts for all the CAAQS and NAAQS. Additional ambient air quality data can be accessed at <https://www.epa.gov/outdoor-air-quality-data/monitor-values-report>.

¹ Data from the West Los Angeles-VA Hospital monitoring site.

² Data from the Los Angeles-North Main Street monitoring site.

³Data from SCAQMD’s historical data by year

Source: CARB 2023c, 2023d, and SCAQMD 2023a

Existing Project Site Emissions

Existing air pollutant emissions associated with the Saks Fifth Avenue department store and Shoe Building on the project site were estimated utilizing the California Emissions Estimator Model (CalEEMod) version 2022.1 and are presented in Table 4.1-3, below.

Table 4.1-3 Existing Air Pollutant Emissions on the Project Site

Emission Source	Maximum Daily Emissions (lbs/day)					
	VOC	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Mobile	4	2	20	<1	3	1
Area	5	<1	12	<1	<1	<1
Energy	<1	<1	<1	<1	<1	<1
Total	9	2	32	<1	3	1

lbs/day = pounds per day; VOC = volatile organic compounds; NO_x = nitrogen oxide; CO = carbon monoxide; PM₁₀ = particulate matter with a diameter no more than 10 microns; PM_{2.5} = particulate matter with a diameter no more than 2.5 microns; SO_x = sulfur oxide

Notes: Some numbers may not add up precisely due to rounding considerations.

Source: See Appendix B for CalEEMod worksheets, Table 2.5 “Operations Emissions by Sector, Unmitigated” emissions. Highest of Summer and Winter emissions results are shown for all emissions. The mitigated emissions account for project sustainability features and/or compliance with specific regulatory standards.

Sensitive Receptors

The NAAQs and CAAQS were established to represent the levels of air quality considered sufficient, with an adequate margin of safety, to protect public health and welfare. They are designed to protect that segment of the public most susceptible to respiratory distress as a result of poor air quality, such as children under 14, persons over 65, persons engaged in strenuous work or exercise, and people with pre-existing cardiovascular and chronic respiratory diseases. According to CARB, sensitive receptors include residences, long-term health care facilities, rehabilitation centers, convalescent centers, hospitals, retirement homes, schools, playgrounds, and childcare centers (CARB 2005). The closest sensitive receptors to the project site are residential uses located immediately south of the project site. Additional residential receptors are located approximately 60 feet east across South Camden Drive and 70 feet southwest across Bedford Drive.⁹ There is also a pre-Kindergarten and 3rd-8th grade school (Good Shepherd Catholic School) located 450 feet southwest of the project site across Charleville Boulevard. Furthermore, the proposed project would include construction of residential units, which would add new sensitive receptors to the project site.

4.1.3 Impact Analysis

a. Significance Thresholds and Methodology

Significance Thresholds

The proposed project would have a potentially significant impact if it were to result in one or more of the following:

⁹ Based on Google Earth images, Beverly Hills Wilshire Apartments is approximately 280 feet north of the project site but is not listed in the City records of residential uses at this location.

- 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.

Regional Significance Thresholds

The SCAQMD recommends the use of quantitative regional significance thresholds to evaluate emissions generated by temporary construction activities and long-term project operation in the SCAB, which are shown in Table 4.1-4.

Table 4.1-4 SCAQMD Regional Significance Thresholds

Pollutant	Construction (pounds per day)	Operation (pounds per day)
NO _x	100	55
VOC	75	55
PM ₁₀	150	150
PM _{2.5}	55	55
SO _x	150	150
CO	550	550

NO_x = Nitrogen Oxides; VOC = Volatile Organic Compounds; PM₁₀ = Particulate Matter with a diameter no more than 10 microns; PM_{2.5} = Particulate Matter with a diameter no more than 2.5 microns; SO_x = Sulfur Oxide; CO = Carbon Monoxide

Source: SCAQMD 2023b

Localized Significance Thresholds

In addition to the regional thresholds discussed above, the SCAQMD has developed Localized Significance Thresholds (LSTs) in response to the Governing Board’s Environmental Justice Enhancement Initiative (1-4)¹⁰, which was prepared to update the CEQA Air Quality Handbook (1993). LSTs were devised in response to concern regarding exposure of individuals to criteria pollutants in local communities and have been developed for NO_x, CO, PM₁₀, and PM_{2.5}. LSTs represent the maximum emissions from a project that will not cause or contribute to an air quality exceedance of the most stringent applicable federal or state ambient air quality standard at the nearest sensitive receptor, taking into consideration ambient concentrations in each source receptor area (SRA), distance to the sensitive receptor, and project size. LSTs only apply to emissions in a fixed stationary location and are not applicable to mobile sources, such as cars on a roadway (SCAQMD 2008).

¹⁰ EJ Initiative #4, CEQA Commenting, directed SCAQMD to reconstruct its CEQA commenting function, called intergovernmental review. EJ Initiative #4 includes updating the CEQA Handbook by creating and working with a stakeholders’ review group.

The LSTs for construction and operational activities are based on the results of air dispersion modeling. Construction activities include NO_x and CO exhaust emissions from construction equipment and fugitive dust emissions from ground disturbance for construction sites. Operational activities include NO_x and CO combustion emissions from stationary sources and on-site mobile equipment, and PM_{2.5} and PM₁₀ dust generating activities such as aggregate operations or earthmoving activities at landfills. LSTs have been developed for one, two, or five acres in size in each SRA (SCAQMD 2008).

The project site is within SRA 2 (Northwest Coastal LA County). SCAQMD provides LST lookup tables for project sites that measure one, two, or five acres. The project site totals approximately four acres; therefore, this analysis utilizes the two-acre LSTs, which provides a conservative analysis as the two-acre LSTs are more stringent than the five-acre LSTs. LSTs are provided for receptors at a distance of 82 feet (25 meters), 164 feet (50 meters), 328 feet (100 meters), 656 feet (200 meters), and 1,640 feet (500 meters) from the project disturbance boundary to the sensitive receptors. The border of construction activity would occur immediately adjacent to multi-family residences located to the south of the project site. According to the SCAQMD’s publication, *Final LST Methodology*, projects with boundaries located closer than 82 feet to the nearest receptor should use the LSTs for receptors located at 82 feet (SCAQMD 2009a). The LST threshold for construction and operations are shown in Table 4.1-5.

Table 4.1-5 SCAQMD LSTs for Construction and Operation

Pollutant	Allowable Emissions for a two-Acre Site in SRA-2 for a Receptor 82 Feet Away (pounds per day)	
	Construction	Operation
Gradual conversion of NO _x to NO ₂	82 ¹	82 ¹
CO	827	827
PM ₁₀	6	2
PM _{2.5}	3 ²	1 ²

NO_x = Nitrogen Oxides; NO₂ = Nitrogen Dioxide; CO = Carbon Monoxide; PM₁₀ = Particulate Matter with a diameter no more than 10 microns; PM_{2.5} = Particulate Matter with a diameter no more than 2.5 microns

¹The screening criteria for NO_x were developed based on the 1-hour NO₂ CAAQS of 0.18 ppm. Subsequently to publication of the SCAQMD’s guidance the USEPA has promulgated a 1-hour NO₂ NAAQS of 0.100 ppm. This is based on a 98th percentile value, which is more stringent than the CAAQS. Because SCAQMD’s LSTs have not been updated to address this new standard, to determine if project emissions would result in an exceedance of the 1-hour NO₂ NAAQS, an approximated LST was estimated to evaluate the federal 1-hour NO₂ standard. The revised LST threshold is calculated by scaling the NO₂ LST for by the ratio of 1-hour NO₂ standards (federal/state) (i.e., 147 lbs./day * (0.10/0.18) =81.7 lbs./day).

²The screening criteria for PM_{2.5} were developed based on an Annual CAAQS of 15 mg/m³. Subsequently to publication of the SCAQMD’s guidance the annual standard was reduced to 12 mg/m³. Because SCAQMD’s LSTs have not been updated to address this new standard, to determine if project emissions would result in an exceedance of the annual PM_{2.5} CAAQS, an approximated LST was estimated. The revised LST threshold is calculated by scaling the PM_{2.5} LST for by the ratio of 24-hour PM_{2.5} standards (federal/state) (i.e., 4 and 1 lbs./day * (12/15) =3.2 and 0.8 lbs./day).

Source: SCAQMD 2009

Toxic Air Contaminants

USEPA considers those pollutants that could cause cancer risks between one in 10,000 persons (1.0×10^{-4}) and one in one million persons (1.0×10^{-6}) for risk management. Proposition 65 (California Health and Safety Code Section 25249.6), enacted in 1986, prohibits a person in the course of doing business from knowingly and intentionally exposing any individual to a chemical that has been listed as known to the state to cause cancer or reproductive toxicity without first giving clear and reasonable warning. For a chemical that is listed as a carcinogen, the “no significant risk” level under Proposition 65 is defined as the level that is calculated to result in not more than one excess case of cancer in 100,000 individuals (1.0×10^{-5}). SCAQMD recommends the use of this risk level (also reportable as 10 in one million) as the significance threshold for TACs (SCAQMD 2023b). The SCAQMD also recommends that the non-carcinogenic hazards of TACs should not exceed a hazard index (the summation of the hazard quotients for all chemicals to which an individual would be exposed) of 1.0 for either chronic or acute effects (SCAQMD 2023b).

b. Methodology

Construction and operational air pollutant emissions were estimated using CalEEMod, version 2022.1. CalEEMod uses project-specific information, including the project’s land uses, square footages for different uses (e.g., mid-rise apartments, hotel, enclosed parking garage, etc.), and location, to estimate a project’s construction and operational emissions. In addition, operation of the existing Saks Women Building and Shoe Building generate air pollutant emissions, which were estimated using CalEEMod (see Appendix B for modeling results).

As described in Section 2, *Project Description*, this EIR analyzes the environmental effects of buildout of the Specific Plan at a programmatic level including with and without the Residential Conversion Units. This EIR also performs a project level review of the proposed Conceptual Plan. The proposed Conceptual Plan and the two Specific Plan build-out scenarios are summarized below:

- Conceptual Plan Buildout: Consistent with the description provided under Section 2.5.2, *Conceptual Plan*, the Wilshire Boulevard District would consist of approximately 261,722 sf of commercial space, in addition to the continued commercial use of the existing 107,000 sf at 9570 Wilshire. Additionally, the Neighborhood District would have 68 residential units and 10,581 sf of ground floor Small Shop/Boutique Retail.
- Specific Plan Buildout Scenario 1, Maximum Buildout of the Specific Plan with No Residential Conversion: Consistent with the description provided under Section 2.5.1.1, *Floor Area*, in addition to approximately 107,000 sf of commercial uses at 9570 Wilshire, the Wilshire Boulevard District would contain 293,000 sf of commercial uses of which 166,000 sf would be net new floor area. The Neighborhood District would contain 70 residential units and 15,000 sf of ground floor Small Shop/Boutique Retail.
- Specific Plan Buildout Scenario 2, Maximum Buildout of the Specific Plan with Maximum Residential Conversion: 250,000 sf of commercial floor area (which includes approximately 107,000 sf of existing floor area at 9570 Wilshire) would be included in

9600 Wilshire Boulevard Specific Plan

the Wilshire Boulevard District, of which 16,000 sf would be net new floor area. As contemplated in the Specific Plan, 75 Residential Conversion Units consisting of 150,000 sf of floor area located above the ground floor would be developed across the Saks Rehabilitation and Parcel B subareas. In addition (and consistent with Specific Plan Buildout Scenario 1 (No Residential Conversion)), 70 residential units and 15,000 sf of ground floor Small Shop/Boutique Retail would be developed in the Neighborhood District. This scenario assumes that no Residential Conversion Units would be developed on the 9570 Wilshire subarea, because while permissible in concept pursuant to the proposed Specific Plan, express findings under a conditional use permit, which the Applicant is not seeking at this time, and additional environmental review and clearance would be required in order to authorize any such conversion to be made. A total of 265,000 sf of commercial uses and 145 residential units would be developed across the site.

The same types of land uses would be included in all three buildout scenarios and the three buildout scenarios share the same general construction characteristics. Where project impacts would be consistent across the three scenarios, the three buildout scenarios are addressed as a whole. Where air pollutant emissions and associated impacts would vary across the scenarios due to the different amounts and types of land uses, emissions are quantified separately for each scenario and the significance conclusion is based upon the scenario with the greatest potential impacts. The methodology for the air quality analysis is further described below.

Construction

Construction emissions modeled include emissions generated by on-site construction equipment and vehicle trips associated with construction, such as worker and vendor trips. As discussed in Section 2, *Project Description*, construction of the proposed project would occur over approximately 50 months, with buildout expected by the year 2028. The project's construction timeline, disturbance area, equipment list, excavations quantities, and worker and haul vehicle trips would be the same for the Conceptual Plan and Specific Plan Buildout Scenario 1 (No Residential Conversion) and Scenario 2 (Maximum Residential Conversion). The only difference in air pollutant emission during construction of the scenarios would be the quantity of vendor trips and architectural coating and VOC emissions. However, the differences in the vendor trips and architectural coating would result in minimal criteria pollutant emissions changes between the buildouts. Therefore, construction emissions were modeled and evaluated under a single buildout scenario, Specific Plan Buildout Scenario 1 (No Residential Conversion), which has the highest vendor trip assumptions. Construction activities for the proposed project include utility relocation, demolition, excavation/grading, building construction, architectural coatings, and paving phases. The applicant provided the construction start and end dates for each phase. The applicant-provided construction equipment list, which has been independently reviewed by Rincon and the City of Beverly Hills, is presented in Table 4.1-6.

Table 4.1-6 Anticipated Construction Equipment List

Construction Phase	Construction Equipment
Utility Relocation	<ul style="list-style-type: none"> ▪ Cement and Mortar Mixes, Concrete/Industrial Saws, Excavator, Generators (2), Pavers, Paving Equipment.
Demolition	<ul style="list-style-type: none"> ▪ Backhoes, Concrete/Industrial Saws (2), Compressors (2), Crawler Tractors (2), Crushing/Processing Equipment, Excavator, Rubber Tired Loader, Off-Highway Trucks (4).
Excavation/Grading ¹	<ul style="list-style-type: none"> ▪ Backhoes, Bore/Drill Rigs (2), Concrete/Industrial Saws (2), Compressors (2), Crawler Tractors (2), Excavators (1), Front End Loader (2), Rubber Tired Loader, and Off-Highway Trucks (6).
Building Construction	<ul style="list-style-type: none"> ▪ Backhoes (2), Compactors (2), Cranes (4), Dozers (2), Excavators (2), Pumps (2), Trenchers (2), Welders (6), and Manlifts (6).
Paving	<ul style="list-style-type: none"> ▪ Cement and Mortar Mixers, Dumpers/Tenders (2), Forklifts (3), Pavers, Paving Equipment, Pressure Washers, and Sweepers/Scrubbers.

¹ Includes equipment necessary for shoring and subterranean parking garage construction.

Construction equipment is assumed to operate 10 hours per day with standard CalEEMod engine tier assumptions, except for during continuous foundation pours that would occur over multiples days, for a maximum cumulative period of 27-days. The foundation pour activity would occur during the excavation phase; therefore, construction equipment during the excavation phase for those 27 days (which may be non-consecutive) is assumed to operate 24-hours per day, to account for the maximum daily emissions. In addition, as discussed in Section 2, *Project Description*, based on applicant-provided information, the proposed project would include the demolition of approximately 116,445 square feet of existing structures and parking area and would export 2,939 cubic yards of debris off-site. During the excavation phase, the project would export approximately 198,950 cubic yards of soil material via haul trucks with a 14-cubic-yard capacity. The project would generate 240 one-way haul trips daily and export construction material approximately 65 miles from the site to Inglewood for six months. There would be a maximum of 350 construction workers on-site at a time based on applicant-provided information.

Development under the proposed project would be required to comply with all applicable regulatory standards. Specifically, project construction would comply with SCAQMD Rule 403 (Fugitive Dust), Rule 1113 (Architectural Coatings), and all other applicable SCAQMD rules. Measures such as watering the site twice per day, limiting vehicle speeds on unpaved surfaces, and sweeping paved roads to reduce fugitive dust were included in the CalEEMod modeling, as required by SCAQMD Rule 403. The following conditions are not included in the modeling (and the modeling therefore represents a conservative worst-case analysis) but are required to reduce fugitive dust in compliance with SCAQMD Rule 403 during construction:

- **Minimization of Disturbance.** Construction contractors shall minimize the area disturbed by clearing, grading, earth moving, and excavation operations to prevent excessive amounts of dust.

- **Soil Treatment.** Construction contractors shall treat all graded and excavated material, exposed soil areas, and active portions of the construction site, including unpaved on-site roadways, to minimize fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally safe soil stabilization materials, and/or roll compaction, as appropriate. Watering shall be done as often as necessary, and at least twice daily, preferably in the late morning and after work is done for the day.
- **Soil Stabilization.** Construction contractors shall monitor all graded and excavated inactive areas of the construction site at least weekly for soil stabilization. Soil stabilization methods, such as water and roll compaction, and environmentally safe dust control materials, shall be applied to portions of the construction site that are inactive for more than four days. If no further grading or excavation operations are planned for the area, the area shall be seeded and watered until landscape growth is evident, or periodically treated with environmentally safe dust suppressants, to prevent excessive fugitive dust.
- **No Grading During High Winds.** Construction contractors shall stop all clearing, grading, earth moving, and excavation activities during periods of high winds (instantaneous wind speeds of 25 miles per hour or greater).

In addition, the project shall comply with CARB Air Toxics Control Measure that limits diesel powered equipment and vehicle idling to no more than five minutes at a location, and the CARB In-Use Off-Road Diesel Vehicle Regulation; compliance with these would minimize emissions of TACs during construction. The architectural coating phase would result in the greatest release of VOC. The emissions modeling for remaining buildout of the proposed project includes the use of low-VOC paint (50 grams per liter [g/L]), as required by SCAQMD Rule 1113.

Health Risk Assessment

The greatest potential for TAC emissions during construction would be DPM emissions associated with heavy-duty equipment during demolition, excavation, and building construction activities. In addition, incidental amounts of toxic substances such as oils, solvents, and paints would be used. These products would comply with all applicable SCAQMD rules for their manufacture and use. The project would be subject to several SCAQMD rules designed to limit exposure to TACs during construction activities.

A construction Health Risk Assessment (HRA) prepared in accordance with the SCAQMD *Risk Assessment Procedures for Rules 1401, 1401.1 and 212* (SCAQMD 2017b) and the OEHHA *Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* (OEHHA 2015) is summarized in this section. The OEHHA Guidance takes into account the sensitivity of children to TAC emissions, different breathing rates, and time spent at home. Children have a higher breathing rate compared to adults and would likely spend more time at home resulting in longer exposure durations.

The process of assessing health risks and impacts includes a degree of uncertainty. The level of uncertainty depends on the availability of data and the extent to which assumptions are relied upon in cases where the data are incomplete or unknown. All health risk assessments rely upon scientific studies to reduce the level of uncertainty; however, it is not possible to completely eliminate uncertainty from the analysis. Where assumptions are used to substitute for incomplete or unknown data, it is standard practice in performing HRAs to err on the side of health protection to avoid underestimating or underreporting the risk to the public. In general, sources of uncertainty that may lead to an overestimation or an underestimation of the risk include extrapolation of the toxicity data associated with animal exposure used to estimate exposure effects in humans and uncertainty in the exposure estimates. In addition to uncertainty, there exists “a natural range or variability in measured parameters defining the exposure scenario” and that the “the greatest quantitative impact is variation among the human population in such properties as height, weight, food consumption, breathing rates, and susceptibility to chemical toxicants” (OEHHA 2015). As mentioned previously, it is typical to err on the side of health protection by assessing risk on the most sensitive populations, such as children and the elderly, by modeling potential impacts based on high-end breathing rates, by incorporating age sensitivity factors (ASF)s, and by not considering exposure reduction measures, such as mechanical air filtration building systems.

EMISSIONS CALCULATIONS

Emissions rates for input to AERMOD were based on anticipated annual emissions modeled using the CalEEMod (version 2022.1). CalEEMod differentiates between particulate matter emitted from engine exhaust (i.e., DPM) and particulate matter emitted from ground-disturbing activities (i.e., fugitive dust, which does not constitute DPM) (California Air Pollution Control Officers Association [CAPCOA] 2022). DPM concentration was estimated based on the PM₁₀ exhaust emissions (not including fugitive PM₁₀) provided by CalEEMod, which are emissions resulting from combustion of diesel-fueled vehicles and off-road equipment during construction. PM₁₀ exhaust is composed of DPM and other air toxics, therefore, PM₁₀ exhaust is a conservative estimate for DPM emissions estimates.

As described in Section 2, *Project Description*, project construction would last approximately 50 months, beginning in August 2024 and concluding in September 2028. Table 4.1-7 summarizes the construction schedule used in CalEEMod prepared as part of the air quality analysis.

Table 4.1-7 Anticipated Construction Schedule

Construction Activity	Start (month/year)	Finish (month/year)
Utility Relocation	August 2024	September 2025
Demolition	October 2025	November 2025
Excavation	December 2025	March 2027
Building Construction	April 2027	July 2028
Paving	August 2028	September 2028

Note: This table includes an estimated construction schedule and is subject to change. The quantity, duration, and the intensity of construction activity influences the amount of construction emissions and their related pollutant concentrations that occur at any one time. The emission forecasts modeled for this report reflect conservative assumptions where a relatively large amount of construction is occurring in a relatively intensive manner. If construction is delayed or occurs over a longer period, criteria pollutant emissions could be reduced because of (1) a more modern and cleaner-burning construction equipment fleet mix than assumed in the CalEEMod, and/or (2) a less intensive buildout schedule (total annual emissions occurring over a greater number of days).

Emissions were calculated by using CalEEMod for each phase of construction in each calendar year. The intensity of each construction phase would vary throughout the calendar year; therefore, the average daily emission reported by CalEEMod were used to determine health risk associated with construction emissions. Emissions in daily grams per second were determined based on the average daily emissions for each construction phase in a calendar year, and assumed a 10-hour construction workday. Table 4.1-8 summarizes daily pounds per day and grams per second emissions for DPM used for this analysis.

Table 4.1-8 Unmitigated Annual and Hourly Construction Emissions

DPM¹	Average Construction Emissions (lbs/day)	Average Construction Emissions (grams/second)²
2024		
Utility Relocation (Paving)	0.116	0.00146
2025		
Utility Relocation (Paving)	0.189	0.00238
Demolition	0.243	0.00306
Demolition - Haul	0.0033	0.00004
Excavation	0.035	0.00044
Excavation - Hauling	0.04	0.00053
2026		
Excavation	0.371	0.00467
Excavation – Haul	0.20	0.00256
2027		
Excavation	0.084	0.00106
Building Construction	0.645	0.00813
2028		
Building Construction	0.485	0.00611
Paving	0.030	0.00038

DPM = diesel particulate matter; PM2.5 = particulate matter less than 2.5 microns in diameter

¹ Based on PM10 exhaust emissions.

² Assumes approximately a 10-hour workday.

Source: See Calculations and Summary of Risk Table in Appendix B.

DISPERSION MODELING

Site-specific air dispersion modeling was conducted using the Lakes Environmental AERMOD View model (version 11.2.0). Dispersion modeling was used to characterize DPM emissions associated with on-site construction activities over the approximately 50-month construction period. The construction site was modeled as a single area source for all construction phases in AERMOD with an assumed release height of five meters, corresponding to the approximate height of off-road equipment mufflers from which exhaust emissions would be released (SCAQMD 2008). In addition, the construction haul route was modeled as a line volume source from the center of the project site to State Route 2. For all emissions sources, AERMOD's variable emissions rate function was applied, based on construction activity that may occur Monday through Friday between 8:00 a.m. to 6:00 p.m. This construction duration is consistent with equipment use rate assumptions in CalEEMod. Consistent with SCAQMD's Modeling Guidance for AERMOD (SCAQMD 2023c), AERMOD's Urban Dispersion option was applied using an estimated population of 9,818,605 for Los Angeles County (SCAQMD 2023). To characterize health risk at the nearest sensitive receptors, 250 existing sensitive receptors, namely single-family receptors south and east of the project site were selected in AERMOD. Sensitive receptors further than the single-family units south and east of the project site would be exposed to fewer TAC emissions from construction activity than what is modeled in AERMOD. Receptors were conservatively placed at the nearest boundary of the existing residential properties.

Each of the 250 discrete receptor locations were placed with 10 meters spacing. The discrete receptor locations ensures proper coverage throughout the surrounding area to verify and locate the maximally exposed individual receptor (MEIR) nearest the project site boundary. This analysis focuses on residential impacts, as residential exposure parameters, inclusive of age sensitivity factors and childhood breathing rates, result in the worst-case exposure scenario.

The AERMOD model requires hourly meteorological data consisting of wind vector, wind speed, temperature, stability class, and mixing height. Specific meteorology for the site was input to the model using the nearest available AERMOD-ready meteorological data set, Santa Monica Airport approximately 4.4 miles southwest of the project site. The project is consistent with SCAQMD's recommendation to use NED GeoTiff digital terrain files for terrain data at resolution of 1 arc-second (10 meters).

The presence of buildings and other structures disturbs downwind air flow. However, building downwash is only calculated for point sources and not appropriate to include in AERMOD for this HRA because there are no point sources in the analysis. AERMOD provides the concentration estimated by the air quality model based on an emission rate of one gram per second (OEHHA 2015). Project construction and receptors (MEIR and sensitive receptors) are shown in Figure 4.1-1.

CANCER RISK

Health risk impacts are assessed using health risk calculation methodology consistent with the 2015 OEHHA Guidance (OEHHA 2015). This health risk assessment addresses construction DPM emissions and the effects on nearby sensitive uses (residential).

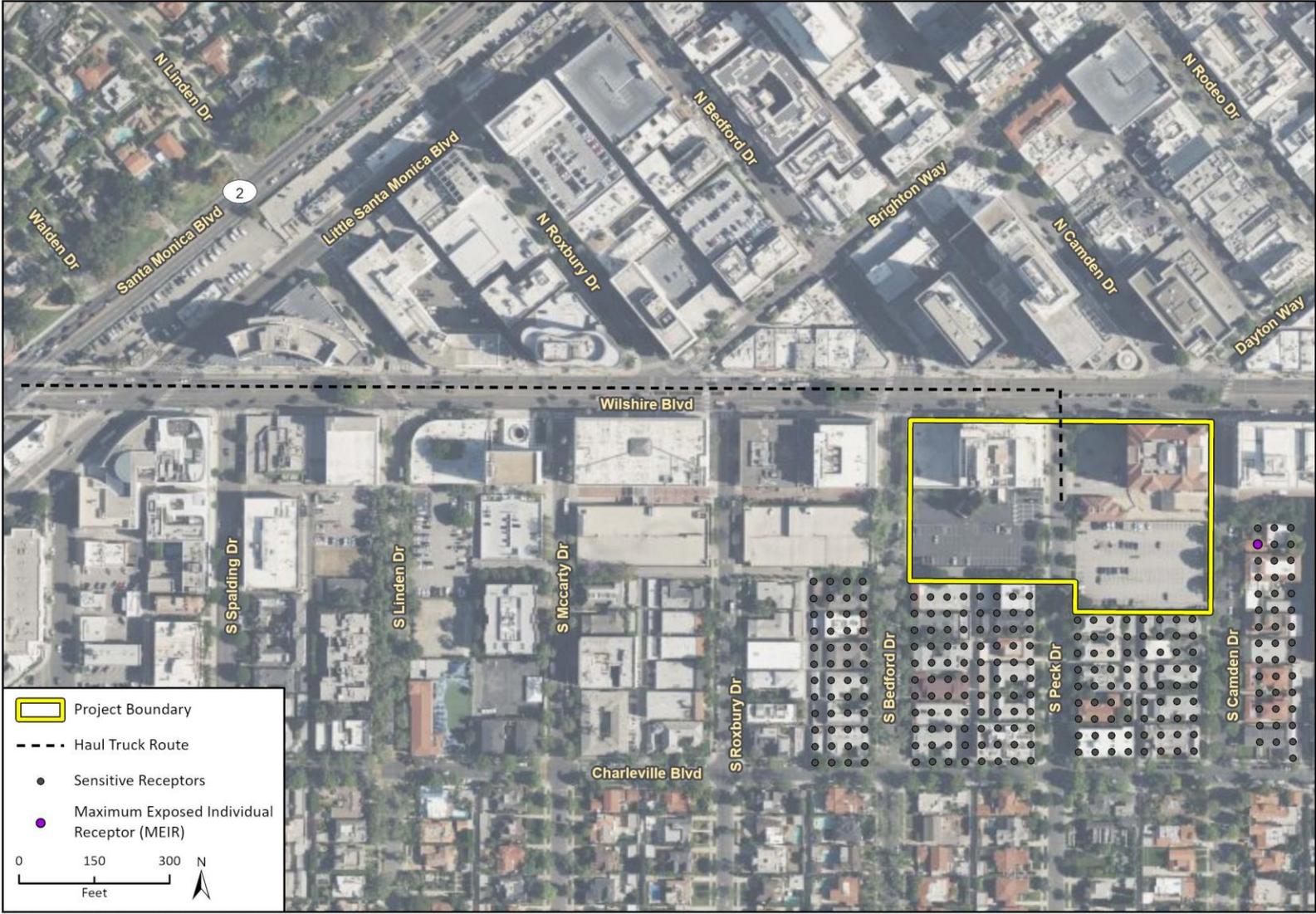
Health impacts are evaluated using a dose-response assessment, which describes the relationship between the level of exposure to a substance (i.e., the dose) and the incidence or occurrence of injury (i.e., the response). To determine the total dose to off-site sensitive receptors, the applicable pathways of exposure should be identified. The applicable exposure pathways (e.g., inhalation) are identified for the emitted substances, and the receptor locations are identified. The applicable exposure pathways determine the exposure algorithms that are used to estimate dose. After the exposure pathways are identified, the applicable fate and transport algorithms are used to estimate concentrations in the applicable exposure media (e.g., air) and the exposure algorithms are used to determine the substance-specific dose. In accordance with the OEHHA Guidance, the inhalation pathway was evaluated for construction-related DPM. For the inhalation pathway, the dose is directly proportional to the breathing rate. As a conservative (i.e., health protective) approach, maximum breathing rates were used in this analysis.

Once dose is calculated, cancer risk is calculated by accounting for cancer potency of the specific pollutant, age sensitivity, exposure duration, averaging time for lifetime cancer risk, and fraction of time spent at home. The cancer potency factor (CPF) is specific for each pollutant and is determined through peer-reviewed scientific studies. For example, the Scientific Review Panel recommends a CPF for DPM of $3.0 \times 10^{-4} (\mu\text{g}/\text{m}^3)^{-1}$ and a slope factor of 1.1 (ppm-day)⁻¹.¹¹ The ASFs account for greater susceptibility in early life as compared to adult exposure, starting from the third trimester of pregnancy to 16 years. The fraction of time at home (FAH) takes into account the time actually residing at the sensitive receptor location. FAH also takes into account time spent at home for various age groups. For example, newborns are expected to reside at home for longer periods of time compared to school-age children, and the elderly (retirees) are expected to spend more time at home compared to people of working age. FAH consistent with OEHHA guidelines were used for the analysis. As there is a school within the 1,000-foot buffer, FAH was assumed to be 1 for all receptors under 17 years of age¹².

¹¹ CPF and slope factors are built into the HARP2 model used for quantifying risk.

¹² Sensitive receptors at the Good Sheperd Catholic School Beverly Hills were not specifically analyzed in this EIR section since there are closer residential receptors to the project site that would capture the MEIR. In addition, we conservatively assume the nearest residential receptors would attend the catholic school by adjusting the fraction of time at home to 1, rather than the standard 0.73.

Figure 4.1-1 Construction Source and Receptors



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22-13259 EIR Figures
 Fig X HRA Landscape_ 20240205

Each age group has different exposure parameters which require cancer risk to be calculated separately for each age group. The estimation of cancer risk uses the following algorithms:

$$\text{Risk} = \text{Dose inhalation} \times \text{Inhalation CPF} \times \text{ASF} \quad (\text{Equation 1})$$

Where:

$$\text{Dose inhalation} = \text{CAIR} \times \text{DBR} \times \text{A} \times \text{EF} \times \text{ED} \times \text{FAH/AT} \quad (\text{Equation 2})$$

Inhalation CPF = inhalation cancer potency factor

ASF = age-sensitivity factor

Where:

CAIR = concentration of compound in air in micrograms per cubic meter ($\mu\text{g}/\text{m}^3$)

DBR = breathing rate in liter per kilogram of body weight per day (L/kg-body weighty/day)

A = inhalation absorption factor (1 for DPM)

EF = exposure frequency in days per year (day/year)

ED = exposure duration in years (year)

FAH = fraction of time at home

AT = averaging time period over which exposure is averaged in days (day)

The OEHHA recommended values for the equations and daily breathing rates (DBF) described above were used in the HRA. Specific modeling details are included in Appendix B.

The incremental increase in cancer risk is the result of multiplying the dose by the pollutant-specific CPF values. Cancer risk is calculated by multiplying the inhalation dose by the inhalation CPF to yield the potential inhalation excess cancer risk. Cancer risk was evaluated for residences in the surrounding area. Risk for all receptors as well as modeling output is included as part of Appendix B of this EIR.

NON-CANCER RISK

Non-cancer chronic impacts were assessed based on the hazard index (HI). The evaluation of chronic impacts is based on the maximum annual emissions over a 12-month period of construction activity. The chronic HI is calculated by dividing the maximum modeled annual average concentration at the maximum impacted sensitive receptor by the recommended exposure limit (REL). The REL is the concentration at or below which no adverse health effects are anticipated. For example, OEHHA has recommended an ambient concentration of $5 \mu\text{g}/\text{m}^3$ as the chronic inhalation REL for DPM exhaust. Therefore, a sensitive receptor exposed to an annual average DPM concentration of $5 \mu\text{g}/\text{m}^3$ or less would not result in a chronic impact. Non-cancer chronic impacts affect specific target organ systems (also called toxicological endpoints), such as the eye, nervous system, reproductive system, and respiratory system. The chronic health impact with the maximum HI for the same target organ system is used for impact determination.

Operations

Operational emissions would include mobile source emissions, energy emissions, area source, and stationary source emissions. Mobile source emissions are generated by vehicle trips to and from the project site. Daily vehicle trips were estimated by Fehr & Peers for the proposed project in the Transportation Impact Report (Appendix G). The trip generation rates for each land use in CalEEMod were adjusted to be consistent with the Transportation Impact Report. The project would generate approximately 4,558 vehicle trips under the Conceptual Plan, 9,326 vehicle trips under Specific Plan Buildout Scenario 1 (No Residential Conversion), and 8,106 daily vehicle trips under Specific Plan Buildout Scenario 2 (Maximum Residential Conversion). The Conceptual Plan and Specific Plan Buildout Scenario 1 (No Residential Conversion) buildout would add 80 daily one-way delivery truck trips during project operation. Specific Plan Buildout Scenario 2 (Maximum Residential Conversion) would add 60 one-way daily delivery trips. The regional shopping center land use fleet mix was adjusted to assume that 50 percent of the delivery truck trips would be medium heavy-duty trucks and the remaining 50 percent heavy-heavy-duty trucks, based on CalEEMod vehicle fleet mix assumption for vendor trips. The regional shopping center land use included the daily vehicle trip generation for the social club and spa land uses.

Emissions attributed to energy use include natural gas consumption by cooking and hot water heating. The project would also include five natural gas fireplaces in the common areas of the boutique hotel and social club. Seven emergency generators would generate stationary source emissions. It is assumed the project would require testing and maintenance 20 minutes per day and 50 hours per year.

As described in Section 2, *Project Description*, this EIR analyzes the environmental effects of buildout of the Specific Plan at a programmatic level including with and without the Residential Conversion Units. This EIR also performs a project level review of the proposed Conceptual Plan. The three scenarios would involve the same types of land uses, siting, footprint, mass, overall layout of structures, and locations of street, overall development footprint, construction activities, and operational characteristics, but air pollutant emissions would vary slightly due to the differences in the square footages of the residential and commercial/retail uses. Therefore, where there would be differences in impacts for the scenarios, the below analysis contains separate discussion for each scenario. The overall significance conclusion is based on the scenario which was found to result in the greatest potential impact.

c. Project Design Features

The project would incorporate energy-efficiency design, as detailed in Project Design Feature (PDF) E-1 in Section 4.4, *Energy*, and Section 2, *Project Description*. Features that reduce natural gas use and increase the use of electric vehicles (EVs) would also serve to reduce project air pollutant emissions. PDF E-1 is duplicated below for reference.

PDF E-1 Energy Efficiency

The proposed project would include the following energy efficiency features:

- All structures would incorporate photovoltaic (PV) provisions as required by the State of California 2022 Energy Code (Title 24)
- Development shall be designed to achieve a Leadership in Energy and Environmental Design (LEED) Silver V4.1 equivalency
- Development shall be designed to use and shall achieve ten percent less energy than required by the 2022 Title 24
- New development shall utilize all-electric HVAC systems consisting of heat recovery/heat pump type variable refrigerant flow systems for all residential and commercial structures
- Provide EV parking in accordance with CALGreen requirements and provide electrical capacity sufficient to accommodate EV charging for up to 50 percent of residential parking and 25 percent of commercial parking spaces

d. Project Impacts and Mitigation Measures

Threshold 4.1a: Would the project conflict with or obstruct implementation of the applicable air quality plan?

Impact AQ-1 THE PROPOSED PROJECT WOULD GENERATE POPULATION AND JOB GROWTH. HOWEVER, SUCH GROWTH WOULD NOT EXCEED THE GROWTH FORECASTS ON WHICH THE 2022 AQMP IS BASED OR DELAY THE TIMELY ATTAINMENT OF AIR QUALITY STANDARDS WITH THE INCORPORATION WITH OF MITIGATION MEASURE AQ-1. THEREFORE, IMPACTS RELATED TO AQMP CONSISTENCY WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED.

To assess whether the project would conflict with or obstruct implementation of an applicable air quality plan, this analysis evaluates the project's consistency with SCAQMD's AQMP and Connect SoCal. In accordance with the SCAQMD's CEQA Air Quality Handbook, Chapter 12, the following criteria are considered as part of this evaluation:

- Criterion 1: Would the project result in any of the following:
 - An increase in the frequency or severity of existing air quality violations;
 - Cause or contribute to new air quality violations; or
 - Delay timely attainment of air quality standards or the interim emission reductions specified in the AQMP.
- Criterion 2: Would the project exceed the assumptions utilized in preparing the AQMP? Considerations include:
 - Is the project consistent with the population and employment growth projections upon which AQMP forecasted emission levels are based;
 - Does the project include air quality mitigation measures; or
 - To what extent is project development consistent with the AQMP control measures?

a. Criterion 1

The proposed project would include strategies and control measures from the 2022 AQMP to reach attainment with the thresholds for 8-hour and 1-hour ozone and PM_{2.5}. The proposed project would include the following control measures from the 2022 AQMP:

- Emission Reduction from Replacement with Zero Emission or Low NO_x Appliances – Water and Space Heating
- Emissions Reduction from Residential Cooking Devices
- Zero Emission Infrastructure for Mobile Sources

However, as described under Impact AQ-2 below, the project would generate criteria pollutant emissions that exceed SCAQMD regional thresholds for criteria pollutants. Therefore, the project would have the potential to result in significant impacts due to a conflict with the AQMP.

b. Criterion 2

A project may be inconsistent with the AQMP if it would generate population, housing, or employment growth exceeding forecasts used in the development of the AQMP. The 2022 AQMP, the most recent AQMP adopted by the SCAQMD, incorporates local county general plans and SCAG's Connect SoCal socioeconomic forecast projections of regional population, housing, and employment growth.

As detailed in Section 4.10, *Population and Housing*, the population growth forecasts in Connect SoCal estimate that the City of Beverly Hill's population would increase to 35,115 people by 2028 (project buildout year), which is an increase of 3,497 residents from the city's estimated 2023 baseline (SCAG 2020; California Department of Finance [DOF] 2023). Specific Plan Buildout Scenario 2 (Maximum Residential Conversion) of the proposed project would involve the greatest residential development, with the construction of 145 residential units. Based on the DOF average household size of 2.17 persons per residential unit in the City of Beverly Hills, the project would potentially add up to 315 residents to the city's population (DOF 2023). This would account for approximately nine percent of the anticipated population growth in Beverly Hills. Therefore, the potential population growth generated by the project would be within the SCAG growth forecast.

The proposed project would also create new employment opportunities on the project site through expanded commercial uses. The total number of jobs in Beverly Hills is anticipated to increase from 66,909 in 2021 to 71,107 in 2028 for an increase of 2,998 jobs (SCAG 2020 and 2022). Specific Plan Buildout Scenario 1 (No Residential Conversion) would generate the greatest potential number of employees, with a net increase of 530 employees on the project site. This would account for approximately 18 percent of the anticipated employment growth in Beverly Hills. Therefore, the proposed project (under the full range of potential buildout scenarios) would be within the SCAG growth forecast and would not result in substantial unplanned employment growth. Refer to Section 4.10, *Population and Housing*, for more details regarding the population, housing, and employment projections

and calculations for the proposed project. The project would be consistent with Criterion 2 and impacts would be less than significant.

Mitigation Measures

Mitigation Measure AQ-1 listed below under Impact AQ-2 would apply.

Significance After Mitigation

The project would not generate criteria pollutant emissions that exceed SCAQMD regional thresholds for criteria pollutants with mitigation incorporated. Therefore, with the incorporation of Mitigation Measure AQ-1, the project would be consistent with the AQMP.

Threshold 4.1b: 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?

Impact AQ-2 CONSTRUCTION OF THE PROPOSED PROJECT WOULD EXCEED THE REGIONAL THRESHOLD FOR NO_x. WITH THE INCORPORATION OF MITIGATION MEASURE AQ-1, CONSTRUCTION OF THE PROJECT WOULD NOT RESULT IN A CUMULATIVELY CONSIDERABLE NET INCREASE OF ANY CRITERIA POLLUTANT FOR WHICH THE SCAB REGION IS IN NONATTAINMENT. THEREFORE, IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED.

a. Construction Impacts

Project construction would generate temporary air pollutant emissions associated with fugitive dust (PM₁₀ and PM_{2.5}) and exhaust emissions from heavy construction equipment and construction vehicles in addition to VOC emissions that would be released during the drying of architectural coating and paving phases. Table 4.1-9 summarizes the estimated maximum daily emissions of pollutants during project construction. As shown therein, construction-related emissions would exceed the NO_x SCAQMD threshold. Therefore, construction impacts would be potentially significant.

Table 4.1-9 Project Construction Emissions

Year	Maximum Daily Emissions (lbs/day)					
	VOC	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
2024	1	9	12	<1	1	<1
2025	48	111	121	1	23	8
2026	16	162	179	1	26	10
2027	12	46	75	<1	8	3
2028	12	35	72	<1	7	2
SCAQMD Regional Thresholds	75	100	550	150	150	55
Threshold Exceeded?	No	Yes	No	No	No	No

lbs/day = pounds per day; VOC = volatile organic compounds; NO_x = nitrogen oxide; CO = carbon monoxide; PM₁₀ = particulate matter with a diameter no more than 10 microns; PM_{2.5} = particulate matter with a diameter no more than 2.5 microns; SO_x = sulfur oxide

Notes: Some numbers may not add up precisely due to rounding considerations.

Source: See Appendix B for CalEEMod worksheets, Table 2.2 “Construction Emissions by Year-Unmitigated” emissions. Highest of Summer and Winter emissions results are shown for all emissions.

b. Operational Impacts

Operation of the project would generate criteria air pollutant emissions associated with area sources (e.g., architectural coatings, consumer products, and fireplaces), energy sources (i.e., use of natural gas for cooking and water heating), mobile sources (i.e., vehicle trips to and from the project site), and stationary sources (i.e., emergency generators). The proposed project would include three scenarios that involve the same types of land uses, overall development footprint, construction activities, and operational characteristics, but air pollutant emissions would vary slightly due to the differences in the square footages of the residential and commercial/retail uses. Table 4.1-10, Table 4.1-11, and Table 4.1-12 summarizes the project’s maximum daily operational emissions by emission source for each buildout scenario. Emissions from the existing Saks Women’s Building, Shoe Building, and parking spaces are subtracted from the proposed project’s operational emissions to determine the net increase of air quality emissions on the project site. As shown therein, operational emissions would not exceed SCAQMD regional thresholds for criteria pollutants. Therefore, project operation would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment, and impacts would be less than significant.

Table 4.1-10 Project Operational Emissions – Conceptual Plan

Emission Source	Maximum Daily Emissions (lbs/day)					
	VOC	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Mobile	14	8	99	<1	22	6
Area	16	<1	32	<1	<1	<1
Energy	<1	2	1	<1	<1	<1
Stationary	8	34	19	<1	1	1
<i>Existing Emissions</i>	<i>(9)</i>	<i>(2)</i>	<i>(31)</i>	<i>(<1)</i>	<i>(3)</i>	<i>(1)</i>
Net Project Emissions	29	42	120	<1	20	6
SCAQMD Regional Thresholds	55	55	550	150	150	55
Threshold Exceeded?	No	No	No	No	No	No

lbs/day = pounds per day; VOC = volatile organic compounds; NO_x = nitrogen oxide; CO = carbon monoxide; PM₁₀ = particulate matter with a diameter no more than 10 microns; PM_{2.5} = particulate matter with a diameter no more than 2.5 microns; SO_x = sulfur oxide

Notes: Some numbers may not add up precisely due to rounding considerations.

Source: See Appendix B for CalEEMod worksheets, Table 2.5 “Operations Emissions by Sector, Unmitigated” emissions. Highest of Summer and Winter emissions results are shown for all emissions. The mitigated emissions account for project sustainability features and/or compliance with specific regulatory standards.

Table 4.1-11 Project Operational Emissions – Specific Plan Buildout Scenario 1 (No Residential Conversion)

Emission Source	Maximum Daily Emissions (lbs/day)					
	VOC	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Mobile	30	14	224	<1	50	13
Area	13	<1	32	<1	<1	<1
Energy	<1	3	2	<1	<1	<1
Stationary	8	34	19	<1	1	1
<i>Existing Emissions</i>	<i>(9)</i>	<i>(2)</i>	<i>(31)</i>	<i>(<1)</i>	<i>(3)</i>	<i>(1)</i>
Project Emissions	42	49	246	<1	48	13
SCAQMD Regional Thresholds	55	55	550	150	150	55
Threshold Exceeded?	No	No	No	No	No	No

lbs/day = pounds per day; VOC = volatile organic compounds; NO_x = nitrogen oxide; CO = carbon monoxide; PM₁₀ = particulate matter with a diameter no more than 10 microns; PM_{2.5} = particulate matter with a diameter no more than 2.5 microns; SO_x = sulfur oxide

Notes: Some numbers may not add up precisely due to rounding considerations.

Source: See Appendix B for CalEEMod worksheets, Table 2.5 “Operations Emissions by Sector, Unmitigated” emissions. Highest of Summer and Winter emissions results are shown for all emissions. The mitigated emissions account for project sustainability features and/or compliance with specific regulatory standards.

Table 4.1-12 Project Operational Emissions – Specific Plan Buildout Scenario 2 (Maximum Residential Conversion)

Emission Source	Maximum Daily Emissions (lbs/day)					
	VOC	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Mobile	26	12	195	<1	43	11
Area	12	<1	31	<1	<1	<1
Energy	<1	3	2	<1	<1	<1
Stationary	8	34	19	<1	1	1
Existing Emissions	(9)	(2)	(31)	(<1)	(3)	(1)
Project Emissions	37	47	217	<1	42	11
SCAQMD Regional Thresholds	55	55	550	150	150	55
Threshold Exceeded?	No	No	No	No	No	No

lbs/day = pounds per day; VOC = volatile organic compounds; NO_x = nitrogen oxide; CO = carbon monoxide; PM₁₀ = particulate matter with a diameter no more than 10 microns; PM_{2.5} = particulate matter with a diameter no more than 2.5 microns; SO_x = sulfur oxide

Notes: Some numbers may not add up precisely due to rounding considerations.

Source: See Appendix B for CalEEMod worksheets, Table 2.5 “Operations Emissions by Sector, Unmitigated” emissions.

Highest of Summer and Winter emissions results are shown for all emissions. The mitigated emissions account for project sustainability features and/or compliance with specific regulatory standards.

Mitigation Measures

AQ-1 NO_x and PM Emissions Reductions

Prior to construction activity and issuance of grading permits, the City Building Official shall confirm that the grading plan, building plans, and specifications stipulate that the project shall equip Tier 4 engines as follows:

- Crawler tractors, excavators, loaders (front end and rubber tired), backhoes, and off-highway trucks all construction phases (as applicable).
- Bore/drill rigs, concrete/industrial saws, and air compressors during the excavation phase.
- Rubber tired dozers during building construction phase.

Significance After Mitigation

With incorporation of Mitigation Measure AQ-1, the project would reduce NO_x emissions by approximately 43percent, as compared to standard CalEEMod assumptions. As shown in Table 4.1-13, with incorporation of Mitigation Measure AQ-1, NO_x emissions would be below regional thresholds. Therefore, with implementation of Mitigation Measures AQ-1, project construction would not result in a cumulatively considerable net increase of any

criteria pollutant for which the project region is non-attainment and impacts would be less than significant.

Table 4.1-13 Project Construction Emissions - Mitigated

Year	Maximum Daily Emissions (lbs/day)					
	VOC	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
2024	1	9	12	<1	1	<1
2025	46	80	139	1	22	6
2026	6	92	245	1	23	7
2027	10	18	103	<1	6	2
2028	10	15	72	<1	6	2
SCAQMD Regional Thresholds	75	100	550	150	150	55
Threshold Exceeded?	No	No	No	No	No	No

lbs/day = pounds per day; VOC = volatile organic compounds; NO_x = nitrogen oxide; CO = carbon monoxide; PM₁₀ = particulate matter with a diameter no more than 10 microns; PM_{2.5} = particulate matter with a diameter no more than 2.5 microns; SO_x = sulfur oxide

Notes: Some numbers may not add up precisely due to rounding considerations.

Source: See CalEEMod worksheets in Appendix B, Table 2.3 "Construction Emissions by Year, -Mitigated" emissions. Highest of Summer and Winter emissions results are shown for all emissions.

Threshold 4.1c: Would the project expose sensitive receptors to substantial pollutant concentrations?

Impact AQ-3 THE PROPOSED PROJECT WOULD GENERATE TEMPORARY LOCALIZED EMISSIONS OF CRITERIA AIR POLLUTANTS AND TACS DURING CONSTRUCTION AND OPERATION. PROJECT CONSTRUCTION EMISSIONS WOULD POTENTIALLY EXCEED SCAQMD LOCALIZED SIGNIFICANCE THRESHOLDS AND EXCESS CANCER RISK THRESHOLD. PROJECT OPERATION WOULD ALSO POTENTIALLY EXCEED THE SCAQMD LOCALIZED SIGNIFICANCE THRESHOLD FOR PM_{2.5}. WITH THE INCORPORATION OF MITIGATION MEASURES AQ-1 AND AQ-2, THE PROJECT'S CONSTRUCTION AND OPERATION WOULD RESULT IN LESS THAN SIGNIFICANT IMPACTS TO SENSITIVE RECEPTORS.

a. Construction Impacts

As discussed under Section 4.1.2, *Environmental Setting*, the closest sensitive receptors are multi-family residences located adjacent to the project site. Localized air quality impacts to sensitive receptors typically result from criteria pollutants, TACs, and CO hotspots which are discussed in the following subsections.

Localized Significance Impacts

The *Final LST Methodology* was developed to be used as a tool to analyze localized impacts associated with project-specific developments. If the calculated emissions for the proposed construction or operational activities are below the LST emission levels found on the LST mass rate look-up tables (Appendix C of *Final LST Methodology*; SCAQMD 2009) and no potentially significant impacts are found to be associated with other air quality issues, then

the proposed construction or operation activity would not be considered significant for air quality. The project analysis conservatively assumes the main construction activity would occur immediately adjacent to multi-family residences. According to the SCAQMD’s publication, *Final LST Methodology*, projects with boundaries located within 82 feet to the nearest receptor should use the LST’s 82 feet receptor distance (SCAQMD 2009). The allowable emissions for the project are based on the 82-foot receptor distance and two-acre site size for sites within SRA 2 (Northwest Coastal LA County). Table 4.1-14 summarizes the project’s maximum localized daily construction emissions. As shown therein, unmitigated localized construction emissions would exceed SCAQMD NO_x and PM_{2.5} LST thresholds. Therefore, construction impacts would be potentially significant.

Table 4.1-14 Unmitigated Project LST Construction Emissions

Year	Pollutant (lbs/day)			
	NO _x	CO	PM ₁₀	PM _{2.5}
Maximum Construction Onsite Emissions	100	132	5	4
SCAQMD LST	82	827	6	3
Threshold Exceeded?	Yes	No	No	Yes

lbs/day = pounds per day; NO_x = nitrogen oxide; CO = carbon monoxide; PM₁₀ = particulate matter with a diameter no more than 10 microns; PM_{2.5} = particulate matter with a diameter no more than 2.5 microns;

Notes: Some numbers may not add up precisely due to rounding considerations. Maximum onsite emissions are the highest emissions that would occur on the project site from onsite sources, such as heavy construction equipment and architectural coatings, and excludes off-site emissions from sources such as construction worker vehicle trips and haul truck trips.

Source: See CalEEMod worksheets in Appendix B, Table 3.1 – 3.30 “Construction Emissions Details” emissions. Highest of Summer and Winter emissions results are shown for all emissions. The mitigated emissions account for project sustainability features and/or compliance with specific regulatory standards.

Construction Toxic Air Contaminants

TACs are defined by California law as air pollutants that may cause or contribute to an increase in mortality or an increase in serious illness, or which may pose a present or potential hazard to human health. The following construction HRA evaluates the potential health risk to off-site receptors due to TAC emissions associated with construction of the proposed project. Results of the analysis were compared to SCAQMD thresholds for a cancer risk threshold of 10 in one million persons, and a chronic Hazard Index significance threshold of 1.0. Since DPM is not associated with acute health risks (OEHHA 2019), acute risk was not evaluated in this construction HRA.

Based on the projected construction schedule, project construction is anticipated to begin in 2024 and be completed in 2028. Project construction would be phased, and each construction phase would be periodic and short-term. Project-related TAC emissions would cease with the completion of construction activities. The detailed results of the construction HRA are provided in Appendix B and summarized below.

The MEIR is the modeled receptor experiencing the highest incremental excess cancer risk under the total exposure duration. The air dispersion and risk analysis identified a residence to be the MEIR, located approximately 60 feet east of the project site. As shown in

Table 4.1-15, at the MEIR, the cancer health risk would exceed SCAQMD thresholds of 10 in one million cancer risk during the 50 months of project construction. Therefore, health risk to nearby residents due to project construction would be potentially significant.

Table 4.1-15 Health Risks Associated with Unmitigated Construction Activity

	Excess Cancer Risk (per million)	Chronic Health Risk¹
MEIR	31.9	0.17
SCAQMD Significance Threshold	>10.0	>1.0
Threshold Exceeded?	Yes	No

µg/m³ = micrograms per cubic meter; SCAQMD = South Coast Air Quality Management District

¹ Noncancer health impacts are determined by dividing the airborne concentration at the receptor by the appropriate Reference Exposure Level (REL) for that substance. A REL is defined as the concentration at which no adverse noncancer health effects are anticipated. Because noncancer health impacts are assessed as the ratio of airborne concentration versus the REL, the resulting hazard index is unitless.

Source: For health risk calculations, see Appendix B.

b. Operational Impacts

Localized Significance Impacts

Project operational activities would occur immediately adjacent to existing multi-family residences to the south and east of the project site. The allowable operational emissions for the project are based on the 82-foot receptor distance and two-acre site criteria for a project in SRA 2 (Northwest Coastal LA County). The project would generate on-site operational emissions from area sources (architectural coating, landscaping, and fireplaces), energy sources (natural gas from cooking and heating), and stationary sources from seven emergency generators.

As described above under Section 4.1.3b., Methodology, build-out of the Specific Plan would involve the same types of land uses, overall development footprint, and operational characteristics, but operational air pollutant emissions would vary slightly depending on whether Residential Conversion Units are constructed and operated due to the difference in total square footage of the residential and commercial/retail uses proposed. Table 4.1-16, Table 4.1-17, and Table 4.1-18 summarizes the project’s maximum localized daily operational emissions from the proposed project. As shown therein, localized operational emissions would exceed the SCAQMD LST threshold for PM2.5 for the proposed Conceptual Plan and both Specific Plan build-out scenarios, primarily due to regular testing and maintenance of the emergency generators. Therefore, operational impacts would be potentially significant.

Table 4.1-16 Unmitigated Project LST Operational Emissions – Conceptual Plan

Year	Pollutant (lbs/day)			
	NO _x	CO	PM ₁₀	PM _{2.5}
Maximum Operational Onsite Emissions	36	52	1	1 ¹
SCAQMD LST	82	827	2	1
Threshold Exceeded?	No	No	No	Yes

lbs/day = pounds per day; NO_x = nitrogen oxide; CO = carbon monoxide; PM₁₀ = particulate matter with a diameter no more than 10 microns; PM_{2.5} = particulate matter with a diameter no more than 2.5 microns.

Notes: Some numbers may not add up precisely due to rounding considerations. Maximum onsite emissions are the highest emissions that would occur on the project site from onsite sources, such as fireplaces, emergency generators, natural gas use, architectural coatings, and excludes mobile sources.

¹On-site operational activity would generate 1.29 lbs./day of PM_{2.5} emissions.

Source: See CalEEMod worksheets in Appendix B, Table 2.5, Operational Emissions by Sector, Unmitigated.

Table 4.1-17 Unmitigated Project LST Operational Emissions – Specific Plan Buildout Scenario 1 (No Residential Conversion)

Year	Pollutant (lbs/day)			
	NO _x	CO	PM ₁₀	PM _{2.5}
Maximum Operational Onsite Emissions	37	54	1	1 ¹
SCAQMD LST	82	827	2	1
Threshold Exceeded?	No	No	No	Yes

lbs/day = pounds per day; NO_x = nitrogen oxide; CO = carbon monoxide; PM₁₀ = particulate matter with a diameter no more than 10 microns; PM_{2.5} = particulate matter with a diameter no more than 2.5 microns.

Notes: Some numbers may not add up precisely due to rounding considerations. Maximum onsite emissions are the highest emissions that would occur on the project site from onsite sources, such as fireplaces, emergency generators, natural gas use, architectural coatings, and excludes mobile sources.

¹On-site operational activity would generate 1.36 lbs./day of PM_{2.5} emissions.

Source: See CalEEMod worksheets in Appendix B, Table 2.5, Operational Emissions by Sector, Unmitigated.

Table 4.1-18 Unmitigated Project LST Operational Emissions – Specific Plan Buildout Scenario 2 (Maximum Residential Conversion)

Year	Pollutant (lbs/day)			
	NO _x	CO	PM ₁₀	PM _{2.5}
Maximum Operational Onsite Emissions	37	53	1	1 ¹
SCAQMD LST	82	827	2	1
Threshold Exceeded?	No	No	No	Yes

lbs/day = pounds per day; NO_x = nitrogen oxide; CO = carbon monoxide; PM₁₀ = particulate matter with a diameter no more than 10 microns; PM_{2.5} = particulate matter with a diameter no more than 2.5 microns.

Notes: Some numbers may not add up precisely due to rounding considerations. Maximum onsite emissions are the highest emissions that would occur on the project site from onsite sources, such as fireplaces, emergency generators, natural gas use, architectural coatings, and excludes mobile sources.

¹On-site operational activity would generate 1.35 lbs./day of PM_{2.5} emissions.

Source: See CalEEMod worksheets in Appendix B, Table 2.5, Operational Emissions by Sector, Unmitigated.

Operational Toxic Air Contaminants

CARB's *Air Quality and Land Use Handbook: A Community Health Perspective* (2005) provides recommendations regarding the siting of new sensitive land uses near potential sources of TAC emissions (e.g., freeways, distribution centers, rail yards, ports, refineries, chrome plating facilities, dry cleaners, and gasoline dispensing facilities). The primary sources of potential air toxics associated with project operations include DPM from up to approximately 40 delivery trucks trips per day from the buildout of the commercial uses within the Wilshire Boulevard District. CARB recommends siting sensitive receptors more than 1,000 feet away from land uses that generate more than 100 diesel-fueled truck trips per day. Therefore, operational truck trips would not generate substantial TAC emissions based on CARB's guidelines. In addition, idling of each truck would be limited to five consecutive minutes and operation of diesel-fueled internal combustion engine auxiliary power systems would not be allowed for greater than five minutes within 100 feet of residences pursuant to 13 California Code of Regulations Section 2485.

The project would also generate minor quantities of hazardous TACs through typical residential and commercial maintenance activities (e.g., cleaning solvents, paints, landscape pesticides, etc.). This would be below thresholds warranting further study under the California Accidental Release Program. Typical residential and commercial maintenance activities and TAC use would not result in the exposure of off-site sensitive receptors to significant amounts of carcinogenic or toxic air contaminants.

Additional TAC emissions would occur from the emergency use of the seven life safety generators that would be included in the project (one for each building and parking structure on the project site). In addition, the generators would generate temporary TAC emissions from regular testing and maintenance activities. These life safety generators would be required to be permitted by SCAQMD; therefore, the generators would comply with SCAQMD emissions standards and individually would not emit substantial TAC emissions. However, the testing of seven generators per day could potentially result in substantial TAC emissions and impacts would be potentially significant.

CO Hotspots

A CO hotspot is a localized concentration of CO that is above a CO ambient air quality standard. The SCAB has been in attainment of federal CO standards since 2007, and most air quality monitoring stations no longer report CO levels (SCAQMD 2017a). The SCAQMD monitoring station in SRA 2 (Northwest Coastal LA County) that monitors CO reported maximum 1-hour and 8-hour concentrations of 1.5 ppm and 1.0 ppm, respectively, in 2021 (SCAQMD 2023d). These concentrations are well below the respective 1-hour and 8-hour standards of 20 ppm and 9 ppm. Typical development projects, such as the proposed project, do not emit the levels of CO necessary to result in a localized hot spot.

As an example, a detailed carbon monoxide analysis was conducted during the preparation of the SCAQMD's 2003 AQMP. The locations selected for microscale modeling in the 2003 AQMP included high average daily traffic (ADT) intersections in the SCAB that are expected to experience the highest CO concentrations. The highest CO concentration observed was

at the intersection of Wilshire Boulevard and Veteran Avenue on the west side of Los Angeles near Interstate 405, approximately three miles southwest of the project site. The concentration of CO at this intersection was 4.6 ppm, which is well below the State and Federal standards. The Wilshire Boulevard/Veteran Avenue intersection had an ADT of approximately 100,000 vehicles per day at the time of the study (SCAQMD 2003a). According to the City of Beverly Hills, the 24-hour traffic flow on Wilshire Boulevard in Beverly Hills is approximately 20,400 ADT (City of Beverly Hills 2019). Under Scenario 2 buildout, the scenario that would generate the highest number of daily vehicle trips, the project would generate 9,326 ADT. Conservatively assuming that all project vehicle trips would be generated along Wilshire Boulevard, the ADT on Wilshire Boulevard would be 29,726 ADT. This is well below the 100,000 ADT at the intersection studied by SCAQMD in the 2003 AQMP, which found that CO emissions were below the federal standards. Therefore, the proposed project would not result in a CO hotspot and impacts would be less than significant.

Mitigation Measures

AQ-2 Operational PM_{2.5} Emissions Reduction

The project shall only conduct maintenance testing on a maximum of three of the seven emergency generators per day, for a total of 60 minutes per day.

Significance After Mitigation

Construction Localized Significance Impacts

With incorporation of Mitigation Measure AQ-1, project construction would reduce NO_x emissions by approximately 70 percent and PM_{2.5} emissions by 79 percent as compared to standard CalEEMod modeling assumptions. As shown in Table 4.1-19, with incorporation of Mitigation Measure AQ-1, criteria pollutant emissions would be below LST thresholds. Therefore, construction activities would not expose sensitive receptors to criteria pollutants and construction-related health impacts would be less than significant with mitigation incorporated.

Table 4.1-19 Unmitigated Project LST Construction Emissions

Year	Pollutant (lbs/day)			
	NO _x	CO	PM ₁₀	PM _{2.5}
Maximum Construction Onsite Emissions	31	199	2	1
SCAQMD LST	82	827	6	3
Threshold Exceeded?	No	No	No	No

lbs/day = pounds per day; NO_x = nitrogen oxide; CO = carbon monoxide; PM₁₀ = particulate matter with a diameter no more than 10 microns; PM_{2.5} = particulate matter with a diameter no more than 2.5 microns;

Notes: Some numbers may not add up precisely due to rounding considerations. Maximum onsite emissions are the highest emissions that would occur on the project site from onsite sources, such as heavy construction equipment and architectural coatings, and excludes off-site emissions from sources such as construction worker vehicle trips and haul truck trips.

Source: See CalEEMod worksheets in Appendix B, Table 3.1 – 3.30 “Construction Emissions Details” emissions. Highest of Summer and Winter emissions results are shown for all emissions. The mitigated emissions account for project sustainability features and/or compliance with specific regulatory standards.

Construction TAC Emissions

DPM construction emissions after implementation of Mitigation Measure AQ-1 were estimated using CalEEMod’s construction mitigation option (C-5). The model allows for different engine tier levels to be applied to construction equipment (CAPCOA 2022). As shown in Table 4.1-20, the incremental excess cancer risk due to DPM exposure during construction at the MEIR would not exceed the project-level significance threshold of 10 in one million. Additionally, the chronic health risk would be below the Hazard Index of 1.0 with the mitigation measures implemented. Therefore, the proposed project's construction health risk impacts would be less than significant with mitigation incorporated.

Table 4.1-20 Mitigated Risk Associated with Construction Activity

	Excess Cancer Risk (per million)	Chronic Health Risk ¹
Maximally Exposed Individual Receptor (MEIR)	9.4	<0.1
SCAQMD Significance Threshold	>10.0	>1.0
Threshold Exceeded?	No	No

µg/m³ = micrograms per cubic meter; SCAQMD = South Coast Air Quality Management District.

¹ Noncancer health impacts are determined by dividing the airborne concentration at the receptor by the appropriate Reference Exposure Level (REL) for that substance. A REL is defined as the concentration at which no adverse noncancer health effects are anticipated. Because noncancer health impacts are assessed as the ratio of airborne concentration versus the REL, the resulting hazard index is unitless.

Source: See health risk calculations in Appendix B

Operational Localized Significance Impacts

With incorporation of Mitigation Measure AQ-2, above, project operations would reduce PM_{2.5} emissions by at least 48 percent under Specific Plan Buildout Scenario 2, which was found to result in the greatest potential particulate matter emissions. As shown in Table 4.1-21, with incorporation of Mitigation Measure AQ-2, criteria pollutant emissions would be below LST thresholds. Therefore, operational activities would not expose sensitive receptors to

criteria pollutants and operation-related health impacts would be less than significant with mitigation incorporated.

Table 4.1-21 Mitigated Project LST Operational Emissions

Year	Pollutant (lbs/day)			
	NO _x	CO	PM ₁₀	PM _{2.5}
Maximum Operational Onsite Emissions ^{1,2}	18	42	1	1 ³
SCAQMD LST	82	827	2	1
Threshold Exceeded?	No	No	No	No

lbs/day = pounds per day; NO_x = nitrogen oxide; CO = carbon monoxide; PM₁₀ = particulate matter with a diameter no more than 10 microns; PM_{2.5} = particulate matter with a diameter no more than 2.5 microns.

Notes: Some numbers may not add up precisely due to rounding considerations. Maximum onsite emissions are the highest emissions that would occur on the project site from onsite sources, such as fireplaces, emergency generators, natural gas use, architectural coatings, and excludes mobile sources.

¹ Highest on-site operational emissions from the three scenarios.

² Reduce stationary source emissions by 3/7 to show daily max emission when three emergency generators are tested for 60 minutes each day.

³ On-site operational activity would generate 0.7 lbs./day of PM_{2.5} emissions.

Source: See CalEEMod worksheets in Appendix B, Table 2.5, Operational Emissions by Sector, Unmitigated.

Operational TAC Emissions

With incorporation of Mitigation Measure AQ-2, above, project operations would reduce PM₁₀ and PM_{2.5} emissions by at least 48 percent under the Specific Plan Buildout Scenario 2, which was found to result in the greatest potential particulate matter emissions. With implementation of Mitigation Measure AQ-2, temporary TAC emissions with testing and maintenance of the emergency generators would not expose sensitive receptors to substantial TAC concentrations, and impacts would be reduced to less than significant under both Specific Plan Buildout Scenarios and the proposed Conceptual Plan.

Threshold 4.1d: Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Impact AQ-4 THE PROPOSED PROJECT WOULD NOT RESULT IN OTHER EMISSIONS (SUCH AS THOSE LEADING TO ODORS) THAT WOULD ADVERSELY AFFECT A SUBSTANTIAL NUMBER OF PEOPLE. THEREFORE, IMPACTS WOULD BE LESS THAN SIGNIFICANT.

a. Construction

During construction activities, heavy equipment and vehicles would emit odors associated with active vehicle and engine exhaust and idling of vehicles. However, these odors would be intermittent and temporary and would cease upon completion, and odors disperse with distance. In addition, project construction would be required to comply with SCAQMD Rule 402, which specifies 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. Overall, project

construction would not generate other emissions, such as those leading to odors, affecting a substantial number of people. Construction-related impacts would be less than significant.

b. Operation

With respect to operation, the SCAQMD's *CEQA Air Quality Handbook* (1993) identifies land uses associated with odor complaints as agricultural uses, wastewater treatment plants, chemical and food processing plants, composting, refineries, landfills, dairies, and fiberglass molding. The proposed project does not include land uses that are identified on the list above. The project includes restaurant uses, which may generate odors associated with cooking. Such odors would be minimal, and these uses would be located in the Wilshire Boulevard District of the Specific Plan area, away from residential uses to which such odors could be considered a nuisance. In addition, in accordance with the 9600 Wilshire Specific Plan, mechanical venting of the restaurant and other food-serving commercial uses would be designed to face away from residential uses, thereby directing vented air and potential odors away from sensitive receivers. Furthermore, the project would be required to comply with SCAQMD Rule 402, which prohibits the discharge of air contaminants that would cause injury, detriment, nuisance, or annoyance to the public. Therefore, the proposed project would not generate objectionable odors affecting a substantial number of people. Impacts would be less than significant.

4.1.4 Cumulative Impacts

The geographic scope for the cumulative air quality impact analysis is the SCAB. Because the SCAB is designated a nonattainment area for the Federal and State one-hour and eight-hour ozone standards, State PM₁₀ standards, federal 24-hour PM_{2.5} standard, and Federal and State annual PM_{2.5} standard, there is an existing adverse effect in the SCAB relative to these pollutants and additional, unplanned growth in the area has the potential to exacerbate the pollution and hinder the achievement of the NAAQS and CAAQS within the SCAB. As identified in Table 3-1, *Cumulative Project List*, in Section 3.4, *Cumulative Development*, there are 29 currently planned and pending projects in Beverly Hills.

This cumulative impact analysis is based on the SCAQMD's recommendations included in their *CEQA Air Quality Handbook* and *White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution* (SCAQMD 1993 and 2003b). Individual projects under the SCAQMD's jurisdiction would cause a cumulatively considerable increase in emissions for which the SCAB is in non-attainment if the individual project exceeds the SCAQMD's recommended thresholds.

a. Cumulative Impact AQ-1

Air pollution is largely a cumulative issue, and SCAQMD has provided guidance about cumulative impacts. According to SCAQMD, if a project is inconsistent with the 2022 AQMP, it would be considered to result in a cumulatively adverse air quality impact. As described above under Impact AQ-1, the project would be consistent with the 2022 AQMP with implementation of mitigation. Specifically, as described in Impact AQ-2 above, the proposed project's daily emissions during construction and operation would not exceed SCAQMD

regional thresholds with Mitigation Measure AQ-1. In addition, as described under Impact AQ-1, the proposed project would incorporate features such as all-electric HVAC and appliances and provisioning of EV chargers, consistent with the strategies of the 2022 AQMP. Furthermore, population, housing, and employment generated by the proposed project would not result in an exceedance of the 2022 AQMP growth assumptions. Therefore, the project's contribution to cumulative air quality impacts due to a conflict with the 2022 AQMP would not be cumulatively considerable.

b. Cumulative Impact AQ-2

Each related project listed in Section 3, *Environmental Setting*, would generate emissions during construction and operation. However, neither the proposed project nor any of the related projects are part of an ongoing regulatory program or are contemplated in a Program EIR. Therefore, as discussed in Appendix D of the SCAQMD's *White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution* (SCAQMD 2003b), the SCAQMD recommends that project-specific air quality impacts be used to determine if a project's contribution to cumulative air quality impacts would be significant.

As discussed above, the proposed project would be consistent with the SCAQMD 2022 AQMP. Additionally, construction and operation of the project would not exceed regional significance thresholds with incorporation of Mitigation Measure AQ-1. Therefore, with mitigation incorporated, the proposed project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment.

c. Cumulative Impact AQ-3

Cumulative projects could expose sensitive receivers to cancer risks exceed the SCAQMD 10 in one million threshold; however, similar to the proposed project, cumulative projects would be required to comply with SCAQMD regulations and thresholds to reduce the potential for significant impacts to sensitive receivers. As described under Impact AQ-3 above, construction LST and TAC from the project would be less than significant with implementation of Mitigation Measure AQ-2. In addition, as shown in Figure 3-1 of Section 3, *Environmental Setting*, there are no approved or pending cumulative projects within 1,000 feet upwind (southwest) from the proposed project that could result in cumulative impacts at the MEIR and other sensitive receptors studied in the construction HRA. Therefore, with the implementation of Mitigation Measure AQ-1, the construction TAC would be below the applicable SCAQMD thresholds and the proposed project's contribution to cumulative TAC would not be cumulatively considerable.

d. Cumulative Impact AQ-4

Construction of cumulative projects would result in construction equipment-related odors; however, the temporary nature of construction would ensure less than significant cumulative odor impacts. Operation of cumulative projects could adversely affect sensitive receptors from odor emissions if cumulative projects include typical odor-producing land uses. The project is not identified as an odor producing facility nor are there developments

near the project site or included in the cumulative development list that would produce significant odors. Therefore, cumulative impacts related to odors would be less than significant.

e. Summary

In summary, with implementation of mitigation measures, project construction activities would result in less than significant cumulative impacts related to regional air pollutant, localized air pollutant, and TAC emissions, as well as associated health risks for sensitive receptors. Similarly, project operation would result in less than significant cumulative impacts related to regional and local air pollutant emissions and associated impacts to sensitive receptors with implementation of mitigation. Cumulative impacts related to odors would be less than significant. No significant cumulative air quality impacts would occur.

4.2 Biological Resources

This section summarizes the regulatory setting and existing environmental setting and analyzes the potential biological resource impacts of the project during both construction and operational phases. Specifically, this analysis focuses on the project's potential to result in a substantial adverse effect on any species identified as a candidate, sensitive, or special-status species. Rincon Consultants, Inc. (Rincon) conducted a field reconnaissance survey and bat habitat assessment for the project in February 2023. This analysis is based on the results of the reconnaissance survey and bat habitat assessment, and a review of the California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database (CNDDDB) records. Other impacts to biological resources analyzed under CEQA include impacts to riparian habitat and sensitive natural communities, wetlands, the movement of resident or migratory fish or wildlife species, and nursery sites, as well as the potential for the project to conflict with local policies or adopted Habitat Conservation Plans that protect biological resources. These impacts were found to be less than significant in the Initial Study (Appendix A) and are not discussed further in this section.

4.2.1 Regulatory Setting

The following is a summary of the regulatory context under which biological resources are regulated at the Federal, State, and local level. Agencies with responsibility for protection of biological resources within the project site include:

- U.S. Fish and Wildlife Service (USFWS) (Federally listed species, candidate and proposed species for Federal listing, and migratory birds)
- CDFW (State-listed and fully protected species, and other special-status plants, wildlife and habitats)

Various Federal and/or State statutes provide a regulatory structure that guides the protection of biological resources. The City of Beverly Hills General Plan also specifically addresses biological resources. The following discussion provides a summary of the laws that are most relevant to the proposed project.

a. Federal Regulations

United States Fish and Wildlife Service

The USFWS implements the Migratory Bird Treaty Act (MBTA; 16 United States Code [USC] Section 703-711) and the Bald and Golden Eagle Protection Act (16 USC Section 668). The USFWS and National Marine Fisheries Service (NMFS) share responsibility for implementing the Federal Endangered Species Act (ESA) (16 USC Section 153 et seq.). For the purposes of this project, only the USFWS has jurisdiction [or "a role"]. The USFWS generally implements the ESA for terrestrial and freshwater species. Projects that would result in "take" of any Federally listed threatened or endangered species are required to obtain permits from the USFWS through either Section 7 (interagency consultation with a Federal nexus) or Section

10 (Habitat Conservation Plan) of ESA, depending on the involvement by the Federal government in permitting and/or funding of the project. The permitting process is used to determine if a project would jeopardize the continued existence of a listed species and what measures would be required to avoid jeopardizing the species. A “take” under the Federal definition means to harass, harm (which includes habitat modification), pursue, hunt, shoot, wound, kill, trap, capture, collect, or to attempt to engage in any such conduct. Proposed or candidate species do not have the full protection of ESA; however, the USFWS advises project applicants that they could be elevated to listed status at any time.

b. State Regulations

California Department of Fish and Wildlife

The CDFW derives its authority from the Fish and Game Code of California. The California Endangered Species Act (CESA; California Fish and Game Code [CFGF] Section 2050 et. seq.) prohibits take of State-listed threatened, endangered, or fully protected species. Take under CESA is restricted to direct mortality of a listed species and does not prohibit indirect harm by way of habitat modification. The CDFW also prohibits “take” for species designated as Fully Protected under CFGF.

CFGF Sections 3503, 3503.5, and 3511 describe unlawful take, possession, or destruction of birds, nests, and eggs. Fully protected birds (Section 3511) may not be taken or possessed except under a specific permit. Section 3503.5 of the CFGF protects all birds-of-prey and their eggs and nests against take, possession, or destruction.

Species of Special Concern (SSC) is a category used by the CDFW for those species considered to be indicators of regional habitat changes or are considered to be potential future protected species. Species of Special Concern do not have any special legal status except that which may be afforded by the Fish and Game Code as noted above. The SSC category is intended by the CDFW for use as a management tool to include these species into special consideration when decisions are made concerning the development of natural lands.

Various regulations afford protections to bats, which are classified as indigenous nongame mammal species. These regulations include Title 14, Section 251.1 of the California Code of Regulations, which prohibits harassment (defined in that section as an intentional act that disrupts an animal’s normal behavior patterns, including breeding, feeding, or sheltering) of nongame mammals (e.g., bats), and CFGF Section 4150, which prohibits “take” or possession of all nongame mammals or parts thereof. Any activities resulting in bat mortality (e.g., the destruction of an occupied bat roost that results in the death of bats), disturbance that causes the loss of a maternity colony of bats (resulting in the death of young), or various modes of nonlethal pursuit or capture may be considered “take” as defined in Section 86 of the CFGF.

The CDFW also has authority to administer the Native Plant Protection Act (NPPA) (CFGF Section 1900 et seq.). The NPPA requires the CDFW to establish criteria for determining if a species, subspecies, or variety of native plant is endangered or rare. Under Section 1913(c)

of the NPPA, the owner of land where a rare or endangered native plant is growing is required to notify the department at least 10 days in advance of changing the land use to allow for salvage of plants.

Perennial and intermittent streams and associated riparian vegetation, when present, also fall under the jurisdiction of the CDFW. Section 1600 et seq. of the CFGC (Lake and Streambed Alteration Agreements) gives the CDFW regulatory authority over work within the stream zone (which could extend to the 100-year flood plain) consisting of, but not limited to, the diversion or obstruction of the natural flow or changes in the channel, bed, or bank of any river, stream or lake.

c. Local Regulations

City of Beverly Hills General Plan Open Space Element

The project site is located within the City of Beverly Hills, which oversees land use planning through implementation of the City's General Plan. Biological resources are specifically addressed in the General Plan Open Space Element, which contains the following policies specific to biological resources:

- **Policy OS 1.1: Resource Preservation.** Preserve the City's biological diversity, remaining natural habitat and aesthetic character. Encourage new development on hillsides and in canyon areas to preserve natural land formations and native vegetation, and to set aside areas as greenbelts and wildlife corridors when feasible.
- **Policy OS 2.1: Trees of Significance.** Require the retention of trees of significance (such as heritage trees) by promoting stewardship of such trees and ensuring that the design of development and reuse projects provide for the retention of these trees wherever possible. Where tree removal cannot be avoided, require replacements with an appropriate species.
- **Policy OS 2.2: Manage and Enhance.** Continue to ensure that new construction incorporates trees where appropriate, and manages and cares for all publicly owned trees, works to retain healthy trees, and encourages planting appropriate species in appropriate locations. Maintain Tree City USA accreditation on an annual basis.

In addition, Beverly Hills Municipal Code Title 10, Chapter 3, Article 29, Regulation of Trees on Private Property, includes provisions regarding protected tree removal on portions of single-family residential properties, tree removal permits, and replacement requirements.

4.2.2 Environmental Setting

The project site is located in an urbanized area of Beverly Hills and is developed with three existing primary buildings and paved parking areas. Land uses surrounding the project site include existing development with a mix of residential, retail, and commercial uses. The project would facilitate the rehabilitation and adaptive reuse of the Saks Women's Building and permit a range of residential, retail, office, and commercial uses within the existing development footprint. The Shoe Building, located at 9620 Wilshire Boulevard (Parcel B), is

proposed to be demolished during project construction. Special-status species that have the potential to occur on the project site and be affected by the proposed project are described below.

a. Special-Status Species

A target list of special-status plant and animal species that could potentially occur in the vicinity of the project site was developed based on a search of CNDDDB records occurring within a one-mile radius of the project site (CDFW 2023). No special-status habitats or plants were identified in the vicinity of the project site. One species, Crotch bumble bee (*Bombus crotchii*; CESA Candidate Endangered), was identified and is documented as “presumed extant” within the area; however, there is no suitable habitat for this species on or adjacent to the project site and this species was not detected during the reconnaissance survey.

Bats

Bats are known to use man-made structures, such as buildings, as roosting sites; therefore, the project site was closely inspected for its potential to support bat roosts. Day roosts serve to protect bats from predators and the elements during the day while resting and/or rearing their young; in human-made structures, these roosts are usually in small cavities or crevices. Bat species that commonly use anthropogenic structures for roosting include the Mexican free-tailed bat (*Tadarida brasiliensis*), big brown bat (*Eptesicus fuscus*), pallid bat (*Antrozous pallidus*), and Yuma myotis (*Myotis yumanensis*). Although bat roosts in structures can be relatively easy to identify, tree roosts can be more difficult to observe and require close examination. Some species of bats (e.g., western red bat [*Lasiurus blossevillii*] and hoary bat [*Lasiurus cinereus*]) day roost in the foliage of trees while other bat species (e.g., pallid bat and big brown bat) day roost in crevices or cavities found in mature trees and snags.

Types of day roosts where bats are particularly vulnerable to disturbance include maternity colonies in which female bats congregate to give birth and raise young, and hibernacula, where bats congregate to enter a period of hibernation during the winter months. A night roost, on the other hand, refers to a structure or structural feature (natural or human-made) in which bats roost during the evening between foraging bouts (e.g., crevices, cavities, corners, and recessed open spaces that are sheltered from the wind). Night roosts are typically situated in or near a foraging area and play an important role in the energetics and social interaction of bats. Because bats have separate roosting and foraging habitat requirements, it is expected that some bats may use one area for foraging and another for roosting. While more extensive and direct impacts to bats occur through roost removal, destruction, or disturbance, indirect impacts such as decline of prey base due to loss or modification of foraging habitat can also be substantial. Therefore, when assessing an area with alterations to habitat, a landscape-level assessment of all potential bat roosting habitat (e.g., man-made structures and trees) is required to adequately determine potential impacts to bats.

Marginal bat roosting habitat exists on-site on the exterior roofing of the buildings. Gaps in the corrugated aluminum panels are large enough for bats to fit inside and utilize both as day roosts or maternity roosts. In addition, large enough gaps also exist between the duct work and air conditioners located on the roof top. Although crevice-roosting species may roost under metal roofs, bats prefer roosts with consistent ambient temperatures as well as for their humidity and airflow. Bats are unlikely to roost here due to the direct sun exposure that this roof receives and the lack of materials to insulate the gaps for consistent warmer night temperatures to support a maternity roost (Lausen and Barclay 2006).

4.2.3 Impact Analysis

a. Significance Thresholds and Methodology

Significance Thresholds

The proposed project would have a potentially significant impact if it were to result in one or more of the following:

- 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 CDFW or USFWS.
- b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the CDFW or USFWS.
- 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.
- 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.

As described in the Initial Study for the proposed project, the proposed project would have either a less than significant impact or no impact related to Threshold b through Threshold f. Therefore, these issues are not addressed further in this EIR.

Methodology

The potential for the proposed project to have a substantial adverse effect on special-status species (Threshold 1) is assessed based on review of applicable biological resource databases, plans and policies, review of aerial photography such as Google Earth, and the

9600 Wilshire Boulevard Specific Plan

results of a reconnaissance level field survey. Rincon biologists surveyed the entire project site plus a 100-foot buffer on February 1, 2023, between the hours of 10:00 a.m. and 1:25 p.m. The survey was performed by biologists, Amy Leigh Trost and Justin Purnell. Weather conditions at the time of the survey included partly cloudy skies with temperatures ranging from 63 to 65 degrees Fahrenheit, and mild, 0 to 3 miles per hour winds.

The biologists surveyed for both active and inactive bird nests from the ground, surveying for existing nest structures, whitewash, birds exhibiting breeding/nesting behavior (i.e., courtship displays, copulation, vegetation or food carries, and territorial displays), and the presence of fledglings. Specific attention was afforded to trees in search of any potential nests. Binoculars (10x42) were used to aid in the identification of birds and other wildlife. In addition, the biologists searched for potential bat roosting sites in trees or buildings within the project area. Access to the rooftops of existing buildings within the project site was provided and were closely searched for evidence of bat usage, such as evidence of guano on the ground and urine stains on the exterior walls of the buildings.

Three potential buildout scenarios are included in in this analysis in order to evaluate the range of foreseeable construction and development that would occur as a result of build-out of the Specific Plan over time. As described in Section 2, *Project Description*, these Conceptual Plan buildout, Specific Plan Buildout Scenario 1, which involves maximum buildout of the Specific Plan with no residential conversion units, and Specific Plan Buildout Scenario 2, which involves maximum buildout of the Specific Plan with 75 residential conversion units included in the Wilshire Boulevard District. The amounts of non-residential square footage and residential units vary between these three buildout scenarios; however, the footprint of development, construction and grading activities (including rehabilitation of the historic Saks Women’s Building), and aesthetic character would be consistent across the three scenarios. Therefore, the below analysis applies to all three scenarios.

b. Project Design Features

No project design features related to biological resources are included in the project.

c. Project Impacts and Mitigation Measures

Threshold 4.2a.: 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?

Impact BIO-1 PROJECT CONSTRUCTION HAS THE POTENTIAL TO RESULT IN SIGNIFICANT IMPACTS TO PROTECTED NESTING BIRDS AND ROOSTING BATS. MITIGATION MEASURES BIO-1 AND BIO-2 WOULD REQUIRE PRE-CONSTRUCTION SURVEYS FOR NESTING BIRDS AND ROOSTING BATS ALONG WITH PROTOCOLS FOR THE PROTECTION OF ANY ACTIVE NESTS OR ROOSTS PRESENT, AND MITIGATION MEASURE BIO-3 WOULD REQUIRE INSTALLATION OF BAT BOXES IF A MATERNITY BAT ROOST IS DETERMINED TO BE PRESENT. WITH IMPLEMENTATION OF MITIGATION MEASURE BIO-1, BIO-2, AND BIO-3, PROJECT IMPACTS TO SPECIAL-STATUS SPECIES WOULD BE LESS THAN SIGNIFICANT.

As detailed above, Rincon biologists conducted a reconnaissance level survey and bat habitat assessment of the entire project site plus a 100-foot buffer on February 1, 2023. The entire project site is developed and is surrounded by residential/urban developed roads, sidewalks, and buildings, including landscaping consisting of ornamental trees, shrubs, and groundcover. Wildlife observed during the survey were common to urban environments in Southern California and included house sparrow (*Passer domesticus*), house finch (*Haemorhous mexicanus*), American crow (*Corvus brachyrhynchos*), and northern mockingbird (*Mimus polyglottos*). During the survey, the biologists did not observe any bird nests, nesting behavior, or roosting bats. The project site and 100-foot buffer area does not include any habitat to support terrestrial special-status species. Although no evidence of special-status species presence was observed during the reconnaissance survey performed by Rincon, the existing buildings provide marginally suitable day-roosting habitat for special status bat species including free-tailed bat, big brown bat, pallid bat, and Yuma myotis, and non-special status bat species that are protected under CFGC Section 4150.

Although no nests were observed, ornamental pine, magnolia, palm trees, and fruit trees on-site were determined to have high potential to support nesting birds and raptors. The existing buildings on the project site could provide habitat for nesting birds. Marginally suitable day-roosting habitat for bats was identified on the roofs of the existing buildings on the project site, as well; however, no bats were directly observed nor were any sign that would indicate their presence, such as guano on the ground or urine staining on walls. As such, no active bat roosting sites were found on the project site and there is no evidence of prior bat roosting. While no active bat roosting was identified on the project site, marginally suitable day-roosting habitats for bats, including bats that roost in structures (i.e., free-tailed bat, big brown bat, pallid bat, Yuma myotis, and non-special status bats), were found to be present on the roofs of the existing buildings. Although no bats or their sign was observed, bats are highly mobile species, may change roosts seasonally, and can occupy suitable roosting habitat at any time. Potential direct impacts to bats within the project site

include removal of potential roosting habitat that includes the ducting and air conditioners on the rooftops of the buildings, as well as harassment or injury if they are foraging within the project area during construction. Bats are considered non-game mammals and are afforded protection by State law from take and/or harassment (CFGF, Section 4150; California Code of Regulations Section 251.1).

While not observed during the survey, birds and bats protected by the CFGF and Federal MBTA may nest on the project site and in adjacent properties. Depending on the distance from construction activities, nesting bird species and roosting could be impacted by project construction disturbances, including noise. Therefore, project construction would result in potentially significant impacts to special status species.

During operation of the project, there would be no ongoing construction activities that could potentially affect nesting birds or roosting bats. New street trees and landscaping would be provided on the project site that could serve as potential nesting habitat for migratory birds and raptors, and structures on the project site would provide potential roosting habitat for bats. During project operation, the project would introduce urban uses such as office and residential development (potentially including domestic pets) consistent with other uses in the immediately surrounding vicinity of the project site. The project site would continue to provide potential nesting and roosting sites in an urban neighborhood, consistent with existing conditions, and operation of the project would result in less than significant impacts.

Mitigation Measures

BIO-1 Pre-construction Nesting Bird Surveys

The project applicant/contractor shall conduct all demolition, grading, excavation, ground disturbance, construction, and vegetation clearing activities (collectively referred to as “construction activities”) in such a way as to avoid protected nesting birds. To that end, no construction activities shall be initiated during the avian breeding and nesting season (February 1 – August 31), unless in compliance with following requirements.

If construction activity is initiated during the avian breeding and nesting season (February 1 – August 31), a pre-construction survey shall be conducted by a qualified biologist for active bird nests (those containing eggs or nestlings, or with juvenile birds still dependent on the nest). The survey shall be conducted by a qualified biologist no more than seven days prior to the initiation of construction activities. The nesting bird survey shall cover the construction footprint plus a buffer of up to 300 feet, where accessible. Adjacent private, off-site areas can be surveyed from the project site with binoculars or other means if access is not otherwise granted.

Any active nests that are present during the pre-construction survey 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.

If construction activities are delayed after the survey has been conducted, the qualified biologist shall conduct an additional nesting bird survey (or surveys) such that no more than seven days have elapsed between the last survey and the commencement of construction activities.

BIO-2 Pre-construction Roosting Bat Surveys

A pre-construction bat survey shall be conducted within two weeks prior to demolition (interior and exterior) of the existing buildings and the removal of any trees on-site to determine whether bats are roosting. If bats are confirmed absent, the buildings and trees may be removed.

If bats are determined to be present during the pre-construction clearance survey, prior to demolition of the building (interior or exterior) or trees, a qualified bat biologist shall install or directly supervise installation of humane eviction devices and exclusionary material to evict bats that are present and to prevent bats from roosting in the building or trees. Implementation of the humane eviction/exclusions is typically performed in the fall (September or October) preceding construction activity at each structure to avoid impacts to hibernating bats during the winter months or during the maternity season (typically from April 1 through August 31 in Southern California), when flightless young are present. Humane evictions/exclusions cannot be performed during the bat maternity season because this would result in “take” of juvenile bats and shall be avoided during the winter because bats are not consistently active and may be hibernating. Any humane eviction/exclusion devices must be installed at least 14 days prior to the demolition of a structure or trees housing bats to allow sufficient time for the bats to vacate the roost(s).

If the pre-construction bat survey determines maternity colonies use the buildings or their use of the buildings cannot be ruled out, no demolition activities may occur inside or outside of the building until a qualified biologist determines that there are no bats actively using the building as a maternity roost. Any bats that may still be using the building as a day roost shall be passively relocated by installing suitable exclusionary devices, such as one-way doors.

BIO-3 Permanent Bat Boxes

If it is determined that there is maternity roosting activity onsite, bat roosting boxes shall be installed onsite. The bat roosting boxes shall be installed as close to the building(s) as feasible and shall be permanent and maintained by the property owner in perpetuity. The design of the bat roosting boxes shall be developed in coordination with a bat biologist who has experience designing roosting habitat mitigation to ensure that appropriate crevice sizes and adequate thermal characteristics are included in the specifications. The aspect and location of the roost structures shall also be determined in coordination with a bat biologist and subject to CDFW approval.

If no maternity roosts are found onsite, then permanent bat boxes would not be required.

Significance After Mitigation

Implementation of Mitigation Measures BIO-1, BIO-2, and BIO-3 would reduce potential project impacts to protected wildlife species (nesting birds and bats) to a less-than-significant level by providing pre-construction nesting bird and bat surveys and construction monitoring.

4.2.4 Cumulative Impacts

a. Cumulative Impact BIO-1

As described in Section 3, *Environmental Setting*, there are 32 planned and pending projects in the vicinity of the project site comprising the cumulative projects list. These developments include uses such as multi-family housing, hotels, offices, commercial/retail development, and institutional developments (refer to Table 3-1 in Section 3, *Environmental Setting*). None of the cumulative projects are in the immediate vicinity of the project site. The closest cumulative projects to the project site are Cumulative Project No. 18, located approximately 400 feet to the northeast and Cumulative Project No. 1 approximately 800 feet to the northeast. The cumulative analysis considers the potential contribution of buildout of the project site in combination with other approved and proposed development to result in impacts to sensitive and special-status species.

The project site area and surrounding areas are already developed and are of low quality for biological resources. Vegetation, including trees, located throughout the city could potentially support migratory birds. As discussed previously, the CFGC and MBTA protect migratory avian species, including sensitive species, when they are nesting. Due to their site-specific nature, impacts to biological resources, including bats, would be specifically assessed on a project-by-project basis for a particularly localized area. As with this project, related projects would address site-specific impacts to biological resources, like bats, through implementation of site-specific recommendations or mitigation measures. Furthermore, each cumulative project would be required to comply with the provisions of the CFGC and MBTA and implement measures similar to the proposed project. Compliance with the CFGC and MBTA throughout the city would ensure that cumulative impacts to migratory birds would be less than significant. In addition, bats are considered non-game mammals and are afforded protection by State law from take and/or harassment (CFGC, Section 4150; California Code of Regulations Section 251.1). Each cumulative project with the potential to impact bats would be required to comply with the CFGC and implement similar measures as the proposed project to protect roosting bats. The project and cumulative projects would not result in significant cumulative impacts to bats and the project's contribution would not be cumulatively considerable.

4.3 Cultural Resources

This section provides an analysis of the project’s potential impacts on cultural resources, including historical resources and archaeological resources. Historic built-environment resources may include engineered structures, buildings, objects, and monuments. Archaeological sites include evidence of past human occupation of the landscape, including but not limited to village sites, shell middens, tool and food processing sites, privies, and refuse deposits. If a project would result in the alteration or destruction of these resources, significant impacts to cultural resources may result. The analysis of historical resources is largely based on the *Historical Resource Evaluation Report-9600 Wilshire Boulevard, Beverly Hills* prepared by Historic Resources Group (HRG) in June 2022, included as Appendix C and referred to throughout this section as the 2022 HRG Report. Analysis of archaeological resources is based on the *Archaeological Resources Assessment for the 9600 Wilshire Boulevard Specific Plan Project*, prepared by Rincon Consultants in May 2023. Each of these reports was peer reviewed by Rincon and/or the City during preparation of the Draft EIR and are considered objective and accurate, and appropriate for inclusion in the Draft EIR. Other cultural resources impacts analyzed under CEQA include potential impacts related to human remains. This impact was found to be less than significant for the reasons set forth in the Initial Study (Appendix A) and is not discussed further in this section. Refer to Section 4.12, *Tribal Cultural Resources*, for additional information on the proposed project’s impacts regarding tribal cultural resources.

4.3.1 Regulatory Setting

This section includes a discussion of the applicable Federal, State and local laws, ordinances, regulations, and standards governing cultural resources, which must be adhered to before and during implementation of the proposed project.

a. Federal Regulation

Secretary of the Interior’s Standards for the Treatment of Historic Properties

Generally, a project which is found to comply with the Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (the SOI Standards) is considered to be mitigated below a level of significance (CEQA Guidelines Section 15126.4 [b][1]). The SOI Standards include guidelines that correlate to four distinct but related approaches to the treatment of historic properties, preservation, rehabilitation, restoration and reconstruction. The work proposed by the project falls under the rehabilitation standard, defined by the Secretary of the Interior as “the act or process of applying measures necessary to sustain the existing form, integrity, and materials of an historic property” (Grimmer 2017). Rehabilitation recognizes the need to alter or add to a historical resource to meet the needs of continuing use while maintaining historic character. The SOI Standards for Rehabilitation (the SOI Standards for Rehabilitation) as set forth in 36 Code of Federal Regulations (CFR) Part 68 are listed below.

9600 Wilshire Boulevard Specific Plan

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale, and proportion and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

National Register of Historic Places

Although the project does not have a Federal nexus, properties which are listed in or have been formally determined eligible for listing in the National Register of Historic Places (NRHP) are automatically listed in the California Register of Historical Resources (CRHR). The following is therefore presented to provide applicable regulatory context. The NRHP was authorized by Section 101 of the National Historic Preservation Act and is the nation’s official list of cultural resources worthy of preservation. The NRHP recognizes the quality of significance in American, state, and local history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects. Per 36 CFR Part 60.4, a property is eligible for listing in the NRHP if it meets one or more of the following criteria:

Criterion A: Is associated with events that have made a significant contribution to the broad patterns of our history

- Criterion B:** Is associated with the lives of persons significant in our past
- Criterion C:** Embodies the distinctive characteristics of a type, period, or method of installation, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction
- Criterion D:** Has yielded, or may be likely to yield, information important in prehistory or history

In addition to meeting at least one of the above designation criteria, resources eligible for listing in the NRHP must also retain integrity. The National Park Service recognizes seven aspects or qualities that, considered together, define historic integrity. To retain integrity, a property must possess several, if not all, of these seven qualities, defined as follows:

- Location:** The place where the historic property was constructed or the place where the historic event occurred
- Design:** The combination of elements that create the form, plan, space, structure, and style of a property
- Setting:** The physical environment of a historic property
- Materials:** The physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property
- Workmanship:** The physical evidence of the crafts of a particular culture or people during any given period in history or prehistory
- Feeling:** A property's expression of the aesthetic or historic sense of a particular period of time
- Association:** The direct link between an important historic event or person and a historic property

Certain properties are generally considered ineligible for listing in the NRHP, including cemeteries, the birthplaces and graves of historical figures, properties owned by religious institutions, relocated structures, or commemorative properties. Additionally, a property must generally be at least 50 years of age to be eligible for listing in the NRHP. The National Park Service states that 50 years is the general estimate of the time needed to develop the necessary historical perspective to evaluate significance (National Park Service 1997). Properties which are less than 50 years must be determined to have "exceptional importance" to be considered eligible for NRHP listing.

b. State Regulations

California Environmental Quality Act (CEQA)

California Public Resources Code (PRC) Section 21804.1 requires lead agencies to determine if a project could have a significant impact on historical or unique archaeological resources. As defined in PRC Section 21084.1, a historical resource is a resource listed in, or determined

eligible for listing in, the CRHR, a resource included in a local register of historical resources or identified in a historical resources survey pursuant to PRC Section 5024.1(g), or any object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant. PRC Section 21084.1 also states resources meeting the above criteria are presumed to be historically or culturally significant unless the preponderance of evidence demonstrates otherwise. Resources listed in the NRHP are automatically listed in the CRHR and are, therefore, historical resources under CEQA. Historical resources may include eligible built environment resources and archaeological resources of the precontact or historic periods.

CEQA Guidelines Section 15064.5(c) provides further guidance on the consideration of archaeological resources. If an archaeological resource does not qualify as a historical resource, it may meet the definition of a “unique archaeological resource” as identified in PRC Section 21083.2. PRC Section 21083.2(g) defines a unique archaeological resource as an artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria: 1) it contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information, 2) has a special and particular quality such as being the oldest of its type or the best available example of its type, or 3) is directly associated with a scientifically recognized important prehistoric or historic event or person.

If an archaeological resource does not qualify as a historical or unique archaeological resource, the impacts of a project on those resources will be less than significant and need not be considered further (CEQA Guidelines Section 15064.5[c][4]). CEQA Guidelines Section 15064.5 also provides guidance for addressing the potential presence of human remains, including those discovered during the implementation of a project.

According to CEQA, an impact that results in a substantial adverse change in the significance of a historical resource is considered a significant impact on the environment. A substantial adverse change could result from physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of the historical resource would be materially impaired (CEQA Guidelines Section 15064.5 [b][1]). Material impairment is defined as demolition or alteration in an adverse manner [of] those characteristics of a historical resource that convey its historical significance and that justify its inclusion in, or eligibility for inclusion in, the CRHR or a local register (CEQA Guidelines Section 15064.5[b][2][A]; see also Sections 15064.5[b][2][B-C]).

If it can be demonstrated that a project will cause damage to a unique archaeological resource, the lead agency may require reasonable efforts be made to permit any or all of these resources to be preserved in place or left in an undisturbed state. To the extent that resources cannot be left undisturbed, mitigation measures are required (PRC Section 21083.2[a][b]).

Section 15126.4 of the CEQA Guidelines stipulates an EIR shall describe feasible measures to minimize significant adverse impacts. In addition to being fully enforceable, mitigation measures must be completed within a defined time period and be roughly proportional to the impact of the project. Generally, a project which is found to comply with the Secretary

of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (the SOI Standards) is considered to be mitigated below a level of significance (CEQA Guidelines Section 15126.4 [b][1]). For historical resources of an archaeological nature, lead agencies should also seek to avoid damaging effects where feasible. Preservation in place is the preferred manner to mitigate impacts to archaeological sites; however, data recovery through excavation may be the only option in certain instances (CEQA Guidelines Section 15126.4[b][3]).

California Register of Historical Resources

The CRHR was established in 1992 and codified by PRC Sections 5024.1 and 4852. The CRHR is an authoritative listing and guide to be used by state and local agencies, private groups, and citizens in identifying the existing historical resources of the state and to indicate which resources deserve to be protected, to the extent prudent and feasible, from substantial adverse change (PRC Section 5024.1(a)). The criteria for eligibility for the CRHR are consistent with the NRHP criteria but have been modified for state use in order to include a range of historical resources that better reflect the history of California (PRC Section 5024.1(b)). Unlike the NRHP however, the CRHR does not have a defined age threshold for eligibility; rather, a resource may be eligible for the CRHR if it can be demonstrated sufficient time has passed to understand its historical or architectural significance (California Office of Historic Preservation [OHP] 2011). Furthermore, resources may still be eligible for listing in the CRHR even if they do not retain sufficient integrity for NRHP eligibility (California OHP 2011). Generally, the California OHP recommends resources over 45 years of age be recorded and evaluated for historical resources eligibility (California OHP 1995).

A property is eligible for listing in the CRHR if it meets one of more of the following criteria:

- Criterion 1:** Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage
- Criterion 2:** Is associated with the lives of persons important to our past
- Criterion 3:** Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values
- Criterion 4:** Has yielded, or may be likely to yield, information important in prehistory or history

Additionally, the CRHR consists of resources that are listed automatically and those that must be nominated through an application and public hearing process. The CRHR automatically includes the following: California properties listed in the NRHP and those formally determined eligible for such listing; State Historical Landmarks from No. 770 onward; and California points of historical interest that have been evaluated by California OHP and have been recommended by the State Historical Resources Commission for inclusion in the CRHR.

c. Local Regulations

City of Beverly Hills General Plan Historic Preservation Element

The City of Beverly Hills Historic Preservation Element is a component of the City's General Plan that specifically focuses on the preservation of historical resources within the city. It outlines goals and policies for the protection and enhancement of historic properties in Beverly Hills. Relevant goals and policies include Goal HP-1.4 and Goal HP-1.8. Goal HP-1.4 encourages the City to "Develop and fund financial and regulatory incentives to encourage the protection of historic buildings, districts, and public landmarks/monuments from demolition or significant alteration." Goal HP-1.8 is designed to protect prehistoric and historic archaeological resources: "Temporarily suspend all earth disturbing activity within 100-feet of a potential resource, if any such resources are discovered during construction-related earth-moving activities, to assess the significance of the find, and require appropriate mitigation before work resumes" (City of Beverly Hills 2010).

City of Beverly Hills Historic Preservation Ordinance

The City's Historic Preservation Ordinance (Municipal Code Title 10, Chapter 3, Article 32; BHMC 10-3-3212) authorizes the Cultural Heritage Commission to recommend the nomination of properties as local landmarks to the City Council. The Council may designate local landmarks and historic districts by the procedures outlined in the ordinance. An eligible property may be nominated and designated as a landmark if it satisfies the requirements set forth below.

- A. A landmark must satisfy all of the following requirements:
 - 1. It is at least 45 years of age, or is a property of extraordinary significance;
 - 2. It possesses high artistic or aesthetic value and embodies the distinctive characteristics of an architectural style or architectural type or architectural period;
 - 3. It retains substantial integrity from its period of significance; and
 - 4. It has continued historic value to the community such that its designation as a landmark is reasonable and necessary to promote and further the purposes of this article.

- B. In addition to the requirements set forth in subsection A of this section, a landmark must satisfy at least one of the following requirements:
 - 1. It is listed in the NRHP;
 - 2. It is an exceptional work by a master architect;
 - 3. It is an exceptional work that was owned and occupied by a person of great importance and was directly connected to a momentous event in the person's endeavors or the history of the nation. For purposes of this subsection B3, personal events such as birth, death, marriage, social interaction, and the like shall not be deemed to be momentous;
 - 4. It is an exceptional property that was owned and occupied by a person of great local prominence;

5. It is an iconic property; or
6. The landmark designation procedure is initiated, or expressly agreed to, by the owner(s) of the property.

4.3.2 Environmental Setting

a. Indigenous History

The project site is located within the City of Beverly Hills. The prehistoric chronological sequence that is applicable to near-coastal and many inland areas within southern California is generally divided into four periods: Early Man, Milling Stone, Intermediate, and Late Prehistoric. The Early Man – Horizon I period (ca. 10,000 to 6000 BCE) is represented by numerous pre-8,000 B.C. sites identified along the mainland coast and Channel Islands (Erlandson 1991; Johnson et. al. 2002; Moratto 1984; Rick et. al. 2001). Early Man – Horizon I sites are generally associated with a greater emphasis on hunting than in later periods, though recent data indicates that the economy was a diverse mixture of hunting and gathering, including a significant focus on aquatic resources (Wallace 1978; Jones et. al. 2002; Moratto 1984). The Milling Stone – Horizon II period (ca. 6,000 to 3,000 BCE) is characterized by subsistence strategies centered on collecting plant foods and small animals, including an apparent importance of seed processing suggested by the appearance and abundance of stone grinding implements, namely milling stones and hand stones (Kowta 1969; Byrd and Raab 2007). The Intermediate – Horizon III period (ca. 3,000 BCE to CE 500) is characterized by a shift toward a hunting and maritime subsistence strategy, along with a wider use of plant foods. A pronounced trend occurred toward greater adaptation to regional or local resources including an increased variety and abundance of fish, land mammals, and sea mammals along the coast (Warren 1968; Rogers, D. 1929; Moriarty 1966; Rogers, M. 1939, 1945). Tool kits for hunting, fishing, and processing food and other resources reflect this increased diversity, with larger knives, flake scrapers, shell fishhooks, drill-like implements, and various projectile points being more common than in the preceding period. Mortars and pestles also became more common, indicating an increasing reliance on acorns (Koerper and Drover 1983; Glassow et. al. 1988; True 1993; Glassow 1997). The Late Prehistoric – Horizon IV period (ca. CE 500 to Historic Contact) experienced further increase in the diversity of resource procurement demonstrated by more classes of artifacts, including finely-sharpened projectile points associated with usage of the bow and arrow. Other items include steatite cooking vessels and containers, a variety of bone tools, and personal ornaments made from shell, bone, and stone. This period experienced an increase in population size accompanied by the advent of larger, more permanent villages (Wallace 1955, 1978; Meighan 1954).

Ethnographic Context

The project lies within an area traditionally occupied by the Native American group known as the Gabrieleño (or Gabrieliño or Gabrielino). The name Gabrieleño was applied by the Spanish to those natives that were attached to Mission San Gabriel (Bean and Smith 1978; Kroeber 1925). Today, most contemporary Gabrieleño prefer to identify themselves as

Tongva (King 1994); however, one contemporary group, the Gabrieleño Band of Mission Indians – Kizh Nation, prefer the term “Kizh.” Gabrieleño territory included the Los Angeles basin and southern Channel Islands as well as the coast from Aliso Creek in the south to Topanga Creek in the north. The Gabrieleño language belongs to the Takic branch of the Uto-Aztecan language family, which can be traced to the Great Basin region (Heizer 1978; Shipley 1978).

The Gabrieleño established large permanent villages and smaller satellite camps throughout their territory. Society was organized along patrilineal non-localized clans, a common Takic pattern. Gabrieleño subsistence was oriented around acorns supplemented by roots, leaves, seeds, and fruits from a wide variety of plants. Meat sources included large and small mammals, freshwater and saltwater fish, shellfish, birds, reptiles, and insects. Gabrieleño employed a wide variety of tools and implements to gather and hunt food (Blackburn 1963; Kroeber 1925; McCawley 1996). The digging stick, bow and arrow, traps, nets, blinds, throwing sticks and slings, spears, harpoons, and hooks were common tools. The Gabrieleño made oceangoing plank canoes (known as *tí'at*) capable of holding 6 to 14 people that they used for fishing, travel, and trade between the mainland and the Channel Islands.

b. Post-Contact Historic Context

Post-Contact history for the State of California is generally divided into three periods: the Spanish Period (1769 to 1822), Mexican Period (1822 to 1848), and American Period (1848 to present). Spanish exploration of California began when Juan Rodriguez Cabrillo led the first European expedition into the region in 1542. For more than 200 years after his initial expedition, Spanish, Portuguese, British, and Russian explorers sailed the California coast and made limited inland expeditions, but they did not establish permanent settlements. In 1769, Captain Gaspar de Portolá led an expedition composed of soldiers, missionaries, Native Americans from Baja California, and Mexican civilians into what was then known as Alta California. The Spanish Period in California begins in 1769 with the establishment of first Spanish settlements at the presidio of San Diego (a military outpost) and Mission San Diego Alcalá, the first of 21 missions constructed between 1769 and 1823. The expedition proceeded north and reached the present-day boundaries of Los Angeles two months later. On September 8, 1771, Fathers Pedro Benito Cambón and Angel Fernandez Somera y Balbuena established the Mission San Gabriel Arcángel east of present-day downtown Los Angeles (Kyle 2002). In addition to Mission San Gabriel, the Spanish also established a pueblo (town) known as El Pueblo de la Reina de los Angeles de la Porciúncula in the Los Angeles Basin in 1781 (Rice et al. 2012). This was one of only three pueblos established in Alta California and eventually became the City of Los Angeles. The Spanish crown also began to make land grants permitting soldiers and other prominent citizens to establish ranchos during this period. To manage and expand their herds of cattle on these large ranchos, colonists enlisted the labor of the surrounding Native American population. Native populations were also negatively affected by the mission system, which was put in place to govern them as well as convert them to Christianity. The increased European presence during this period led to the spread of diseases foreign to the Native Americans, contributing to the devastation of their population.

The Mexican Period commenced when news of the success of the Mexican War of Independence (1810 to 1821) against the Spanish crown reached California in 1822. The federalization and distribution of mission lands in California occurred during this period with the passage of the Secularization Act of 1833. This Act enabled Mexican governors in California to distribute former mission lands to individuals in the form of land grants. Successive Mexican governors made more than 700 land grants between 1834 and 1846, putting most of California's lands into private ownership for the first time (Garland 1917). During the supremacy of the ranchos, landowners largely focused on the cattle industry and devoted large tracts to grazing. The land within which the project site is located was once part of Rancho El Rodeo de las Aguas, initially claimed in 1822 by Mexican settlers Maria Rita Valdez Villa and her husband Vicente Valdez, a Spanish soldier.

The American Period officially began with the signing of the Treaty of Guadalupe Hidalgo in 1848, which ended the Mexican-American War and made California a territory of the United States. California was made a state with the Compromise of 1850 (Waugh 2003). The Gold Rush began in 1848, resulting in an influx of people to California seeking gold. Cattle were no longer desired mainly for their hides but were also important for their meat and other by-products. Eventually, the cattle boom ended, and severe drought years reduced the productivity of the ranchos (Cleland 2005). Many ranchos in Los Angeles County were sold or otherwise acquired by Americans in the mid- 1800s, and most were subdivided into agricultural parcels or towns. The County of Los Angeles was established on February 18, 1850. By 1876, the County had a population of 30,000 (Dumke 1944).

c. Beverly Hills History

The City of Beverly Hills is situated on the former rancho lands of the 4,449-acre El Rodeo de las Aguas, initially claimed in 1822 by Mexican settlers Maria Rita Valdez Villa and husband Vicente Valdez, a Spanish soldier. Maria Rita, an Afro-Latina, built an adobe ranch house near the present-day intersection of Sunset Boulevard and Alpine Drive and raised cattle and horses on the land. In 1854, Maria Rita sold the rancho to Benjamin D. Wilson and Henry Hancock for \$4,000 (Johnson Heumann Research Associates 1986; Wanamaker 2005).

The rancho changed ownership multiple times through the late 1800s due to a series of failed subdivision attempts by land speculators. By 1906, the rancho was under the ownership of oil investor Burton Green with several partners. After locating water instead of oil, the partners reorganized the former rancho lands as the Rodeo Land and Water Company and began development of a new community. Green later named the town Beverly Hills, in honor of Beverly Farms, Massachusetts (Wanamaker 2006).

Landscape architect Wilbur Cook was hired to help design the new town. An apprentice of Frederick Law Olmstead, Cook designed the town to include wide, curvilinear streets and Santa Monica Park, which spanned three blocks. The first streets were Rodeo, Canon, Crescent, Carmelita, Elevado and Lomitas, all constructed in 1907 (City of Beverly Hills 2012; Johnson Heumann Research Associates 1986).

9600 Wilshire Boulevard Specific Plan

Following construction of the Beverly Hills Hotel in 1912, the community quickly drew the attention of Hollywood, attracting a cadre of film celebrities including Douglas Fairbanks, Mary Pickford, Charlie Chaplin, Buster Keaton, Marion Davies and Rudolph Valentino. The Los Angeles Speedway (also frequently referred to as the Beverly Hills Speedway), a wooden racetrack, was constructed in 1920 just south of and parallel to Wilshire Boulevard (Johnson Heumann Research Associates 1986).

From 1920 to 1930, Beverly Hills expanded from a city of 700 to 17,000 residents and became the preferred community of the region's wealthy and elite, over Hollywood and the City of Los Angeles' Wilshire district (Longstreth 1998; Wanamaker 2005). Beverly Hills continued to expand and flourish in the post-World War II period. The city's reputation as a destination for the glamorous and wealthy has continued over the decades though the addition of luxury retailers and the images projected by countless films and television programs. Today, the city has a population of approximately 32,000 (City of Beverly Hills 2012; United States Census Bureau 2022).

Wilshire Boulevard Commercial Development

The early commercial development of Beverly Hills was carefully controlled within a 20-square block known as the business triangle, which was designed to prevent commercial sprawl that could diminish the character of the city. Located between North Santa Monica Boulevard to the north/west, Rexford Drive to the east, and Wilshire Boulevard to the south, nearly all the city's earliest shops and businesses were situated within this district. Businesses in the business triangle catered to the needs of local residents and included grocers, auto repair garages, and fine clothing and furniture retailers. A handful of local architects were responsible for constructing most of the early buildings within the business triangle, designed in period revival-styles including Spanish Colonial, Tudor, Mediterranean, and French Revival. The buildings were typically small in scale and height and were frequently altered or reconstructed over the decades to suit the changing tastes of residents and property owners (Johnson Heumann Research Associates 1986; Longstreth 1998; English and Lee 2006).

Commercial development expanded beyond the business triangle during the 1920s real estate boom, particularly along Wilshire Boulevard to the eastern city limits. As the automobile replaced the streetcar as the primary mode of transportation, Wilshire Boulevard became a critical artery in the network of roads through the City of Los Angeles, prompting new development along the corridor. By the mid-1920s, Wilshire Boulevard had become one of the most heavily traveled streets through the Cities of Los Angeles and Beverly Hills, and points west (ARG 2015).

With the exception of several notable developments along Wilshire Boulevard including the Beverly Wilshire Hotel, most of the commercial development during this period was modest in scale and catered to commuters rather than local clientele. Shops were largely one- and two-story structures designed in revival and vernacular styles and featured ample rear or side parking lots (Johnson Heumann Research Associates 1986). Businesses noted along Wilshire Boulevard through the 1920s included cafes, auto dealers, markets, and garages (City of Beverly Hills Chamber of Commerce Var.).

The City of Beverly Hills contained nearly 300 commercial buildings by the 1930s (Johnson Heumann Research Associates 1986). At this time, Wilshire Boulevard served as the most direct east-west route through the City of Los Angeles, spanning from downtown to the Pacific Ocean. Wilshire Boulevard offered residents an alternative to shopping downtown. Its new hotels, restaurants, department stores and other commercial establishments made the boulevard a trendy and sophisticated district that lured customers from different parts of the area. The focus on the motorist was reflected in the architectural design of the buildings along the boulevard: large display windows, projecting signs and other elements that were highly visible to drivers served to advertise commercial establishments' merchandise. In historian Kevin Roderick's words, Wilshire Boulevard became the showcase drive of the Automobile Age (Roderick and Lynxwiler 2005).

Commercial development along Wilshire Boulevard in Beverly Hills shifted away from small-scale, commuter-friendly necessities towards larger and grander developments that reflected the city's wealth and affluence. Many of the nation's most reputable department stores, including furniture retailer W.& J. Sloane and the first west-coast branch of Saks Fifth Avenue, were established along Wilshire Boulevard because it was the only commercial area with sufficient-sized parcels to accommodate the necessary amenities. The simple Revival-style neighborhood shops gave way to elegantly designed structures, constructed in Regency, Art Deco, and Streamline Modern styles. By the 1940s, Wilshire Boulevard was bustling with motion picture theaters, banks, and high-end retailers designed by renowned architects that reflected the growing affluence of the community (Longstreth 1998; Johnson Heumann Research Associates 1986).

A pioneering aspect of the boulevard is that it served as Los Angeles's first linear downtown, a departure from the familiar form of a compact business section in the old city center. While the downtown streetcar system had been utilized by Angelinos for years, many people began to prefer driving their automobiles along the boulevard for shopping and also preferred living among more open spaces closer to the boulevard (Roderick and Lynxwiler 2005).

During the post-World War II period (1945 to 1990), an impressive collection of medium- to large-scale commercial office buildings was constructed within Beverly Hills, primarily along Wilshire Boulevard. These buildings were designed predominately by architects offering a wide range of modernistic architectural interpretations, including International, Corporate Modern, Late Modern, and Post Modern (English and Lee 2006). The shift from low-scale brick and stucco buildings towards larger-massed, high-rise structures constructed of glass, steel and concrete marked a shift in the character of Wilshire Boulevard, a trend that continues today. Architects responsible for a number of these modern commercial improvements included William Pereira, Charles Luckman, Maxwell Starkman, I.M. Pei, Victor Gruen Associates, Welton Becket and Associates, Langdon and Wilson, Edward Durrell Stone, Palmer and Krisel, Anthony Lumsden, Sidney Eisenshtat, and Gin Wong Associates (English and Lee 2006).

d. Project Site Conditions and History

The project site includes approximately four acres and is currently developed with the following: (1) a five-story, circa 1938 commercial building at 9600 Wilshire Boulevard, home to Saks Fifth Avenue, (2) an adjacent single-story Shoe Building located at 9620 Wilshire Boulevard, also home to Saks Fifth Avenue (3) a five-story, circa 1993 building at 9570 Wilshire Boulevard, formerly home to Barney's New York (Barney's), (4) a single-story loading facility that serves the former Barneys New York Building and (5) three associated paved parking lots.

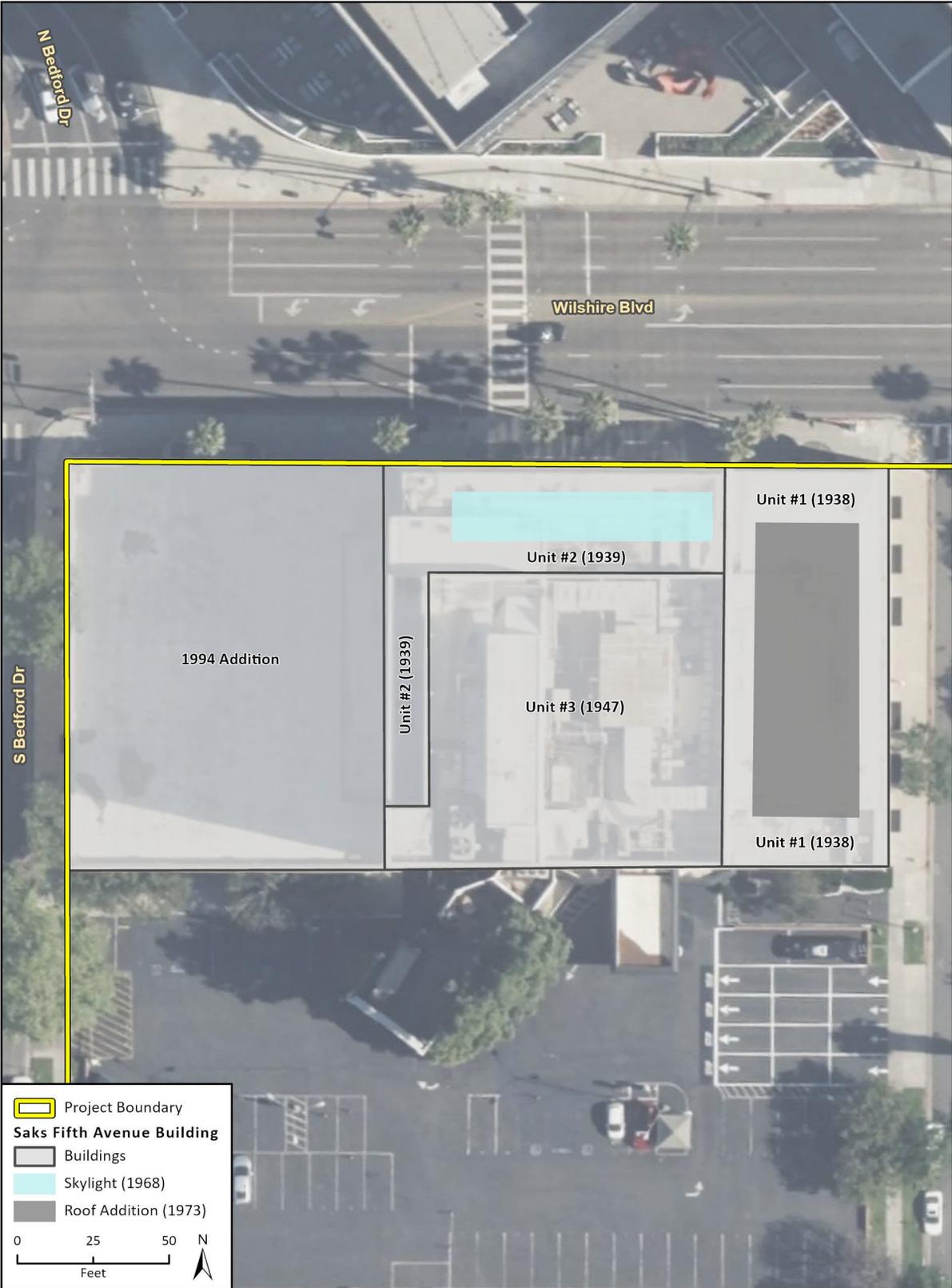
Saks Fifth Avenue Building

The following section was excerpted from the 2022 HRG report:

Saks Fifth Avenue is located on the south side of Wilshire Boulevard between Bedford Drive and South Peck Drive, along what was historically the main spine of the City's business and retail corridor. The building is set flush to the sidewalk on its three street façades and is flanked to the south by an associated surface parking lot. The Saks Fifth Avenue Building has a rectangular plan, asymmetrical composition, and complex massing consisting of three distinct parts: the original 1938 building designed by master architects Parkinson & Parkinson (Unit #1); the 1939-1947 expansions designed by master architect Paul Revere Williams (Units #2 and #3); and the 1994 Shoe Building addition designed by Bridges & Lavin.

Unit #1 is a five-story building with a flat roof. The fourth floor is partially concealed behind the original parapet, and the fifth floor is set back from the two street façades, giving the appearance of a three-story volume. Units #2 and #3 form a single element, seven stories in height; the sixth floor is concealed behind a parapet, and the seventh is set back from the primary (north) façade, giving the appearance from Wilshire Boulevard of a five-story structure. The 1994 addition, the Shoe Building, consists of a one-story wing with a rectangular plan and flat roof; and a six-story escalator tower on the west façade of Unit #3 (Figure 4.3-1).

Figure 4.3-1 Saks Fifth Avenue Building Units #1-3 and Additions



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Fig X Saks Fifth Ave Additions

9600 Wilshire Boulevard Specific Plan

Saks Fifth Avenue first announced its plans for a new store on Wilshire Boulevard in November 1937, saying that the goal of the West Coast expansion was “to bring Manhattan styles to Los Angeles as soon as they appear in New York.” The Los Angeles Times lauded Saks’ decision, claiming that the move “emphasizes again the growing metropolitan appeal of the West...Saks Fifth Avenue will deserve the welcome which undoubtedly is in store for it.”

The company leased two lots at the southwest corner of Wilshire Boulevard and South Peck Drive from the West Coast Improvement Company. The land had originally been the site of the Los Angeles Speedway (also frequently referred to as the Beverly Hills Speedway), which opened in 1919 and operated until 1924. Following the final race in February 1924, the track was dismantled, and the land subdivided to make way for new development. The West Coast Improvement Company purchased several lots along Wilshire Boulevard and leased the land to Saks, who commissioned prominent father-and-son architects John Parkinson and Donald Parkinson to design the store. John Parkinson had previously designed the iconic Bullock’s Wilshire department store in the Westlake/Koreatown districts of Los Angeles, among others, and the firm was well known for its commercial designs.

The five-story structure, constructed of reinforced concrete and clad in limestone veneer, was to be “patterned after the Saks Fifth Avenue store in Chicago, [but] the Southern California motif will be emphasized.” The store would be wholly devoted to womenswear, including departments for beach and swimwear, casual wear and “country clothes,” millinery, shoes, handbags, jewelry, and accessories. Construction on the building – whose costs including lease totaled \$1,000,000 – commenced in November 1937, and included a glass walled beauty shop and a rooftop garden terrace. The store’s most publicized features, however, were its elaborately appointed themed interiors. These were the work of architect Paul Revere Williams, who had been commissioned separately from the Parkinsons specifically to design the interior of the store. Williams, who at the time was primarily known as a residential architect, later recalled that it was precisely this background which landed him the commission: “Adam Gimbel, the president of Saks, told me that...since they wanted this store to express the warmth of a fine home, they decided to use a residential architect instead.” Gimbel directed Williams to “forget all the timeworn formulas that dominate the architectural treatment of the average store,” and instead create the impression of “a fine home or a smart women’s club.” Each showroom would be designed with its own color scheme and theme, in an attempt to “create a mood which is in keeping with the merchandise sold there.” Additionally, except in one room, explained the Los Angeles Times, “where the merchandise is a part of the color scheme of the quarters,” stock would be kept off the sales floor in “hidden recesses.” Williams’ efforts were a success: when the Saks Fifth Avenue store on Wilshire Boulevard opened in April 1938, the Times noted that “the interior appointments are among the most luxurious installed in any building on the Pacific Coast.”

While stylish décor was in abundance at Saks Fifth Avenue, the building itself was short on space. Business boomed, and while the company had initially intended to expand slowly and utilize only two floors of the building for retail operations, within three months the entire building was pressed into service. In November 1938, just seven months after opening their doors, the company announced that the Beverly Hills store would be expanded immediately. By this time Saks had purchased the land they had previously leased for construction of the store, as well as several additional lots totaling 110 feet of street frontage immediately to the west, and land for parking behind the store to the south. A five-story addition was erected on the adjoining lots, reserving a portion of the land for further expansion. The rear alley was moved back 100 feet, and the southern portion of the block was landscaped and improved for parking.

The company turned again to Paul Revere Williams, who designed the five-story addition adjoining the original building to the west, which was referred to in planning documents as “Unit #2.” The addition was part of an overall expansion plan designed by Williams which was to have eventually included a third unit to the west of Unit #2 that would be identical to the original store, creating flanking secondary volumes to Williams’ new central tower. Although 50 feet of street frontage from the company’s land acquisition was reserved for this expansion, the proposed third unit was ultimately never constructed.

Construction commenced on Unit #2 in January 1939 and was completed and opened to the public in August 1939. The newly enlarged store, now more than doubled in size, represented the company’s largest branch shop and allowed Saks to forge a “closer connection between the parent store and the Beverly Hills store so that all important styles may be presented simultaneously in both or, when the seasons permit, even more quickly in the West than in the East.” The additional selling space also allowed the store to include more offerings in existing and additional departments, including infant and children’s wear and teenage and debutante wear. New and expanded facilities, with interiors designed by Williams in collaboration with designer Tom Douglas, included a rooftop restaurant operated by prominent Beverly Hills restaurateur Alexander Perino, as well as the more practical considerations of air conditioning and “extensive parking facilities.”

In 1942, however, the rooftop garden restaurant was demolished to make way for further expansion of the selling floor. “Extensive structural alterations” were undertaken on the third and fourth floors of the building to provide more space for debutante departments and additional fitting rooms, and “considerable remodeling” was completed on the fourth floor, formerly the site of children’s and teen departments, to make way for corset and lingerie departments. Williams designed the alterations, and the firm of Cannell & Chaffin supervised the interior decoration.

Following World War II, Saks Fifth Avenue expanded once more to make way for the only department not yet offered by the store – menswear. While the company again commissioned Paul Revere Williams to design the expansion, known as Unit #3, they did not utilize the earlier expansion plan from 1939 which would have created a third

9600 Wilshire Boulevard Specific Plan

flanking volume. Instead, Williams designed an addition which expanded Unit #2 and remodeled the façade to incorporate both units as one larger volume.

With “built-in displays providing a highly masculine setting,” the plan included one floor for men’s clothing, another for men’s furnishings, and a third for men’s sportswear. Permits were approved in March 1946, and the newly-expanded store opened for business in May 1947. Existing interiors in Units #1 and #2 were also remodeled and redecorated at that time as part of the construction program.

Although Paul Revere Williams returned to Saks to design additional interior renovations in 1950, the opening of the men’s store in 1947 marked the last major expansion that Saks Fifth Avenue would undertake on the site for nearly 50 years. This was due in part to the adoption of a new zoning ordinance in 1947 by the City of Beverly Hills. Since 1938, temporary variances had been granted to stores along Wilshire Boulevard to allow for adjacent parking in otherwise residential areas. The new ordinance revoked those variances and prohibited the development of parking lots south of Wilshire Boulevard. Attorneys for Saks Fifth Avenue and other department stores along Wilshire Boulevard challenged the ordinance, and after a three-year legal battle, a Superior Court judge upheld the stores’ present use of the existing lots. Architect Paul Revere Williams had prepared plans in the late 1940s for a multi-story parking garage to be located behind the Saks Fifth Avenue Building, but by the time the store prevailed in its suit against the City of Beverly Hills in 1950, the plans had been abandoned and the parking garage was ultimately never constructed.

Instead, in the 1950s, the company began to expand its holdings through the operation of a satellite store across the street at 9633 Wilshire Boulevard (subsequently demolished), where the company opened the Saks Fifth Avenue linen shop, boudoir shop, and fabric salon in 1950. However, the company sold the property in 1955 and relocated the guest and gift departments back to the main store. Minor additions were constructed during the 1970s and 1980s to create additional office and utility space on the top floors, and a new entrance on the south façade with a new canopy was constructed in 1980. At some point during this period, the exterior wall cladding was also replaced on the south façade and existing windows were removed. The bulk of the construction work during this period, though, was focused on interior remodeling. In 1981, the store’s original interiors as designed by Paul Williams were gutted and the rooftop skylight was enclosed.

Remodeling work continued throughout the 1990s; the most recent major alterations took place in 1994, when Saks Fifth Avenue embarked on an extensive construction campaign which included interior renovations of the existing store as well as new construction. The company purchased the two existing storefront buildings immediately to the west of the store at 9620 Wilshire Boulevard, at the southeast corner of Wilshire Boulevard and Bedford Drive. These were demolished and replaced with a one-story addition designed by Bridges & Lavin, who also supervised the interior renovations.

The sections that follow are excerpts from the 2022 HRG Report, which presents context related to the architecture of the Saks Fifth Avenue building in detail:

Neoclassical Style Architecture

The Neoclassical styles include elements of the late-18th century Classical Revival and Adam (Federal) styles as well as the early-19th century Greek Revival style, sometimes combining them in the same building. The Classical Revival style was influenced by the work of the 16th century Italian architect Andrea Palladio, who adapted Roman temple forms to residential design. The style is characterized by a dominant entrance portico, usually full height, with classical columns supporting a pediment, and the frequent use of the tripartite Venetian (Palladian) window as a focal point. The Classical Revival style was championed in the United States by Thomas Jefferson, whose designs for the Virginia state capitol, the University of Virginia, and his own home, Monticello, are among the finest American examples of the style. The Greek Revival was based on classical Greek, rather than Roman, precedents and was popular in the United States from about 1830 until the outbreak of the Civil War. It is usually characterized by simple forms and bold classical details, including Etruscan or Greek Doric columns and heavy entablatures at the eave and porch.

Neoclassical styles did not achieve the broader popularity of their related American Colonial Revival contemporary in the 1920s and 1930s. The style is best identified by its symmetrical façade typically dominated by a full-height porch with the roof supported by classical columns. Later examples begin to show influences of the Regency Revival, including attenuated columns. Like the Renaissance Revival, the Neoclassical style was widely used for imposing civic buildings, institutional buildings, and banks.

Character- defining features include:

- Symmetrical façade
- Rectangular plan, sometimes with side wings
- Low-pitched hipped or side gable roof
- Exterior walls clad in masonry veneer or horizontal wood siding
- Paneled wood entrance door with sidelights, transom light, and classical surround
- Double-hung, divided light wood sash windows, sometimes with louvered wood shutters
- Venetian (Palladian) window or round or elliptical accent windows (Neoclassical)
- Semicircular or elliptical fanlights over entrance doors (Neoclassical)
- Pedimented entrance portico, usually full height, supported on classical columns (Neoclassical and Greek Revival)
- Wide classical entablatures (Greek Revival)
- Roof balustrade (Classical Revival)
- Decorative details including swags, garlands, urns, and grotesques
- Regency Revival (Hollywood Regency) Style

9600 Wilshire Boulevard Specific Plan

The Regency Revival style is indigenous to Los Angeles. It is seen almost exclusively in the design of single-family and multi-family residential architecture from the mid-1930s until about 1970; most examples in Beverly Hills date to the 1960s, although there are some examples from the pre-World War II era. It was primarily used in the design of single-family residences and smaller commercial buildings. Because the style ranges several time periods, this sub-theme encompasses those examples constructed prior to World War II. A separate Regency Revival (Late)/Hollywood Regency is also included as a postwar style, to encompass those examples constructed during that era.

The style references in part the architecture and design that developed in Britain in the early 19th century, in particular during the years 1811 to 1820 when the Prince of Wales, later King George IV, served as Prince Regent during the long, final illness of his incapacitated father King George III. Like the original Regency style, Regency Revival combines elements of Neoclassical and French Empire design; however, the attenuated classical ornament and simple surfaces reflect the influence of the Modern Movement.

The style first appeared in the United States in the mid-1930s as a stripped-down version of Neoclassicism that exhibited both the influence of Moderne styles and the simplified yet exaggerated qualities of Hollywood film sets. Its early development was interrupted by World War II and the resulting halt of construction. Examples of Early Regency Revival architecture in Beverly Hills are relatively rare. Character-defining features include:

- Symmetrical façade
- Tall, steeply pitched mansard, hipped or gable roofs, especially over entrance; frequently a flat roof over remainder
- Blank wall surfaces veneered in smooth plaster; some examples may have brick veneer or wood
- Vertically exaggerated arched entrance doors, sometimes set in projecting pavilions
- Tall, narrow windows, often with arched tops
- Eccentrically detailed and unconventionally proportioned Neoclassical features including double-height porticoes, thin columns, pediments, fluted pilasters, niches, and balconettes with iron railings
- Exaggerated applied ornament, such as large lanterns or sconces

Historical Resources

Constructed in 1993, the former Barney's Building was designed by Peter Marino and Jeffrey Hutchinson. The NRHP typically excludes properties under 50 years of age unless they are determined to be of exceptional importance under NRHP Criteria Consideration G: properties that have achieved significance within the last fifty years (NPS 1997). Similarly, resources may be recorded and evaluated for listing in the CRHR at any age. However, resources eligible for listing in the CRHR must meet one of the four associated criteria. According to guidance provided by California OHP: "In order to understand the historic importance of a resource, sufficient time must have passed to obtain a scholarly

perspective on the events or individuals associated with the resource. A resource less than fifty years old may be considered for listing in the California Register if it can be demonstrated that sufficient time has passed to understand its historical importance” (California OHP 2001). The research conducted for this study did not indicate that the former Barney’s Building is exceptionally important, nor does it appear to have achieved significance within an historic context or historical perspective (NPS 1997). Additionally, as the building was constructed in 1993, it’s likely that sufficient time has not passed to obtain a scholarly perspective on the events or individuals associated with the resource in accordance with California OHP guidance. The research conducted for this study did not indicate that the building may meet one of the criteria associated with the CRHR. It is therefore not considered a historical resource pursuant to Section 15064.5(a) of the CEQA Guidelines.

The Saks Fifth Avenue Building within the project site was constructed circa 1938 and was therefore evaluated for historical resources eligibility in the 2022 HRG Report prepared in support of the proposed project. As described in the 2022 HRG Report, the Saks Fifth Avenue Building is eligible for listing in the NRHP and CRHR under Criterion A/1 (Events) for its association with pre-and post-World War II commercial development in Beverly Hills and under Criterion C/3 (Architecture) as an example of Neoclassical and Regency Revival architecture applied to a retail building by master architects Parkinson & Parkinson and Paul Revere Williams. The 2022 HRG Report also notes that the building is additionally eligible for local designation as a City of Beverly Hills Landmark. The Saks Fifth Avenue Building is therefore considered a historical resource pursuant to Section 15064.5(a) of the CEQA Guidelines.

According to the 2022 HRG Report, the period of significance for the resource under Criterion A/1 is 1938 to 1947 which encompasses the 1938 implementation of Parkinson & Parkinson’s original design (Unit #1) and subsequent expansions by Paul Revere Williams in 1939 and 1947 (Unit #2 and Unit #3). The period of significance under Criterion C/3 is 1947 which marks completion of the last major building campaign in 1947. The resource’s character-defining features, or those physical features which collectively convey the significance of the property, were outlined in the 2022 HRG Report as follows:

- Spatial relationship to Wilshire Boulevard and South Peck Drive, including zero setback at sidewalks
- Rectangular plan, overall asymmetrical composition, and complex massing of three-story (Unit #1) and five-story (Units #2/#3) units
- Flat roofs
- Symmetrical composition of north (Units #1, #2/#3) and east (Unit #1) façades
- Classical division into base, middle, and top
- Limestone veneer with fluted panels, stringcourses, and simple frieze at parapets
- Rectangular, fixed plate glass display windows with bronze frames at first floor
- Divided light, steel sash casement windows at second through fifth floors

9600 Wilshire Boulevard Specific Plan

- Units #2/#3 central composition of stacked, divided light, steel sash casement windows with attenuated, reeded metal columns at mullions at second through fifth stories
- Main north entrance consisting of two pairs of glazed bronze doors with transom lights in concave recesses, flanking three central display windows
- Granite veneer around main north entrance
- Main north entrance canopy with metal fascia
- Secondary north entrance with glazed bronze door and transom light in recess with quarter-round returns, and semicircular canopy with metal fascia
- Recessed east entrance with glazed bronze door, transom light, quarter-round returns, bronze-framed display windows, and plaster soffit with recessed bronze light fixture
- East entrance marble steps

The period of significance does not encompass additions and/or modifications made to the building following 1947. For example, throughout the 1970s, 1980s, and 1990s, interiors were altered, rooftop additions were constructed, the adjacent single-story Shoe Building located at 9620 Wilshire Boulevard and the escalator tower were constructed, and alterations were made to the south facades of Units #1, #2, and #3. As these modifications were completed after the period of significance, they are not considered character-defining.

These subsequent alterations and roof-top structures resulted in a taller (up to seven story structure), but these changes did not remove or alter distinctive materials or features, spaces and spatial relationships that characterized the property. These additions and modifications have not affected the physical integrity of the historic resource (including as to size, scale and proportion, and massing) such that the building could no longer be listed in the CRHR or a local landmark program. Therefore, the building as constructed through the period of significance in 1947 retains enough of its historic character or appearance to be recognizable as a historic resource and to convey the reason for its significance. In short, in spite of these later additions, the Saks Fifth Avenue Building retains the requisite integrity to qualify for listing in the NRHP and the CRHR and for local designation as a City of Beverly Hills Landmark under Criteria A/1 for its association with pre- and post-World War II commercial development in Beverly Hills and under C/3 as an example of Neoclassical and Regency Revival architecture applied to a retail building by master architects Parkinson & Parkinson and Paul Revere Williams.

As noted in the 2022 HRG Report, the Saks Fifth Avenue Building was additionally identified in the 1985-1986 Beverly Hills Citywide Survey as a contributor to a thematic grouping of potential historical resources, the Wilshire Boulevard Specialty Stores Thematic Grouping, along with the W&J Sloane Co. furniture store at 9536 Wilshire Boulevard and the I. Magnin & Co. Department Store at 9634 Wilshire Boulevard. While the California OHP did not agree that these three buildings constituted a thematic grouping, the 2004 and 2006-2007 updates of the Citywide Survey reasserted that a thematic grouping was present and that the Saks Fifth Avenue Building contributed to that grouping (HRG 2021).

Archaeological Resources

An archaeological resources assessment was conducted in support of the project in June of 2023. The assessment included a cultural resources records search, a search of the Sacred Lands File (SLF) by the Native American Heritage Commission (NAHC), archival and background research, and historic aerial imagery review. The records search, archival and background research, and historic aerial imagery review did not identify any archaeological resources within or adjacent to the project site. Additionally, the results of the SLF search were negative. The project site has been heavily disturbed due to the construction of three buildings, paving of South Peck Avenue and existing parking lots around the buildings, and the installation of landscaping (trees, shrubs, and bushes) and including subterranean parking. As there is a high level of ground disturbance within the project site, as well as no previously recorded resources within the project site or vicinity, the archaeological sensitivity of the project site is considered low.

4.3.3 Impact Analysis

a. Significance Thresholds and Methodology

Significance Thresholds

The proposed project would have a potentially significant impact if it were to result in one or more of the following:

- a. Cause a substantial adverse change in the significance of a historical resources pursuant to CEQA Guidelines Section 15064.5
- b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to GEQA Guidelines Section 15064.5.
- c. Disturb any human remains, including those interred outside of dedicated cemeteries.

As described in the Initial Study for the proposed project, the proposed project would have a less than significant impact related to human remains with compliance with, California Health and Safety Code Section 7050.5 and PRC Section 5097.98 (Threshold c). Therefore, this issue is not addressed further in the EIR.

Methodology

Direct impacts can be assessed by identifying the types and locations of proposed development, determining the exact locations of cultural resources within the project area, assessing the significance of the resources that may be affected, and determining the appropriate mitigation. Removal, demolition, or alteration of historical resources can permanently impact the historic significance of an archaeological site, structure, or historic district.

The State Legislature, in enacting the CRHR, amended CEQA to clarify which properties are significant, as well as which project impacts are considered significantly adverse. A project with an effect that may cause a substantial adverse change in the significance of a historical

resource is a project that may have a significant effect on the environment (CEQA Guidelines Section 15064.5[b]). A substantial adverse change in the significance of a historical resource means demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired (CEQA Guidelines Section 15064.5[b][1]).

The CEQA Guidelines Section 15064.5[b][2] further state that “[t]he significance of an historical resource is materially impaired when a project... [d]emolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in the California Register ... local register of historic resources... or its identification in an historic resources survey” (CEQA Guidelines Section 15064.5[b][2]). As such, the test for determining whether the project would have a significant impact on identified historic resources is whether it would materially impair physical integrity of the historic resource such that it could no longer be listed in the CRHR or a local landmark program.

The significance of an archaeological deposit and subsequently the significance of any impact are determined by the criteria of the CRHR and the following criteria pertaining to unique archaeological resources, whereby the resource (PRC §21083.2(g)):

1. Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information
 - a. Has a special and particular quality such as being the oldest of its type or the best available example of its type
 - b. Is directly associated with a scientifically recognized important prehistoric or historic event or person

If an archaeological resource does not meet either the historical resource or the more specific “unique archaeological resource” definition, impacts do not need to be mitigated (14 PRC Section 15064.5). Where the significance of a site is unknown, it is presumed to be significant for the purpose of the EIR investigation.

As described in Section 2, Project Description, this EIR analyzes the environmental effects of buildout of the Specific Plan over time at a programmatic level including with and without the Residential Conversion Units. This EIR also performs a project level review of the proposed Conceptual Plan. The three scenarios would involve the same types of land uses, siting, footprint, mass, overall layout of structures, and locations of street, overall development footprint, construction activities, grading activities (including the rehabilitation of the historic Saks Fifth Avenue Building), and operational characteristics, but aesthetic character would be consistent across the three scenarios. Therefore, the below analysis applies to all three scenarios.

b. Project Design Features

No project design features are proposed with regard to cultural resources.

c. Project Impacts and Mitigation Measures

Threshold 4.3a: Would the project cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?

Impact CUL-1 THE PROJECT SITE CONTAINS ONE HISTORICAL RESOURCE, THE SAKS FIFTH AVENUE BUILDING, AND THERE ARE NUMEROUS BUILDINGS SURROUNDING THE PROJECT SITE THAT COULD POTENTIALLY BE CONSIDERED HISTORICAL RESOURCES BASED ON THEIR AGE. WITH IMPLEMENTATION OF MITIGATION MEASURES CUL-1, CUL-2, AND NOI-2, THE PROPOSED PROJECT WOULD RESULT IN LESS THAN SIGNIFICANT IMPACTS TO HISTORICAL RESOURCES.

Construction

As outlined above in Section 4.3.2, *Environmental Setting*, there is one built environmental historical resource located within the project site, the Saks Fifth Avenue Building at 9600 Wilshire Boulevard. As determined in the 2022 HRG Report, the Saks Fifth Avenue Building is eligible for listing in the NRHP and the CRHR and for local designation as a City of Beverly Hills Landmark under Criteria A/1 for its association with pre- and post-World War II commercial development in Beverly Hills and under C/3 as an example of Neoclassical and Regency Revival architecture applied to a retail building by master architects Parkinson & Parkinson and Paul Revere Williams. The building has additionally been identified as a contributor to a potential thematic grouping of historical resources, the Wilshire Boulevard Specialty Stores Thematic Grouping. It is therefore considered a historical resource pursuant to Section 15064.5(a) of the CEQA Guidelines.

According to CEQA (PRC Section 21084.1), a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment. Substantial adverse change is defined as demolition, destruction, relocation, or alteration activities that would impair the significance of the historical resource. As previously discussed in Section 4.3.1, *Regulatory Setting*, generally, a project which is found to comply with the SOI Standards is considered to be mitigated below a level of significance.

As noted in Section 2, *Project Description*, of this EIR, the proposed project encompasses the selective demolition of limited portions of the existing Saks Fifth Avenue Building (described in Section 2, *Project Description*, as the “Shoe Building located at 9620 Wilshire Boulevard”) and the rehabilitation of the remainder of the building in compliance with the SOI Standards. The project would include several additions to the existing building and the construction of the following within the project site: a seven-story mixed use addition to the west side of the Saks Fifth Avenue Building separated from the historic building by a narrow hyphen, a six-story multi-family residential building in the existing parking lot south of the Saks Fifth Avenue Building, one six-story commercial building on the existing surface parking lot at the southeast intersection of South Peck Drive and Wilshire Boulevard, and one six-story residential building on the existing surface parking lot south of the former Barney’s Building. The existing former Barney’s Building is currently undergoing interior

renovation under permits issued prior to the initiation of the project and is expected to serve as the new home of the Saks Fifth Avenue department store.

The proposed project would result in modifications to the Saks Fifth Avenue Building and its setting. As detailed in the 2022 HRG Report, conceptual designs for the proposed project appear to be consistent with the SOI Standards and the proposed alterations would not constitute material impairment of the historic Saks Fifth Avenue Building or the Wilshire Boulevard Specialty Stores Thematic Grouping. The building would continue to be used for its historic purpose with the first floor and portions of the basement and second floor used for retail spaces (Standard 1). The project would retain and preserve (adaptively reuse) the original 1938 Saks Fifth Avenue Building (Unit #1) and the 1939 and 1947 additions (Units #2 and 3) and would only remove additions to the building that do not contribute to the period of significance or the character-defining features of the property, such as the 1994 Shoe Building and escalator tower, the rooftop additions and penthouses of Units #1, #2 and #3, and portions of the north façade above the fourth floor; and will add new fenestration across the north façade; however, the character-defining features of the property would be maintained (Standards 2 and 4). The project does not propose changes that would create a false sense of historical development and would preserve the Neoclassical and Regency Revival features, finishes, and craftsmanship that characterize the building (Standards 3 and 5). If severe deterioration is found, the proposed project would use new features that match the old in design, color, texture and materials (Standard 6). The proposed project also does not propose use of chemical or physical treatment that would cause damage to the building, nor is it likely significant archaeological resources would be affected by the project (Standards 7 and 8). The proposed Parcel B addition, two-story rooftop additions, and fenestration would be designed so as to not destroy the historic materials that characterize the property nor conceal the historic building (Standards 9 and 10). Please refer to the HRG 2022 report in Appendix C for the detailed SOI Standards Analysis. However, design details such as those related to materials are expected to be further refined as the project progresses through the design and construction phases.

Additionally, there is the potential for groundborne vibration produced during project construction activities to result in impacts to the historic Saks Fifth Avenue Building in addition to other potential historical resources (buildings dating to the historic period) in the vicinity of the project site. An analysis of potential impacts resulting from construction-related groundborne vibration associated with the project is presented in Section 4.9, *Noise and Vibration*, of this EIR. For the purposes of the analysis of the potential for construction-related vibration to significantly impact historical resources, impacts would be considered significant if they would result in physical damage to historical resources. According to the analysis presented in Section 4.9, *Noise and Vibration*, impacts resulting from construction-related vibration would be less than significant for all buildings located over 21 feet from proposed construction activities.

Aside from the historic Saks Fifth Avenue Building, the historical resources most proximately located to the project site include Gibraltar Square at 9111 Wilshire Boulevard (Beverly Hills Landmark No. 30), approximately 0.75-mile east of the project site, and 9145 Wilshire Boulevard (Beverly Hills Landmark No. 26), approximately 0.70-mile east of the

project site. As these landmarks are located well over 21 feet from the project site, they do not have the potential to be impacted by construction-related vibration. However, although unlikely, construction related activities, before implementation of mitigation, have the potential to result in physical damage (defined as minor cosmetic, non-structural damage) to the Saks Fifth Avenue Building and to other historic-period buildings located within 21 feet of the project site.

Operation

Upon completion of construction, no further changes to the Saks Fifth Avenue Building or project site would occur that would materially impair the historical significance of the building. Additionally, project operation would not involve the use of vibration producing equipment that could damage historical buildings on the project site or in its vicinity, including the two most proximately located historical resources noted above, Beverly Hills Landmark Nos. 30 and 26. Therefore, project operation would have no additional impact to historical resources not previously considered under the analysis of construction impacts.

Mitigation Measures

The following mitigation measures shall be implemented.

CUL-1 SOI Standards for Rehabilitation Design Review

A SOI Standards design review shall be implemented to ensure that the project remains in compliance with the SOI Standards for Rehabilitation as its design progresses. The project team shall retain a qualified professional who meets the Secretary of the Interior's Professional Qualifications Standards in historic architecture and possesses a minimum of five years of experience in historic preservation (qualified professional). Input from the qualified professional as to the proposed design's compliance with the SOI Standards for Rehabilitation shall be solicited at multiple points in the design process, including at (a) the conceptual and schematic phases, and (b) during design development. The qualified professional shall be provided with the 2022 HRG report and shall rely on that report in regard to the identification and preservation of character-defining features. The SOI Standards for Rehabilitation recognize the need to alter a historical resource to meet the needs of continuing use while maintaining its historic character through the ten standards listed below:

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

9600 Wilshire Boulevard Specific Plan

4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired (Grimmer 2017).

The recommendations of the qualified professional shall be integrated into the design as it progresses. The qualified professional shall perform a formal review of detailed project plans prior to submittal of construction drawings for building permits. Prior to the issuance of building permits, the qualified professional shall prepare a Standards Review Memorandum to document the project's compliance with the SOI Standards. This memorandum shall be submitted to the City of Beverly Hills for review, comment, and acceptance and shall be included in the case file upon finalization. Acceptance of the memorandum is required prior to the issuance of building permits. The City may elect to retain a third-party expert to peer review the memorandum at the developer's expense.

CUL-2 Mothballing Plan

In the event that the Saks Fifth Avenue Building is vacant (and is not undergoing rehabilitation and construction efforts contemplated by the project) for over six months, a Mothballing Plan shall be developed and implemented. The plan shall be developed by a qualified professional who meets the SOI's Professional Qualifications Standards in architectural history or historic architecture (the "Qualified Professional"). The Qualified Professional shall develop a Mothballing Plan for the Saks Fifth Avenue Building to prepare the site for a sustained period of vacancy and minimize harm to the building. Unless an alternative approach is identified by the Mothballing Plan, the Mothballing Plan shall (a) require that, at minimum, when the building is vacant (and is not undergoing rehabilitation and other construction and maintenance activities) the building shall be locked, the windows shall be closed and secured, and the temperature shall be set above

freezing, and (b) provide for periodic checks to confirm the building is secure and stabilized. Protective fencing and other measures identified by the Qualified Professional and approved by the City may be implemented as determined by the City with input from the Qualified Professional if required to minimize harm to the building during a sustained period of vacancy. The Mothballing Plan shall take effect if the building is vacant for over six months (and is not undergoing rehabilitation and/or construction). The Mothballing Plan shall follow guidance outlined in the National Park Service (NPS) *Preservation Brief 31: Mothballing Historic Buildings* (NPS 1993).

In addition, Mitigation Measures NOI-2 and NOI-3 from Section 4.9, *Noise and Vibration*, are duplicated below for reference.

NOI-2 Construction Vibration Monitoring Program

Prior to any project-related construction activities, the Applicant shall prepare a construction vibration monitoring program. Since the Saks building is a historic resource, the program shall be prepared and implemented by a structural engineer with a minimum of five years of experience in the rehabilitation and restoration of historic buildings and a historic preservation architect meeting the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation, Professional Qualifications Standards. The program shall include the following:

- Prepare an existing conditions study to establish the baseline condition of the vibration sensitive resources (i.e., the Saks building and the 9570 Wilshire Boulevard building) in the form of written descriptions with a photo survey, elevation survey, and crack-monitoring survey for the vibration-sensitive building or structure. The photo survey shall include internal and external crack monitoring in the structure, settlement, and distress, and document the condition of the foundation, walls and other structural elements in the interior and exterior of the building or structure. Where receptors are historic resources, the study shall describe the physical characteristics of the resources that convey their historic significance.
- Determine the number, type, and location of vibration sensors and establish a vibration velocity limit (as determined based on a detailed review of the sensitive building), for monitoring vibrations during construction, monitoring schedule, and method for alerting responsible persons who have the authority to halt construction should limits be exceeded or damaged observed. Construction contingencies shall be identified for when vibration levels approach the limits. If vibration levels approach or exceed limits, suspend construction and implement contingencies to either lower vibration levels or secure the affected structure.
- Perform monitoring surveys prior to, in regular intervals during, and after completion of all vibration-generating activities and report any changes to existing conditions, including, but not limited to, expansion of existing cracks, new spalls, other exterior deterioration, or any problems with character-defining features of a historic resource are discovered. The City shall establish the frequency of monitoring and reporting,

9600 Wilshire Boulevard Specific Plan

based upon the recommendations of the qualified acoustical consultant or structural engineer or, for historic buildings, the historic architect and structural engineer. Monitoring reports shall be submitted to the City and the construction manager.

- Report substantial adverse impacts to vibration sensitive buildings including historic resources related to construction activities that are found during construction to the City and construction manager. The construction contractor shall adhere to the monitoring team’s recommendations for corrective measures, including halting construction or using different methods, in situations where construction activities would imminently endanger historic resources. The City and construction manager would respond to any claims of damage by inspecting the affected property promptly, but in no case more than five working days after the claim was filed and received. Any new cracks or other damage to any of the identified properties shall be compared to pre-construction conditions and a determination would be made as to whether the proposed project could have caused such damage. In the event that the project is demonstrated to have caused any damage, such damage would be repaired to the pre-existing condition at the expense of the project Applicant. Site visit reports and documents associated with claims processing would be provided to the City, as necessary.
- Prepare a construction vibration monitoring report that summarizes the results of all vibration monitoring and submit the report after the completion of each phase identified in the project construction schedule. The vibration monitoring report shall include a description of measurement methods, equipment used, calibration certificates, and graphics as required to clearly identify vibration-monitoring locations. An explanation of all events that exceeded vibration limits shall be included together with proper documentation supporting any such claims. The construction vibration monitoring report shall be submitted to the City within two weeks upon completion of each phase identified in the project construction schedule.

Significance After Mitigation

Implementation of Mitigation Measure CUL-1 and CUL-2 would reduce potentially significant impacts to the Saks Fifth Avenue Building by ensuring that as project design progresses, the proposed project would be consistent with the SOI Standards and would not result in a substantial adverse change. In addition, potential impacts to the Sak’s Fifth Avenue Building and as a result of construction vibration would be mitigated to less than significant with implementation of Mitigation Measure NOI-2, and no additional mitigation measures are necessary to reduce potential impacts to historical resources as a result of construction related vibration. These measures would additionally ensure that no historic period buildings within the vicinity of the project site would be damaged as a result of construction vibration.

<p>Threshold 4.3b: Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?</p>

Impact CUL-2 GRADING AND EXCAVATION ASSOCIATED WITH THE PROPOSED PROJECT WOULD HAVE THE POTENTIAL TO UNEARTH AND DISTURB PREVIOUSLY UNIDENTIFIED OR UNKNOWN ARCHAEOLOGICAL RESOURCES. WITH IMPLEMENTATION OF MITIGATION MEASURES CUL-3 THROUGH CUL-5, IMPACTS TO ARCHAEOLOGICAL RESOURCES WOULD BE LESS THAN SIGNIFICANT.

Construction

The results of the cultural resources records search and SLF search did not identify any previously recorded archaeological resources within the project site or a 0.5-mile radius. Background research conducted for the project indicates that the project site has been heavily disturbed due to the construction of three buildings and a subterranean parking lot, paving of South Peck Avenue and existing parking lots around the buildings, and the installation of landscaping (trees, shrubs, and bushes). Given the negative results of the records search for prehistoric and historic archaeological resources and the level of previous disturbance, the project site is considered to have low archaeological sensitivity.

However, it is possible that unanticipated archaeological deposits could be encountered and damaged during the ground-disturbing activities associated with construction (such as grading and excavation for utilities), especially if those activities occur in less-disturbed buried sediments. Additionally, the results of AB 52 and SB 18 consultation, as described in Section 4.12, *Tribal Cultural Resources*, indicate that the project vicinity is sensitive for cultural resources that may also qualify as tribal cultural resources. Therefore, project construction has the potential to result in significant impacts to archaeological resources.

Operation

Operation of the project would not involve excavation or ground-disturbing activities that may inadvertently encounter archaeological resources. Therefore, there would be no impacts to archaeological resources during project operation.

Mitigation Measures

CUL-3 Worker's Environmental Awareness Program

A qualified archaeologist shall be retained to conduct Worker Environmental Awareness Program training on archaeological sensitivity for all construction personnel prior to the commencement of any ground-disturbing activities. The training shall be conducted by an archaeologist who meets or exceeds the Secretary of Interior's Professional Qualification Standards for archaeology (NPS 1983). Archaeological sensitivity training shall include a description of the types of cultural material that may be encountered, cultural sensitivity issues, regulatory issues, and the proper protocol for treatment of the materials in the event of a find.

CUL-4 Archaeological Monitoring

Prior to project initiation, a qualified archaeologist (as defined below) shall be retained to provide periodic archaeological monitoring for the project, with the precise frequency to be

established by the City in consultation with the archaeologist based on factors such as the rate of excavation or grading activities and the materials being excavated. Archaeological monitoring shall be performed under the direction of an archaeologist meeting the Secretary of the Interior's Professional Qualification Standards for archaeology (NPS 1983). The archaeological monitor shall have the authority to halt and redirect work should any archaeological resources be identified during monitoring. If archaeological resources are encountered during ground-disturbing activities, work within 50 feet of the find shall halt and the find shall be evaluated for listing in the CRHR and NRHP. Archaeological monitoring may be reduced or halted at the discretion of the monitors, with approval of the lead agency, as warranted by conditions such as encountering bedrock, sediments being excavated are fill, or negative findings during the first 50 percent of ground-disturbance. If monitoring is reduced to spot-checking, spot-checking shall occur when ground-disturbance moves to a new location within the project site and when ground disturbance will extend to depths not previously reached (unless those depths are within bedrock). Furthermore, monitoring may be terminated in the event that it is determined that the soils within the project site do not have the potential to contain cultural resources, with approval of the lead agency.

CUL-5 Unanticipated Discovery of Archaeological Resources

In the event that archaeological resources are unexpectedly encountered during ground-disturbing activities, work within 50 feet of the find shall halt and the qualified archaeologist shall be contacted immediately to evaluate the resource. If the resource is determined by the qualified archaeologist to be prehistoric, then a Native American representative from the project's consulting tribes shall also be contacted to participate in the evaluation of the resource. If the qualified archaeologist and/or Native American representative determines it to be appropriate, archaeological testing for CRHR eligibility shall be completed.

If the resource proves to be eligible for the CRHR and significant impacts to the resource cannot be avoided via project redesign, the qualified archaeologist shall prepare a data recovery plan tailored to the physical nature and characteristics of the resource, per the requirements of CCR Section 15126.4(b)(3)(C). The data recovery plan shall identify data recovery excavation methods, measurable objectives, and data thresholds to reduce any significant impacts to cultural resources related to the resource. Pursuant to the data recovery plan, the qualified archaeologist and Native American representative, as appropriate, shall recover and document the scientifically consequential information that justifies the resource's significance. The City shall review and approve the treatment plan and archaeological testing as appropriate, and the resulting documentation shall be submitted to the regional repository of the California Historical Resources Information System, per CCR Section 15126.4(b)(3)(C). Work shall not recommence within 50 feet of the find until the data recovery plan is implemented in accordance with its terms and the same is verified by the City. In the event that unexpectedly encountered archaeological resources are determined to be Tribal Cultural Resources, the mitigation measures outlined in Section 4.12, Tribal Cultural Resources, of this EIR shall be implemented.

Significance After Mitigation

By implementing Mitigation Measures CUL-3 through CUL-5, the City would require the evaluation and proper steps to protect or treat significant archaeological resources if encountered during construction, resulting in a less than significant impact.

4.3.4 Cumulative Impacts

The proposed project, in conjunction with other nearby past, present, and reasonably foreseeable probable future projects in the region as listed in Table 3-1 in Section 3, *Environmental Setting*, could adversely impact cultural resources. Cumulative development within the vicinity of the project site would continue to disturb areas with the potential to contain historical and archaeological resources. For other developments that would have significant impacts on cultural resources, similar conditions and mitigation measures described herein would be imposed on those other developments consistent with the requirements of CEQA, along with requirements to comply with all applicable laws and regulations governing said resources.

a. Cumulative Impact CUL-1

Construction

There is the potential for construction of cumulative development in the city to result in the demolition or material impairment of historical resources. However, as described under Impact CUL--1, the project would not result in impacts to historical resources as it would preserve and rehabilitate the historical Saks Fifth Avenue Building on the site and include mitigation measures to ensure that alterations to the project site follow the SOI Standards for Rehabilitation and that construction vibration would not damage historic period buildings in the surrounding area. Future cumulative projects include those with potential impacts to Beverly Hills Landmark Nos. 30 and 26 along Wilshire Boulevard and the Wilshire Boulevard Specialty Stores Thematic Grouping. However, no physical alteration of these buildings is proposed. Therefore, neither of these projects will result in the cumulative material impairment of historical resources. Future cumulative projects would be reviewed separately by the City and undergo environmental review when it is determined that the potential for significant impacts to historical resources exists. In the event that future cumulative projects would result in impacts to historical resources, impacts to such resources would be addressed on a case-by-case basis, and appropriate mitigation measures developed, similar to the proposed project. Therefore, cumulative construction impacts to historical resources would be less than significant.

Operation

The project includes a change in use for the Saks Fifth Avenue Building. Similarly, future cumulative projects include a change in use at Beverly Hills Landmark No. 30 from a bank to a hotel and a change in use at Beverly Hills Landmark No.26 along from commercial to religious use. Although changes in use will occur, these changes will not result in physical changes to the built environment. Additionally, these changes in use will not significantly

alter the way in which the Wilshire corridor is currently experienced by users because the character of the area will remain intact. Therefore, there would be no cumulative operational impacts to historical resources, including the potential Wilshire Boulevard Specialty Stores Thematic Grouping, as a result of the project.

b. Cumulative Impact CUL-2

Construction

Cumulative development could impact known or unknown archaeological resources, and archaeological resources that may be considered cultural resources. This would be a potentially significant cumulative impact. However, cumulative projects would undergo project-specific environmental review when it is determined that the potential for significant impacts exists. If future cumulative projects would result in impacts to known or unknown archaeological resources, impacts to such resources would be addressed on a case-by-case basis and would be subject to mitigation measures similar to those imposed for the proposed project. As such, cumulative impacts would be less than significant with mitigation. As described under Impact CUL-2, Mitigation Measures CUL-3 through CUL-5 would ensure that project-level impacts to unknown archaeological resources are adequately mitigated. After implementation of these measures, the project's contribution to cumulative impacts to archaeological resources would not be cumulatively considerable.

Operation

The cumulative projects involve a mix of residential, office, and commercial uses. Similar to the proposed project, operation of the cumulative projects would not involve ground disturbing activities. Therefore, there would be no cumulative operational impacts to archaeological resources.

c. Summary

In summary, cumulative construction and operational impacts to historical resources would be less than significant. Cumulative construction impacts to archaeological resources would be less than significant with mitigation and cumulative operational impacts to archaeological resources would be less than significant.

4.4 Energy

This section analyzes the project's potential impacts on energy resources, focusing on electricity, natural gas, and transportation-related energy (petroleum-based fuels). This section evaluates the demand for energy resources attributable to the project and makes a determination regarding the project's use and conservation of energy uses. In addition, this section evaluates the project's consistency with relevant adopted energy conservation plans and policies.

4.4.1 Regulatory Setting

a. Federal Regulations

Energy Independence and Security Act

The Energy Independence and Security Act of 2007 facilitates the reduction of national energy use and GHG emissions by requiring the following:

- Increasing the supply of alternative fuel sources by setting a mandatory Renewable Fuel Standard that requires fuel producers to use at least 36 billion gallons of biofuel in 2022;
- Prescribing or revising standards affecting regional efficiency for heating and cooling products, procedures for new or amended standards, energy conservation, energy efficiency labeling for consumer electronic products, residential boiler efficiency, electric motor efficiency, and home appliances;
- Requiring approximately 25 percent greater efficiency for light bulbs that have traditionally used between 40 and 100 watts of electricity.
- While superseded by the United States Environmental Protection Agency (USEPA) and National Highway Traffic Safety Administration (NHTSA) actions described below, (i) establishing miles per gallon targets for cars and light-duty trucks and (ii) directing the NHTSA to establish a fuel economy program for medium- and heavy-duty trucks and create a separate fuel economy standard for trucks.

Additional provisions of the Energy Independence and Security Act address energy savings in government and public institutions, promote research for alternative energy, additional research in carbon capture, international energy programs, and the creation of "green jobs"¹.

Energy Policy and Conservation Act

Enacted in 1975, the Energy Policy and Conservation Act legislation established fuel economy standards for new light-duty vehicles (autos, pickups, vans, and sport-utility vehicles). The law placed responsibility on the NHTSA, a part of the U.S. Department of Transportation (USDOT), for establishing and regularly updating vehicle standards. The

¹ A "green job," as defined by the United States Department of Labor, is a job in business that produces goods or provides services that benefit the environment or conserve natural resources.

9600 Wilshire Boulevard Specific Plan

USEPA administers the Corporate Average Fuel Economy (CAFE) program, which determines vehicle manufacturers' compliance with existing fuel economy standards. Since the inception of the program, the average fuel economy for new light-duty vehicles steadily increased from 13.1 miles per gallon (mpg) for the 1975 model year to 30.7 mpg for the 2014 model year and can increase to 54.5 mpg by 2025.

On August 2, 2018, the NHTSA and USEPA, operating under the direction of the Trump Administration, proposed the Safer Affordable Fuel-Efficient Vehicles Rule Part One (SAFE I Rule). This rule addresses emissions and fuel economy standards for motor vehicles and is separated in two parts as described below.

- Part One, "One National Program" (84 Federal Register 51310) revokes a waiver granted by USEPA to the State of California under Section 209 of the Clean Air Act to enforce more stringent emission standards for motor vehicles than those required by USEPA for the explicit purpose of GHG emission reduction, and indirectly, criteria air pollutants and ozone precursor emission reduction. This revocation became effective on November 26, 2019, potentially restricting the ability of the California Air Resources Board (CARB) to enforce more stringent GHG emission standards for new vehicles and set zero emission vehicle mandates in California.
- Part Two addresses CAFE standards for passenger cars and light trucks for model years 2021 to 2026. This rulemaking proposes new CAFE standards for model years 2022 through 2026 and would amend existing CAFE standards for model year 2021. The proposal would retain the model year 2020 standards (specifically, the footprint target curves for passenger cars and light trucks) through model year 2026. The proposal addressing CAFE standards was jointly developed by NHTSA and USEPA, with USEPA simultaneously proposing tailpipe carbon dioxide standards for the same vehicles covered by the same model years.

The USEPA and NHTSA published final rules to amend and establish national carbon dioxide and fuel economy standards on April 30, 2020 (Part Two of the SAFE Vehicles Rule) (85 Federal Register 24174). On April 22, 2021, the Biden Administration formally proposed to roll back portions of the SAFE Rule, thereby restoring California's right to enforce more stringent fuel efficiency standards. Most recently, on December 21, 2021, the NHTSA finalized rules to repeal the SAFE I Rule. The final rule concludes the SAFE I Rule overstepped the agency's legal authority and established overly broad prohibitions that did not account for a variety of important State and local interests. The final rule ensures the SAFE I Rule will no longer form an improper barrier to states exploring creative solutions to address their local communities' environmental and public health challenges.

National Energy Policy Act of 1992

The National Energy Policy Act calls for programs that promote efficiency and the use of alternative fuels. The National Energy Policy Act requires certain federal, state, and local government and private fleets to purchase a percentage of light duty alternative fuel vehicles capable of running on alternative fuels each year. In addition, the National Energy Policy Act has financial incentives. Federal tax deductions are allowed for businesses and

individuals to cover the incremental cost of alternative fuel vehicles. The National Energy Policy Act also requires states to consider a variety of incentive programs to help promote alternative fuel vehicles.

Clean Air Act

The Clean Air Act Section 211(o), as amended by the Energy Policy Act of 2005, requires the Administrator of the USEPA to annually determine a renewable fuel standard which is applicable to refineries, importers, and certain blenders of gasoline, and to publish the standard in the Federal Register by November 30 each year. On the basis of this standard, each obligated party determines the volume of renewable fuel that it must ensure is consumed as motor vehicle fuel. This standard is calculated as a percentage, by dividing the amount of renewable fuel that the Clean Air Act requires to be blended into gasoline for a given year by the amount of gasoline expected to be used during that year, including certain adjustments specified by the Clean Air Act.

b. State Regulations

California Building Standards Code (Title 24)

California Building Energy Efficiency Standards (Title 24, Part 6)

California Code of Regulations (CCR) Title 24, Part 6 is the Building Energy Efficiency Standards or California Energy Code. This code, originally enacted in 1978, establishes energy-efficiency standards for residential and non-residential buildings in order to reduce California's energy demand. New construction and major renovations must demonstrate their compliance with the current Energy Code through submittal and approval of a Title 24 Compliance Report to the local building permit review authority and the California Energy Commission (CEC). The 2022 Title 24 standards are the applicable building energy efficiency standards for the proposed Project because they became effective on January 1, 2023 (CEC 2022a).

California Green Building Standards (Title 24, Part 11)

The California Green Building Standards Code, referred to as CALGreen, was added to Title 24 as Part 11, first in 2009 as a voluntary code, which then became mandatory effective January 1, 2011 (as part of the 2010 California Building Standards Code). The 2022 CALGreen includes mandatory minimum environmental performance standards for all ground-up new construction of residential and non-residential structures. It also includes voluntary tiers with stricter environmental performance standards for residential and non-residential buildings. Local jurisdictions must enforce the minimum mandatory CALGreen standards and may adopt additional amendments for stricter requirements.

The mandatory standards require:

9600 Wilshire Boulevard Specific Plan

- 20 percent reduction in indoor water use relative to specified baseline levels;²
- Waste Reduction:
 - Non-residential and multi-family dwellings with five or more units: Provide readily accessible areas identified for the depositing, storage and collection of nonhazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastic, organic waste, and metals; and/or
 - Non-residential: Reuse and/or recycling of 100 percent of trees, stumps, rocks, and associated vegetation soils resulting from primary land clearing;
- Inspections of energy systems to ensure optimal working efficiency;
- Low-pollutant emitting exterior and interior finish materials such as paints, carpets, vinyl flooring, and particleboards;
- Electric Vehicle (EV) Charging for New Construction:³
 - Non-residential land uses shall comply with the following EV charging requirements based on the number of passenger vehicle parking spaces:
 - 0-9: no EV capable spaces or charging stations required;
 - 10-25: 4 EV capable spaces but no charging stations required;
 - 26-50: 8 EV capable spaces of which 2 must be equipped with charging stations;
 - 51-75: 13 EV capable spaces of which 3 must be equipped with charging stations;
 - 76-100: 17 EV capable spaces of which 4 must be equipped with charging stations;
 - 101-150: 25 EV capable spaces of which 6 must be equipped with charging stations;
 - 151-200: 35 EV capable spaces of which 9 must be equipped with charging stations; and
 - More than 200: 20 percent of the total available parking spaces of which 25 percent must be equipped with charging stations;
 - Non-residential land uses shall comply with the following EV charging requirements for medium- and heavy-duty vehicles: warehouses, grocery stores, and retail stores with planned off-street loading spaces shall install EV supply and distribution equipment, spare raceway(s) or busway(s) and adequate capacity for transformer(s), service panel(s), or subpanel(s) at the time of construction based on the number of

² Similar to the compliance reporting procedure for demonstrating Energy Code compliance in new buildings and major renovations, compliance with the CALGreen water-reduction requirements must be demonstrated through completion of water use reporting forms. Buildings must demonstrate a 20 percent reduction in indoor water use by either showing a 20 percent reduction in the overall baseline water use as identified in CALGreen or a reduced per-plumbing-fixture water use rate.

³ EV Capable = a vehicle space with electrical panel space and load capacity to support a branch circuit and necessary raceways to support EV charging; EV-ready = a vehicle space which is provided with a branch circuit and any necessary raceways to accommodate EV charging stations, including a receptacle for future installation of a charger (see 2022 California Green Building Standard Code, Title 24 Part 11 for full explanation of mandatory measures, including exceptions).

off-street loading spaces as indicated in Table 5.106.5.4.1 of the California Green Building Standards;

- **Bicycle Parking:**
 - Non-residential short-term bicycle parking for projects anticipated to generate visitor traffic are required to provide permanently anchored bicycle racks that allow at least two bikes to be parked in the rack, within 200 feet of visitor entrance; and/or
 - Non-residential bicycle racks shall be implemented at a rate of five percent of new vehicle parking spaces; and/or;
 - Non-residential buildings with tenant spaces of 10 or more employees/tenant-occupants shall provide secure bicycle parking shall be provided at a rate of 5 percent of vehicle parking spaces and a minimum of one bicycle parking facility.
- **Shade Trees (Non-Residential):**
 - Surface parking: minimum No. 10 container size or equal shall be installed to provide shade over 50 percent of the parking within 15 years (unless parking area covered by appropriate shade structures and/or solar);
 - Landscape areas: minimum No. 10 container size or equal shall be installed to provide shade of 20 percent of the landscape area within 15 years; and/or
- **Hardscape areas:** minimum No. 10 container size or equal shall be installed to provide shade of 20 percent of the landscape area within 15 years (unless covered by applicable shade structures and/or solar or the marked area is for organized sports activities).

The voluntary standards, if adopted, require:

- Deconstruct existing buildings and reuse applicable salvaged materials;
- Residential – Cool Roofs: have a thermal mass over the roof membrane, including green roofs weighing a minimum of 25 pounds per square foot or roof areas covered by solar photovoltaic panels and building integrated solar thermal panels;
- Residential – Reduce nonroof heat island for 50 percent of sidewalks, patios, driveways or other paved areas;
- Residential Bicycle Parking:
 - Multi-family/hotel/motel short-term parking: provide permanently anchored bicycle racks within 100 feet of visitor’s entrance for 5 percent of visitor motorized vehicle parking capacity (minimum one 2-bike capacity rack);
 - Multi-family buildings long-term parking: provide acceptable on-site bicycle parking for at least one bicycle per every two dwelling units; and/or
 - Hotel/motel long-term parking: provide one acceptable on-site bicycle parking space for every 25,000 square feet but not less than two spaces;

- Tier I:
 - Stricter energy efficiency requirements;
 - Stricter water conservation requirements for specific fixtures;
 - minimum 65 percent reduction in construction waste with third-party verification, Minimum 10 percent recycled content for building materials;
 - Minimum 20 percent permeable paving;
 - Minimum 20 percent cement reduction;
 - Multi-family developments/hotels/motels: minimum 35 percent of total parking spaces shall be EV ready and for projects with 20 or more dwelling units/rooms a minimum of 10 percent of the total number of parking spaces shall be equipped with EV charging stations.

- Tier II:
 - Stricter energy efficiency requirements,
 - Stricter water conservation requirements for specific fixtures;
 - Minimum 75 percent reduction in construction waste with third-party verification,
 - Minimum 15 percent recycled content for building materials;
 - Minimum 30 percent permeable paving;
 - Minimum 25 percent cement reduction; and/or
 - Multi-family developments/hotels/motels: minimum 40 percent of total parking spaces shall be EV ready and for projects with 20 or more dwelling units/rooms, a minimum of 15 percent of the total number of parking spaces shall be equipped with EV charging stations.

California Appliance Efficiency Regulations

The Appliance Efficiency Regulations (Title 20, Sections 1601 through 1608), adopted by the CEC, include standards for new appliances (e.g., refrigerators) and lighting, if they are sold or offered for sale in California. These standards include minimum levels of operating efficiency, and other cost-effective measures, to promote the use of energy- and water-efficient appliances.

Senate Bill 350

SB 350, signed October 7, 2015, is the Clean Energy and Pollution Reduction Act of 2015. SB 350 implements some of the goals of Executive Order B-30-15, issued in April 2015, which established a new statewide policy goal to reduce GHG emissions 40 percent below their 1990 levels by 2030. The objective of SB 350 is to double the energy efficiency savings in electricity and natural gas final end uses of retail customers through energy efficiency and conservation by 2030. The latest statewide GHG emissions target and procurement of electricity from renewable sources is discussed under Senate Bill 1020 below.

Advanced Clean Cars Regulations

The Advanced Clean Cars emissions-control program was approved by CARB in 2012 and is closely associated with the Pavley regulations⁴. The program requires a greater number of zero-emissions vehicle (ZEV) models for the years 2015 through 2025 to control smog, soot and GHG emissions. This program includes the low-emissions vehicle (LEV) regulations to reduce criteria pollutants and GHG emissions from light- and medium-duty vehicles and the ZEV regulations to require manufacturers to produce an increasing number of pure ZEVs (meaning battery and fuel cell electric vehicles) with the provision to produce plug-in hybrid electric vehicles (PHEV) between 2018 and 2025. Implementation of the ZEV and PHEV regulations reduce transportation fuel consumption by increasing the number of vehicles that are partially or fully electric-powered (CARB 2023a).

Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling

The Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling (Title 13, CCR, Division 3, Chapter 10, Section 2485) was adopted to reduce public exposure to diesel particulate matter and other air contaminants by limiting the idling of diesel-fueled commercial motor vehicles. This measure does not allow diesel-fueled commercial vehicles to idle for more than five minutes at any given location. This measure applies to diesel-fueled commercial motor vehicles with gross vehicular weight ratings of greater than 10,000 pounds that are or must be licensed for operation on highways. Reducing idling of diesel-fueled commercial motor vehicles reduces the number of petroleum-based fuels used by the vehicle.

In-Use Off-Road Diesel Fueled Fleets Regulation

Since off-road vehicles that are used in construction and other related industries can last 30 years or longer, most of those that are in service today are still part of an older fleet that do not have emission controls. In 2007, CARB approved the “In-Use Off-Road Diesel Fueled Fleets Regulation” to reduce emissions from existing (in-use) off-road diesel vehicles that are used in construction and other industries. This regulation sets an idling limit of five minutes for all off-road vehicles 25 horsepower and up. It also establishes emission rates targets for the off-road vehicles that decline over time to accelerate turnover to newer, cleaner engines and require exhaust retrofits to meet these targets. The regulation enforces restrictions against adding new equipment with older tier engines, such as Tier 0 and Tier 1 engines, effective January 1, 2014. By each annual compliance deadline, a fleet must demonstrate that it has either met the fleet average target for that year or has completed the Best Available Control Technology requirements. Large fleets have compliance deadlines each year from 2014 through 2023, medium fleets each year from 2017 through 2023, and small fleets each year from 2019 through 2028. Large and medium fleets would

⁴ Assembly Bill (AB) 1493 (commonly referred to as CARB’s Pavley regulations). Under this legislation, CARB adopted regulations to reduce GHG emissions from non-commercial passenger vehicles (cars and light-duty trucks) for model years 2009–2016. Pavley regulations achieve the maximum feasible and cost-effective reduction of greenhouse gas emissions from passenger vehicles, beginning with the 2009 model year.

have 100 percent compliance with Tier 2 or higher engines by 2023. Small fleets would have 100 percent tier 2 or higher engines by 2028.

Sustainable Communities and Climate Protection Act

The Sustainable Communities and Climate Protection Act of 2008, or SB 375 (Chapter 728, Statutes of 2008), which was adopted by the State on September 30, 2008, establishes mechanisms for the development of regional targets for reducing passenger vehicle GHG emissions. SB 375 finds that the “transportation sector is the single largest contributor of greenhouse gases of any sector.” Under SB 375, CARB is required, in consultation with the Metropolitan Planning Organizations (MPOs), to set regional GHG reduction targets for the passenger vehicle and light-duty truck sector for 2020 and 2035. Southern California Association of Governments (SCAG) is the MPO in which the City of Beverly Hills is located. CARB set targets for 2020 and 2035 for each of the 18 MPO regions in 2010 and updated them in 2018. In March 2018, CARB updated the SB 375 targets for the SCAG region to require an 8-percent reduction by 2020 and a 19-percent reduction by 2035 in per capita passenger vehicle GHG emissions (CARB 2023b). As discussed further below, in September 2020, SCAG adopted an updated Regional Transportation Plan/Sustainable Community Strategies (2020-2045 RTP/SCS) subsequent to the update of the emission targets. The 2020-2045 RTP/SCS is expected to reduce per capita transportation emissions by 19 percent by 2035, which is consistent with SB 375 compliance with respect to meeting the State’s GHG emission reduction goals (SCAG 2020).

Under SB 375, the target must be incorporated within that region’s RTP, which is used for long-term transportation planning in an SCS. Certain transportation planning and programming activities would then need to be consistent with the SCS; however, SB 375 expressly provides that the SCS does not regulate the use of land, and further provides that local land use plans and policies (e.g., general plans) are not required to be consistent with either the RTP or SCS.

Senate Bill 1389

SB 1389 (Public Resources Code Sections 25300–25323) requires the development of an integrated plan for electricity, natural gas, and transportation fuels. The CEC must adopt and transmit to the Governor and Legislature an Integrated Energy Policy Report every two years. The 2022 Integrated Energy Policy Report, adopted in February 2023, highlights the implementation of California’s policies and the role they have played in establishing a clean energy economy. The Integrated Energy Policy Report contains recommendations on energy usage policies such as decarbonizing buildings, energy efficiency savings, increasing flexibility in the electrical system to integrate more renewable energy and improve energy reliability, and reducing gasoline and diesel use in cars and trucks by up to 50 percent (CEC 2023b).

Clean Energy, Jobs, and Affordability Act of 2022 (Senate Bill 1020)

Established in 2002 under SB 1078, and accelerated by SB 107 (2006), SB X 1-2 (2011), SB 100 (2018), and SB 1020, California's Renewable Portfolio Standard (RPS) obligates investor-owned utilities, energy service providers, and community choice aggregators to supply eligible renewable energy resources and zero-carbon resources for 90 percent of retail sale electricity by 2035, 95 percent by 2040, 100 percent by 2045, and 100 percent of electricity procured to serve all state agencies by 2035. SB 1020 supersedes SB 350, signed October 7, 2015, that increases the procurement of electricity from renewable source to 50 percent by 2030. The California Public Utilities Commission (CPUC) and the CEC are jointly responsible for implementing the program.

c. Regional and Local Regulations

Regional Transportation Plan/Sustainable Communities Strategy

SB 375 requires each MPO to prepare a SCS in their RTP. In general, the SCS outlines a development pattern for the region, which, when integrated with the transportation network and other transportation measures and policies, would reduce vehicle miles traveled (VMT) from automobiles and light duty trucks and, thereby, reduce GHG emissions from these sources. For the SCAG region, the 2020-2045 RTP/SCS adopted on September 3, 2020 is the current RTP/SCS.

The 2020-2045 RTP/SCS focuses on the continued efforts of the previous RTP/SCS plans for an integrated approach in transportation and land use strategies in development of the SCAG region through horizon year 2045. The 2020-2045 RTP/SCS projects that the SCAG region will meet the GHG per capita reduction targets established for the SCAG region of 8 percent by 2020 and 19 percent by 2035. Additionally, its implementation is projected to reduce VMT per capita for the year 2045 by 4.1 percent compared to baseline conditions for the year. Rooted in the 2008 and 2012 RTP/SCS plans, the 2020-2045 RTP/SCS includes a "Core Vision" that centers on maintaining and better managing the transportation network for moving people and goods while expanding mobility choices by location housing, jobs, and transit closer together, and increasing investments in transit and complete streets. Refer to Section 4.6, *Greenhouse Gas Emissions*, for additional details regarding these requirements.

Beverly Hills Sustainable City Plan

In February 2009, the City adopted the Beverly Hills Sustainable City Plan. The following goals related to energy efficiency are applicable to the proposed project (City of Beverly Hills 2009):

- **Energy Goal:** Encourage the use of energy in a clean and efficient manner and the use of renewable energy sources.
- **Land Use, Transportation, and Open Space Goal:** Foster an energy-efficient, walkable community that provides ample goods, services, and benefits to all residents while respecting the local environment.

The project's consistency with the Sustainable City Plan is described in greater detail in Section 4.6, *Greenhouse Gas Emissions*. The City is currently developing a Climate Action and Adaptation Plan to reduce and encourage the reduction of GHG emissions as well as energy consumption citywide. Methods to achieve GHG emissions reductions include energy efficiency measures to reduce energy usage throughout the city.

Beverly Hills Green Building Standards Code

To achieve the goals outlined in its policy documents addressing climate change, in 2017, the City adopted the Green Building Standards Code to address the impacts of new development. The City of Beverly Hills Green Building Code (BHMC Title 9, Chapter 1, Article 11) was amended to incorporate various provisions of the CALGreen Code. Mandatory measures include installation of electrical raceways to future electric vehicle supply equipment (EVSE), metering outdoor water use, and prewiring for future solar electricity generation.

Beverly Hills Complete Streets Plan

The Beverly Hills Complete Streets Plan is a long-range planning document that outlines the City's overall transportation policy guidance with the aim of transforming Beverly Hills from an auto-dominated community to one that embraces all modes of travel, reduces vehicle trips on local streets, and is a world class bicycling city. The plan includes recommendations for bikeway network enhancements, priority corridors for pedestrian improvements, first/last mile transit improvements, transportation network efficiency improvements, and neighborhood traffic management, among others (City of Beverly Hills 2021).

4.4.2 Environmental Setting

a. Electricity

Electricity, a consumptive utility, is a man-made resource. The production of electricity requires the consumption or conversion of energy resources, including water, wind, oil, gas, coal, solar, geothermal, and nuclear resources, into energy. The delivery of electricity involves several system components. The electricity generated is distributed through a network of transmission and distribution lines commonly called a power grid. Substations and transformers then lower transmission line power (voltage) to a level appropriate for on-site distribution and use. Conveyance of electricity through transmission lines typically meets market demands for electricity consumption.

Energy capacity, or electrical power, is generally measured in watts (W) while energy use is measured in watt-hours (Wh). For example, if a light bulb has a capacity rating of 100 W, the energy required to keep the bulb on for 1 hour would be 100 Wh. If ten 100 W bulbs were on for 1 hour, the energy required would be 1,000 Wh or 1 kilowatt-hour (kWh). On a utility scale, a generator's capacity is typically rated in megawatts (MW), which is one million watts, while energy usage is measured in megawatt-hours (MWh) or gigawatt-hours (GWh), which is one billion watt-hours.

SCE provides electricity throughout Beverly Hills and Southern California. In addition, customers can opt for the Clean Power Alliance (CPA) utility that provides electricity to Ventura and Los Angeles County, including Beverly Hills. SCE generates power from a variety of energy sources, including hydropower, coal, gas, nuclear sources, and renewable resources, such as wind, solar, and geothermal sources. According to the California Energy Demand Forecast, SCE is expected to have an annual electricity demand of between 101,081 GWh (low demand case) and 120,624 GWh (high demand case), with peak demand between 24,046 GWh and 27,018 GWh in 2030 (CEC 2022a and 2022b). SCE offers three power mix options; the SCE Power Mix, SCE Green Rate 50 Percent Option, and the SCE Green Rate 100 Percent Option⁵. Residents are automatically enrolled to SCE default power mix of 31.4 percent eligible renewable (100 percent to fund solar energy sources) (SCE 2023a). In 2021, 31.4 percent of the SCE Power Mix, 65.7 percent of the SCE Green Rate 50 Percent Option, and 100 percent of the SCE Green Rate 100 Percent Option were sourced from renewable sources, respectively. In 2021, the statewide percentage of electricity purchases from renewable sources was 33.6 percent (SCE 2021).

CPA generates power from renewable energy, hydroelectric, and unspecified power sources.⁶ CPA offers three power mix options; the Lean Power (41 percent renewable energy), Clean Power (50 percent renewable energy), and 100 percent Green Power (100 percent renewable energy). In 2021, 41 percent of the Lean Power, 50 percent of the Clean Power, and 100 percent of the 100 percent Green Power were sourced from renewable sources, respectively (CPA 2023). In 2022, CPA customers received 2,186 GWh of energy over the course of the year, and CPA currently has 1,700 megawatts of energy capacity. Electrical power is supplied to the project site from electrical service lines located in the project site vicinity. Based on California Emissions Estimator Model (CalEEMod) version 2022.1 estimates, the existing Saks Fifth Avenue department store and the Shoe Building on the project site consumes approximately 1,444,086 kWh per year (refer to Appendix B for CalEEMod outputs).

b. Natural Gas

Natural gas is a combustible mixture of simple hydrocarbon compounds (primarily methane) that is used as a fuel source. Natural gas consumed in California is obtained from naturally occurring reservoirs, mainly located outside the state, and delivered through high-pressure transmission pipelines. The natural gas transportation system is a nationwide network, and, therefore, resource availability is typically not an issue. Natural gas provides almost one-third of the state's total energy requirements and is used in electricity generation, space heating, cooking, water heating, industrial processes, and as a transportation fuel. Natural gas is measured in terms of cubic feet (cf).

⁵ Power mix is a combination of the various fuels used to generate electricity over a given region such as eligible renewable, natural gas, coal, nuclear, etc.

⁶ Unspecified power is electricity that has been purchased through open market transactions and is not traceable to a specific generation source.

Natural gas is provided to the project site by the Southern California Gas Company (SoCalGas). SoCalGas is the principal distributor of natural gas in Southern California, serving residential, commercial, and industrial markets. SoCalGas serves approximately 21.1 million customers over a 24,000-square-mile service area (SoCalGas 2023a).

SoCalGas is under the jurisdiction of the CPUC and other federal regulatory agencies; therefore, the availability of natural gas is based upon present conditions of gas supply as well as regulatory policies. SoCalGas receives gas supplies from several sedimentary basins, including supply basins located in New Mexico (San Juan Basin), western Texas (Permian Basin), the Rocky Mountains, and western Canada, as well as local California supplies. Gas supply available to SoCalGas from California sources averaged 69 million cubic feet per day in 2021. SoCalGas projects total gas demand to decline at an annual rate of 1.5 percent from 2022 to 2035 due to energy efficiency, fuel substitution, and renewable energy goals and standards (California Gas and Electric Utilities 2022). SoCalGas encourages reduced consumption of natural gas by offering its customers energy efficiency programs with rebates and incentives. Natural gas is supplied to the area through a system of existing gas mains located under the streets and public rights-of-way. Natural gas is delivered to the project site through natural gas facilities underneath South Camden Drive and South Peck Drive, as well as the existing alley south of 9570 Wilshire, the alleys south of the project (proposed South Drive) and underneath the area described within the Specific Plan as the Via. Based on CalEEMod estimates, the existing Saks Fifth Avenue Department Store on the project site consumes approximately 714,193 thousand British Thermal Units per year.

c. Transportation Energy

Transportation accounted for approximately 38 percent of California's total energy consumption in 2021 (United States Energy Information Administration [USEIA] 2023a). In 2021, California consumed 13.6 billion gallons of gasoline and 3.1 billion gallons of diesel fuel (California Department of Tax and Fee Administration 2023a and 2023b). Petroleum-based fuels currently account for 89 percent of California's transportation energy sources. However, the state is now working on developing flexible strategies to reduce petroleum use. Over the last decade, California has implemented several policies, rules, and regulations to improve vehicle efficiency, increase the development and use of alternative fuels, reduce air pollutants and GHGs from the transportation sector, and reduce VMT. Accordingly, gasoline consumption in California has declined. In 2021, gasoline and diesel sales in Los Angeles County were approximately 3.1 billion gallons and 224 million gallons, respectively (CEC 2021). The existing transportation consumption from the project site is estimated at 62,211 gallons of gasoline and 1,097 gallons of diesel per year (refer to Appendix D for transportation fuel use calculations).

4.4.3 Impact Analysis

a. Significance Thresholds and Methodology

Significance Thresholds

The proposed project would have a potentially significant impact if it were to result in one or more of the following:

- a. 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.

Methodology

With regard to Threshold a., this analysis relies upon the CEQA Guidelines, prepared in response to the requirement in Public Resources Code Section 21100(b)(3). The CEQA Guidelines interpret Public Resources Code Section 21100(b)(3) to require that EIRs “include a discussion of the potential energy impacts of proposed projects, with a particular emphasis on avoiding or reducing inefficient, wasteful and unnecessary consumption of energy (Association of Environmental Professional 2016).”

The analysis utilizes factors and considerations identified in Appendix F and Appendix G of the CEQA Guidelines, as appropriate, to assist in answering the Appendix G questions. In accordance with Appendix F, the factors to evaluate energy impacts include:

- The project’s energy requirements and its energy use efficiencies by amount and fuel type for each stage of the project including construction, operation, maintenance, and/or removal. If appropriate, the energy intensiveness of materials may be discussed;
- The effects of the project on local and regional energy supplies and on requirements for additional capacity;
- The effects of the project on peak and base period demands for electricity and other forms of energy;
- The degree to which the project complies with existing energy standards;
- The effects of the project on energy resources; and
- The project’s projected transportation energy use requirements and its overall use of efficient transportation alternatives.

With regard to Threshold b., the project is evaluated for consistency with adopted energy conservation plans and policies relevant to the project. These plans and policies include the Title 24 energy efficiency requirements, CALGreen requirements, Beverly Hills Green Building Standards, Beverly Hills Sustainable City Plan, and 2020-2045 RTP/SCS.

As described in Section 2, *Project Description*, three representative development scenarios are considered in this Draft EIR. These include the following:

9600 Wilshire Boulevard Specific Plan

Conceptual Plan. The proposed Conceptual Plan and the two Specific Plan build-out scenarios are summarized below:

- **Conceptual Plan Buildout:** Consistent with the description provided under Section 2.5.2, *Conceptual Plan*, the Wilshire Boulevard District would consist of approximately 261,722 square feet (sf) of commercial space, in addition to the continued commercial use of the existing 107,000 sf at 9570 Wilshire. Additionally, the Neighborhood District would have 68 residential units and 10,581 sf of ground floor Small Shop/Boutique Retail.
- **Specific Plan Buildout Scenario 1, Maximum Buildout of the Specific Plan with No Residential Conversion:** Consistent with the description provided under Section 2.5.1.1, *Floor Area*, in addition to approximately 107,000 sf of commercial uses at 9570 Wilshire, the Wilshire Boulevard District would contain 293,000 sf of commercial uses of which 166,000 sf would be net new floor area. The Neighborhood District would contain 70 residential units and 15,000 sf of ground floor Small Shop/Boutique Retail.
- **Specific Plan Buildout Scenario 2, Maximum Buildout of the Specific Plan with Maximum Residential Conversion:** 250,000 sf of commercial floor area (which includes approximately 107,000 sf of existing floor area at 9570 Wilshire) would be included in the Wilshire Boulevard District, of which 16,000 sf would be net new floor area. As contemplated in the Specific Plan, 75 Residential Conversion Units consisting of 150,000 sf of floor area located above the ground floor would be developed across the Saks Rehabilitation and Parcel B subareas. In addition (and consistent with Specific Plan Buildout Scenario 1 (No Residential Conversion)), 70 residential units and 15,000 sf of ground floor Small Shop/Boutique Retail would be developed in the Neighborhood District. This scenario assumes that no Residential Conversion Units would be developed on the 9570 Wilshire subarea, because while permissible in concept pursuant to the proposed Specific Plan, express findings under a conditional use permit, which the Applicant is not seeking at this time, and additional environmental review and clearance would be required in order to authorize any such conversion to be made. A total of 265,000 sf of commercial uses and 145 residential units would be developed across the site.

The same types of land uses and energy-efficiency features would be included in all build-out scenarios. Therefore, the analysis of project consistency with applicable plans and policies related to renewable energy and energy efficiency (Threshold b.) is addressed as a whole. However, construction and operational energy use would vary slightly between the scenarios due to the different amounts of each land use type. Therefore, the energy use for each scenario is calculated separately and the potential for the project to result in wasteful, inefficient, or unnecessary consumption of energy resources (Threshold a.) is assessed based on the most energy-intensive scenario.

This analysis addresses the project's potential energy usage, including electricity, natural gas, and transportation fuel. Energy consumption during both construction and operation is assessed. Specific analysis methodologies are discussed below. Energy calculations are provided in Appendix D and are based on the same assumptions as are used in Section 4.1, *Air Quality*, and Section 4.6, *Greenhouse Gas Emissions*.

Construction

Construction energy use was assessed based on Applicant-provided information, which has been independently reviewed by Rincon and the City, as detailed in Section 4.1, *Air Quality*, and would be the same for each of the development scenarios. For each buildout scenario, the project size, disturbance area, and equipment list would be the same. It is assumed the emissions from moving the existing Sak's Women Building and Shoe Building to the vacant Barney's New York Building would be net zero, based on similar building size and land use.

Utility relocation is anticipated to start in 2024, which would include off-road construction vehicles, and overall project construction is estimated to start in 2025 but may commence at a later date. If, for various site planning, financial, or other reasons, the onset of construction is delayed to a later date than assumed in the modeling analysis, construction impacts would be similar to or less than those analyzed, because a more energy-efficient and cleaner burning standard construction equipment and vehicle fleet mix would be expected in the future. This is because the In-Use Off-Road Diesel Fueled Fleets regulations require construction equipment fleet operators to phase-in less polluting heavy-duty equipment and trucks over time. Construction energy consumption would result primarily from transportation fuels (e.g., diesel and gasoline) used for haul trucks, heavy-duty construction equipment, and construction workers traveling to and from the project site. Construction activities can vary substantially from day to day, depending on the specific type of construction activity and the number of workers and vendors traveling to the project site. This analysis considers these factors and provides the estimated maximum construction energy consumption for the purposes of evaluating the associated impacts on energy resources. This analysis is based on estimated maximum construction activities allowed within the City's construction hours limit between Monday through Friday. In addition, these construction energy estimates present a "worst case scenario" that assumes each piece of construction equipment would operate 10 hours per day during the specific construction phase. Therefore, construction energy estimates would be conservative.

ELECTRICITY AND ALTERNATIVE FUELS

Electric or alternative fuel-powered generators may be used during the initial weeks of construction to provide electric power, until temporary connections to the SCE power grid can be established. During project construction, energy would be consumed in the form of electricity associated with the conveyance of water used for dust control (including supply and conveyance) and, on a limited basis, powering lights, electronic equipment, or other construction activities necessitating electrical power. Additionally, based on data provided by the applicant and reviewed by the City, the project would include several pieces of electric construction equipment, such as cranes, welders, and manlifts during the building construction phases.

Water trucks would be used twice per day during the demolition and grading phases. During the demolition, grading, and building construction phases, the use of dozers and crawler tractor equipment would disturb half an acre per eight hours of construction, based on CalEEMod default assumptions (California Air Pollution Control Officer Association

2022). The gallons of water used to suppress one acre of disturbed soil per day is approximately 3,020 gallons of water (Air & Waste Management Association Air Pollution Engineering Manual 1992). Each gallon of delivered portable water in Southern California is associated with 0.01 kWh of electricity, based on CalEEMod default assumptions. The project would utilize electric fuel type for four cranes, six manlifts and six welders during the building construction phase. In addition, the project would utilize three propane forklifts during the paving phase. The average daily horsepower output for each piece of equipment is based on equipment-specific horsepower multiplied by equipment-specific load factors, based on CalEEMod defaults, over ten hours of construction. The average daily horsepower for each construction equipment multiplied by total construction days of use would account for the total horsepower output during project construction. Using the conversion factor of 0.746 kWh of electricity per horsepower unit, total electricity consumption from off-road construction equipment during construction was estimated.

NATURAL GAS

Construction activities, including the construction of new buildings and facilities, typically do not involve the consumption of natural gas. Accordingly, natural gas is not expected to be consumed in large quantities during project construction. Therefore, natural gas consumption associated with construction activities was not calculated.

TRANSPORTATION FUELS

Fuel consumption from on-site heavy-duty construction equipment was calculated based on the equipment mix, load factors, hours per day of use, and number of days of use provided in the CalEEMod construction output files included in Appendix B. The total horsepower was multiplied by the hours of use, days of use, load factor, and Compression-Ignition Engine Brake-Specific Fuel Consumption factor provided by the USEPA to estimate fuel usage (USEPA 2021). Fuel consumption from construction on-road worker trips and vendor and delivery/haul trucks was calculated using the trip rates and distances provided in the emissions modeling worksheets and CalEEMod construction output files. Total VMT for these on-road vehicles were then calculated for each type of construction-related trip and divided by the corresponding miles per gallon factor using the USDOT National Transportation Statistics (USDOT 2023a and 2023b). CalEEMod assumed trip lengths were used for worker commutes and vendor and haul truck trips. Refer to Appendix D for detailed energy calculations.

The construction equipment, vendor trucks, and haul trucks would primarily be diesel-fueled, while the construction worker commute vehicles would primarily be gasoline-fueled. For the purposes of this assessment, it is conservatively assumed that all heavy-duty construction equipment besides cranes, manlifts, welders, and forklifts would be diesel-fueled. In addition, it is assumed the haul trucks would be diesel-fueled.

Operation

The operation of the project would require energy in the form of electricity and natural gas for building space and water heating, cooling, cooking, lighting, water and wastewater treatment and conveyance, consumer electronics, and other energy needs. In addition, transportation fuels, primarily gasoline, for vehicles traveling to and from the project site would be consumed during project operation. Operational energy use for each scenario was assessed based on the increase in energy demand compared to baseline conditions utilizing CalEEMod outputs. For consistency with the emissions modeling provided in Section 4.1, *Air Quality*, and Section 4.6, *Greenhouse Gas Emissions*, the project's operational energy use was calculated assuming buildout in 2028.

ELECTRICITY

The project's estimated electricity demand was analyzed relative to SCE's existing and planned energy supplies in 2028 and CPA current energy capacity to determine if the utility would be able to meet the project's energy demands. Annual consumption of electricity (including electricity usage associated with the supply and conveyance of water) from project operation was calculated using demand factors provided in CalEEMod. Energy usage was estimated based on new buildings and facilities compared to the existing uses. The assessment also includes a discussion of the project's compliance with relevant energy-related regulations and its land use transportation characteristics that would minimize the amount of energy usage during operations. These features and characteristics are also discussed in Section 2, *Project Description*, Section 4.1, *Air Quality*, Section 4.6, *Greenhouse Gas Emissions*, and Section 4.8, *Land Use and Planning*.

NATURAL GAS

Natural gas demand for the project would be generated mainly by building heating and appliances. The project's estimated natural gas demand was analyzed relative to SoCalGas' existing and planned energy supplies in 2028 to determine if the utility would be able to meet the project's energy demands. Furthermore, natural gas demand generated by the existing site was calculated using demand factors provided in CalEEMod and subtracted from the project's natural gas demand to obtain the net annual natural gas demand.

TRANSPORTATION FUELS

Energy for transportation from residents, visitors, deliveries, and employees traveling to and from the project site was estimated based on the predicted daily vehicle trips from the Transportation Impact Report prepared by Fehr & Peers for the project and VMT per trips based on CalEEMod default assumptions (Fehr & Peers 2023; CAPCOA 2022). In addition, existing daily vehicle trips are provided in the project's Transportation Impact Report and were similarly used to estimate existing vehicle fuel use. Fuel demand was calculated based on the fleet mix provided in CalEEMod and the USDOT National Transportation Statistics for fuel economy (USDOT 2023a). Refer to the Transportation Impact Report in Appendix G and energy calculations in Appendix D of this Draft EIR.

b. Project Design Features

The following energy-efficiency Project Design Feature (PDF) would be incorporated into the proposed project, as discussed in Section 2, *Project Description*.

PDF E-1 Energy Efficiency

The proposed project would include the following energy efficiency features:

- All structures would incorporate photovoltaic (PV) provisions as required by the State of California 2022 Energy Code (Title 24)
- Development shall be designed to achieve a Leadership in Energy and Environmental Design (LEED) Silver V4.1 equivalency
- Development shall be designed to use and shall achieve ten percent less energy than required by the 2022 Title 24
- New development shall utilize all-electric HVAC systems consisting of heat recovery/heat pump type variable refrigerant flow systems for all residential and commercial structures
- Provide EV parking in accordance with CALGreen requirements and provide electrical capacity sufficient to accommodate EV charging for up to 50 percent of residential parking and 25 percent of commercial parking spaces.

c. Project Impacts and Mitigation Measures

Threshold 4.4a: Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Impact E-1 THE PROPOSED PROJECT WOULD UTILIZE GASOLINE, DIESEL, AND ELECTRICITY, BUT WOULD INCORPORATE DESIGN FEATURES THAT WOULD RESULT IN ENERGY USE THAT IS TEN PERCENT LOWER THAN WHAT IS REQUIRED BY THE 2022 TITLE 24 STANDARDS, AND WOULD COMPLY WITH ANY FUTURE ADOPTED TITLE 24 STANDARDS, AS APPLICABLE. THEREFORE, THE PROJECT WOULD NOT RESULT IN THE WASTEFUL, INEFFICIENT, OR UNNECESSARY CONSUMPTION OF ENERGY RESOURCES. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT.

The project would consume energy during construction and operational activities. Sources of energy for these activities would include electricity usage, natural gas consumption, and transportation fuels (diesel and gasoline). The following analysis considers the four factors set forth in Appendix F of the CEQA Guidelines and as outlined in Section 4.4.3a, *Significance Thresholds*, to determine whether Threshold (a) would be exceeded.

Energy Requirements and Energy Use Efficiencies

As discussed above, the project would consume energy during construction and operational activities. Sources of energy for these activities would include electricity usage, natural gas

consumption (during operation only), and transportation fuels such as diesel and gasoline. The construction and operational energy use for each scenario is discussed below.

Construction

The project would require utility relocation, demolition, grading/excavation, building construction, and paving. In addition, off-site movement, including hauling material off-site and pavement and asphalt installation would be required. During project construction, energy would be consumed in the form of petroleum-based fuels used to power off-road construction vehicles and equipment on the project site, construction worker travel to and from the project site, and vehicles used to deliver materials to the site. As shown in Table 4.4-1, project construction would require approximately 292,047 gallons of gasoline for all three scenarios. The project would require approximately 706,463 gallons of diesel fuel for construction of the Conceptual Plan, 707,643 gallons of diesel for Specific Plan Buildout Scenario 1 (No Residential Conversion), and 704,668 gallons of diesel for Specific Plan Buildout Scenario 2 (Maximum Residential Conversion). These construction energy estimates present a “worst case scenario” that assumes all the construction equipment operates for 10 hours per day within the City’s construction hour limits every day during the specific construction phases.

Table 4.4-1 Estimated Fuel Consumption during Construction

Source	Gasoline Fuel Consumption (gallons)	Diesel Fuel Consumption (gallons)
Conceptual Plan		
Construction Equipment, Hauling Trips, and Vendor Trips	N/A	706,463
Construction Worker Vehicle Trips	292,047	N/A
Specific Plan Buildout Scenario 1 (No Residential Conversion)		
Construction Equipment, Hauling Trips, and Vendor Trips	N/A	707,643
Construction Worker Vehicle Trips	292,047	N/A
Specific Plan Buildout Scenario 2 (Maximum Residential Conversion)		
Construction Equipment, Hauling Trips, and Vendor Trips	N/A	704,668
Construction Worker Vehicle Trips	292,047	N/A

Notes: N/A = not applicable
 See Appendix D for energy calculation sheets.

In addition, project construction activities would consume electricity for site watering activities and powering electric construction equipment, construction offices, and lighting. Water trucks would be used two times per day during the demolition and grading phases. Based on this, site watering activities would consume approximately 0.015 GWh of electricity. In addition, off-road electric construction equipment would consume a total of 1.43 GWh. Therefore, total electricity consumption during project construction would be

approximately 1.46 GWh. Under the SCE low-demand case for 2024, an annual electricity demand of 100,353 GWh is anticipated (CEC 2022b). Over the course of the 50-month construction period, the project would consume less than 0.01 percent of the anticipated annual electricity demand in SCE jurisdiction for 2024.

Energy use during construction would be temporary in nature, and construction equipment used would be typical of similar-sized construction projects in the region. In addition, construction contractors would be required to comply with the provisions of California Code of Regulations Title 13 Sections 2449 and 2485, which prohibit diesel-fueled commercial motor vehicles and off-road diesel vehicles from idling for more than five minutes and would minimize unnecessary fuel consumption. Construction equipment would be subject to the USEPA Construction Equipment Fuel Efficiency Standard, which would also minimize inefficient, wasteful, or unnecessary fuel consumption. Furthermore, per applicable regulatory requirements, such as 2022 CALGreen, the project would comply with construction waste management practices to divert a minimum of 65 percent of construction debris. These practices would result in efficient use of the energy necessary to construct the project. In the interest of cost-efficiency, construction contractors also would not utilize fuel or electricity in a manner that is wasteful or unnecessary. Therefore, the project would not involve the inefficient, wasteful, and unnecessary use of energy during construction, and construction impacts related to energy consumption would be less than significant.

Operation

CONCEPTUAL PLAN

Operation of the projects under the Conceptual Plan Buildout would contribute to regional energy demand by consuming electricity, natural gas, gasoline, and diesel fuels. Electricity and natural gas would be used for heating and cooling systems, lighting, appliances, and water and wastewater conveyance, among other purposes. Gasoline and diesel consumption would be associated with vehicle trips generated by customers, employees, and facility operations. Table 4.4-2 summarizes estimated operational energy consumption for the proposed project. As shown below, project operation under the Conceptual Plan would require approximately 421,093 gallons of gasoline and 7,422 gallons of diesel for transportation fuels, 5.51 GWh of electricity, and 74,539 U.S. therms of natural gas. Vehicle trips associated with future workers, residents, customers, and deliveries would represent the greatest operational use of energy associated with the Conceptual Plan.

Table 4.4-2 Conceptual Plan Estimated Annual Operational Energy Consumption

Source	Energy Consumption ¹	Energy Consumption (MMBtu)
Transportation Fuels		
Gasoline	421,093 gallons	46,230
Diesel	7,422 gallons	946
Natural Gas	74,539 U.S. therms	6,930
Electricity	5.51 GWh	18,795

MMBtu = million metric British thermal units; GWh = gigawatt-hours

¹ Energy consumption is converted to MMBtu for each source.

See Appendix D for energy calculation sheets and Appendix B for CalEEMod output results for electricity and natural gas usage.

SPECIFIC PLAN BUILDOUT SCENARIO 1 (NO RESIDENTIAL CONVERSION)

Table 4.4-3 summarizes the estimated operational energy consumption for the proposed project under Specific Plan Buildout Scenario 1 (No Residential Conversion). As shown therein, project operation would require approximately 757,050 gallons of gasoline and 13,344 gallons of diesel for transportation fuels, 6.18 GWh of electricity, and 111,280 U.S. therms of natural gas. Vehicle trips associated with future workers, residents, customers, and deliveries would represent the greatest operational use of energy associated with Specific Plan Buildout Scenario 1.

Table 4.4-3 Specific Plan Buildout Scenario 1 (No Residential Conversion) Estimated Annual Operational Energy Consumption

Source	Energy Consumption ¹	Energy Consumption (MMBtu)
Transportation Fuels		
Gasoline	757,050 gallons	83,113
Diesel	13,344 gallons	1,701
Natural Gas	111,280 U.S. therms	10,346
Electricity	6.18 GWh	21,082

MMBtu = million metric British thermal units; GWh = gigawatt-hours

¹ Energy consumption is converted to MMBtu for each source.

See Appendix D for energy calculation sheets and Appendix B for CalEEMod output results for electricity and natural gas usage.

SPECIFIC PLAN BUILDOUT SCENARIO 2 (MAXIMUM RESIDENTIAL CONVERSION)

Table 4.4-4 summarizes estimated operational energy consumption for the proposed project under Specific Plan Buildout Scenario 2 (Maximum Residential Conversion). As shown below, project operation would require approximately 623,177 gallons of gasoline and 11,143 gallons of diesel for transportation fuels, 5.57 GWh of electricity, and 18,991 U.S. therms of natural gas. Vehicle trips associated with future workers, residents, customers, and deliveries would represent the greatest operational use of energy associated with Specific Plan Buildout Scenario 2 (Maximum Conversion).

Table 4.4-4 Specific Plan Buildout Scenario 2 (Maximum Residential Conversion) Estimated Annual Operational Energy Consumption

Source	Energy Consumption ¹	Energy Consumption (MMBtu)
Transportation Fuels		
Gasoline	623,177 gallons	68,416
Diesel	11,143 gallons	1,420
Natural Gas	117,725 U.S. therms	10,945
Electricity	5.57 GWh	18,991

MMBtu = million metric British thermal units; GWh = gigawatt-hours

¹ Energy consumption is converted to MMBtu for each source.

See Appendix D for energy calculation sheets and Appendix B for CalEEMod output results for electricity and natural gas usage.

Summary

The project would achieve a ten percent reduction in energy use above the requirements of the 2022 California Building Standards Code (California Code of Regulations Title 24) for all of the three buildout scenarios, and would comply with the energy efficiency requirements of any future adopted Title 24 standards, as applicable, which would minimize the wasteful, inefficient, or unnecessary consumption of energy resources during operation. Consistent with the CALGreen (California Code of Regulations Title 24, Part 11), the Building Energy Efficiency Standards (California Code of Regulations Title 24, Part 6), and the Beverly Hills Green building Standards, the project would implement energy-efficient light fixtures and building materials and exceed the energy performance standards set by the CEC. These standards are crafted so that buildings do not result in wasteful, inefficient, or unnecessary consumption of energy.

Furthermore, the project would be consistent with the 2022 Energy Code by including PV provisions consistent with commercial and residential requirements. In addition the project would reduce its use of nonrenewable energy resources as the electricity generated by renewable resources provided by SCE continues to increase to comply with State requirements of SB 1020, which creates clean electricity targets for eligible renewable energy resources and zero-carbon resources to supply 90 percent of retail sale electricity by 2035, 95 percent by 2040, 100 percent by 2045, and 100 percent of electricity procured to serve all state agencies by 2035. Requirements of SB 1020 are more stringent than SB 100 and SB 350 for increase the procurement of electricity from renewable energy sources. In addition, residents and commercial businesses can opt to utilize CPA energy supply, which utilizes a greater renewable energy mix and zero-carbon hydro power than the default SCE power mix, the 31.4 percent renewable energy mix. As discussed in Section 4.6, *Greenhouse Gas Emissions*, the project would be consistent with applicable local and regional GHG reduction measures, such as implementing water and energy efficient appliances consistent with Title 24 Energy Code. In addition, the project would reduce natural gas consumption by implementing all electric HVAC equipment. Therefore, project operation would not

result in potentially significant environmental effects due to the wasteful, inefficient, or unnecessary consumption of energy.

Local and Regional Energy Supplies and Capacity

Construction

As discussed above, electricity would be consumed during project construction activities. The electricity demand at any given time would vary throughout the construction period based on the construction activities being performed and would cease upon completion of construction. Electricity would be supplied on-site by two diesel-powered generators during the 14-months of utility relocation and by SCE from existing electrical lines during the 36-months of project construction. During the utility relocation phase, hand-held electric equipment would be powered by the generators. After connections to the electrical grid are established, electrical equipment and lighting used during construction would be powered by the SCE grid.

During construction of the project, electricity would be consumed, on a limited basis, to power lighting and electric equipment and provide water for site watering. As described above, construction activities would consume a total of approximately 1.65 GWh of electricity during the 50-month construction period (inclusive of utility relocation), or approximately 0.40 GWh of electricity per year on average. The average annual electricity usage during construction would represent approximately less than 0.001 percent of the 2024 SCE anticipated annual load demand (CEC 2022b). Therefore, electricity demand during project construction would not result in an increase in demand for electricity that exceeds available supply or distribution infrastructure capabilities that could result in the construction of new facilities or expansion of existing facilities.

Construction activities, including the construction of new buildings and facilities, typically do not involve the consumption of natural gas. Therefore, construction would not result in an increase in demand for natural gas that exceeds available supply or distribution infrastructure capabilities that could result in the construction of new facilities or expansion of existing facilities.

As stated above, transportation fuel usage during project construction activities would represent 0.02 percent of gasoline usage and 0.005 percent of diesel usage within Los Angeles County, respectively. Construction transportation energy would be provided by existing retail service stations and from existing mobile fuel services, and, as such, no new facilities would be required. As energy consumption during construction would not be substantial, would be temporary and short-term, and as energy supplies of the existing purveyors are sufficient to serve the project in addition to existing commitments, the project would not affect the local and/or regional transportation fuel supplies and would not require additional capacity.

Operation

ELECTRICITY

Based on CEC's California Energy Demand Forecast, 2021-2035, the SCE net energy for load in 2030 will be 24,046 GWh of electricity in low-case demand scenario (CEC 2022b). CPA demands are not included in the CEC California Energy Demand Forecast. CPA customers received 2,186 GWh of energy in 2022. The project-related net increase in annual electricity consumption of 6.18 GWh/year under the project's worst-case scenario buildout (Specific Plan Buildout Scenario 1, No Residential Conversion) would represent less than 0.03 percent of the SCE projected forecast for 2030 and would be consistent with SCE anticipated regional demand from population and economic growth. During high-end peak conditions, the project would represent 0.03 percent of the SCE estimated peak load. In addition, the project's net energy consumption would increase CPA total supplied energy by 0.3 percent; therefore, the project's operational energy consumption would not substantially affect CPA's energy capacity. Therefore, it is anticipated that SCE and CPA's existing and planned electricity capacity and electricity supplies would be sufficient to serve the project's electricity demand, and, thus, the project would not require additional infrastructure (i.e., a substation) beyond the aforementioned utilities connections installed on-site during construction.

NATURAL GAS

The project's worst-case scenario buildout (Specific Plan Buildout Scenario 2, Maximum Residential Conversion) estimated annual net increase in demand for natural gas would be approximately 8.32 million metric (MM) cf per year. Based on the 2023 California Gas Report, the California Energy and Electric Utilities estimates that natural gas capacity per day within SoCalGas' planning area would be 3,435 MMcf in 2027 (the project's buildout year). This report predicts gas demand for all sectors (residential, commercial, industrial, energy generation and wholesale exports) and presents the best estimates, as well as scenarios for hot and cold years. The project's annual consumption would be less than one percent (0.24 percent) of the 2027 forecasted daily capacity in SoCalGas' planning area. SoCalGas expects overall natural gas demand to decline through 2035, even accounting for population and economic growth, with efficiency improvements and the State's transition away from fossil fuel-generated electricity to increased renewable energy. The 2023 California Gas Report states, "SoCalGas projects total gas demand to decline at an annual rate of 1.1 percent per year from 2022 to 2035. The decline in throughput demand is due to modest growth in the natural gas vehicle market and across-the-board declines in other market segments." As such, SoCalGas' existing and planned natural gas capacity, supplies and infrastructure would be sufficient to serve the project's demand.

TRANSPORTATION ENERGY

As stated above, at buildout, the project under the project's worst-case scenario buildout (Specific Plan Buildout Scenario 1, No Residential Conversion) would consume a net increase of 757,050 gallons of gasoline and 13,344 gallons of diesel per year. For

comparison purposes, the transportation-related fuel usage for the project would represent 0.02 percent of the 2021 annual on-road gasoline and 0.005 percent of the 2021 annual on-road diesel energy consumption in Los Angeles County (based on the available County fuel sales data). Operational transportation energy would be provided by existing retail service stations, and, as such, no new retail service stations would be required. Transportation fuels (gasoline and diesel) are produced from crude oil, which can be produced from domestic supplies or imported from various regions around the world, and based on current proven reserves, is expected to be adequate to meet the world's demand through 2050 (EIA 2023b). As such, existing and planned transportation fuel supplies would be sufficient to serve the project's demand. In addition, the project would provide EV charging stations, which would serve to incentivize the use of hybrid or full-electric vehicles, thereby reducing the reliance on transportation fuels. As transportation fuel consumption during operation would be relatively negligible and within existing and planned supplies, the project would not affect the local and/or regional transportation fuel supplies and would not require additional capacity or infrastructure. Project impacts related to energy use would be less than significant.

Mitigation Measures

No mitigation measures would be required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

Threshold 4.4b: Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Impact E-2 THE PROPOSED PROJECT WOULD CONSUME ENERGY, BUT THE PROJECT WOULD NOT CONFLICT WITH SENATE BILL 1020, SCAG 2020-2045 RTP/SCS, BEVERLY HILLS SUSTAINABLE CITY PLAN, AND BEVERLY HILLS GREEN BUILDING STANDARDS CODE. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT.

The Beverly Hills Sustainable City Plan and Beverly Hills Green Building Standards Code contain measures intended to increase energy efficiency and expand the use of renewable energy in Beverly Hills. As described under Impact E-1, the proposed project would comply with CALGreen, the Building Energy Efficiency Standards, and Beverly Hills Green Building Standards. The project would be consistent with the City's Sustainable City Plan Energy Policy 2 by incorporating PV provisions consistent with the 2022 Energy Code, including installation of electric chargers at 95 parking spaces under the Conceptual Plan, and including all-electric HVAC systems. In addition, the proposed project would implement project design features to achieve a LEED Silver equivalency, such as energy-efficient design, drought-tolerant landscaping, high efficiency equipment, and gray water systems to reduce dependency on fossil fuels and minimize water use. The project would be more efficient than the 2022 Title 24 Standards by consuming ten percent less energy than would

be required by the standards and, as applicable, would comply with more stringent standards upon the release of future iterations of the Title 24 Standards.

With regard to transportation related energy usage, the project would not conflict with the goals of SCAG's 2020–2045 RTP/SCS, which incorporates VMT targets established by SB 375. SCAG's 2020–2045 RTP/SCS focuses on creating livable communities with an emphasis on sustainability and integrated planning, and identifies mobility, economy, and sustainability as the three principles most critical to the future of the region. As part of the approach, the 2020–2045 RTP/SCS focuses on reducing fossil fuel use by decreasing VMT, reducing building energy use, and increasing use of renewable sources. The project would be consistent with the energy efficiency policies emphasized in the 2020–2045 RTP/SCS by incorporating mixed-uses in an area well-served by existing and planned public transit, implementing pedestrian improvements, and installing EV charging stations.

In addition, the project would be consistent with City's Sustainable City Plan Land Use, Open Space, and Transportation Policy 4 to encourage alternative forms of travel due to the project site's location in a High-Quality Transit Area and by incorporating long-term and short-term bicycle parking spaces⁷. The bicycle spaces would be located in the basement and at grade for residents, employees, and visitors. The proposed bicycle parking spaces would encourage the use of alternative modes of transportation which would reduce vehicle travel and associated fuel consumption. These project design features would ensure the proposed project would not conflict with or obstruct the City's Sustainable City Plan and Green Building Standards Code. Furthermore, because the proposed project would receive power from SCE, the proposed project would comply with all applicable state plans for renewable energy and energy efficiency and would eventually be powered by renewable energy as mandated by SB 1020, more stringent than SB 350 and SB 100. If the applicant elects to receive power from CPA, the project would also be powered by renewable energy, thereby satisfying the renewable energy mandates of SB 1020 (and the less stringent requirements of SB 350 and SB 100). Therefore, under either scenario (receiving power from CPA or SCE), the proposed project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. This impact would be less than significant.

Mitigation Measures

No mitigation measures would be required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

⁷ High-Quality Transit Area is within one half-mile of a well-serviced transit stop or a transit corridor with 15-minute or less service frequency during peak commute hours.

4.4.4 Cumulative Impacts

a. Cumulative Impact E-1

The geographic context for the cumulative analysis of electricity is SCE and CPA's service area and the geographic context for the cumulative analysis of natural gas is SoCalGas' service area. While the geographic context for transportation-related energy use is more difficult to define, it is meaningful to consider the project in the context of County-wide consumption. Growth within these geographies is anticipated to increase the demand for electricity, natural gas, and transportation energy. The proposed project along with cumulative development would contribute to an increase in energy use, including electricity, natural gas, and transportation fuels (diesel and gasoline), as discussed further below.

Electricity

Project development would result in the use of renewable and non-renewable electricity resources during construction and operation, which could limit future availability. However, the use of such resources would be on a relatively small scale, would be reduced by measures making the project more energy-efficient, would be consistent with growth expectations for SCE's service area, and would not result in a substantial increase in demand for CPA energy. The project would incorporate energy efficiency measures that exceed the efficiency required in the 2022 Title 24 Standards by ten percent and comply with the latest iteration of the Title 24 Standards and CALGreen Code. The project would also include all-electric HVAC units with high efficiency Variable Refrigerant Flow and Energy Star home appliances. Furthermore, the project would include PV provisions and EV charging stations consistent with the Title 24 Standards.

Cumulative development projects would similarly be required to comply with the applicable energy-efficiency measures of Title 24 and the CALGreen Code. Additionally, as discussed above, SCE and CPA are required to procure at least 33 percent of their energy portfolio from renewable sources by 2020 and 90 percent by 2035. The current sources of renewable energy procured by SCE and CPA include wind, solar, and geothermal sources. These sources accounted for 45 percent of SCE's overall energy mix and 70 percent of CPA's energy mix (SCE 2023b and CPA 2023). Because the proposed project and cumulative development projects would comply with energy conservation plans and efficiency standards and SCE and CPA would continue to supply renewable energy, cumulative impacts related to the wasteful, inefficient, and unnecessary use of electricity would be less than significant, and the project's contribution to cumulative impacts would not be cumulatively considerable.

Natural Gas

Project development would result in the use of natural gas resources, which could limit future availability. However, the use of such resources would be on a relatively small scale, would be reduced by measures rendering the project more energy-efficient, such as energy

efficient domestic water heaters, and would be consistent with regional and local growth expectations for SoCalGas' service area. Similarly, cumulative development projects within SoCalGas' service area would be expected to incorporate energy conservation features, comply with applicable regulations including the CALGreen Code and State energy standards under Title 24, and incorporate mitigation measures, as necessary, to reduce natural gas consumption.

SoCalGas projects total gas demand to decline at an annual rate of 1.5 percent from 2022 to 2035 due to energy efficiency, fuel substitution, and renewable energy goals and standards (California Gas and Electric Utilities 2022). Therefore, the proposed project and cumulative development projects are not anticipated to result in natural gas demand that would be wasteful or inefficient. As such, cumulative impacts related to wasteful, inefficient and unnecessary use of natural gas would be less than significant, and the project's contribution to cumulative impacts would not be cumulatively considerable.

Transportation Energy

Buildout of the project, cumulative projects, and additional forecasted growth would cumulatively increase the demand for transportation-related fuel in the state and region. As described above, at buildout, the project's "worst case" buildout scenario (Specific Plan Buildout Scenario 1, No Residential Conversion) would result in a net increase of approximately 757,050 gallons of gasoline and 13,344 gallons of diesel use for transportation fuels per year. As analyzed above, project transportation fuel usage would represent a small percentage of total fuel consumption within Los Angeles County. Additionally, the proposed project would include features that reduce VMT and associated transportation fuel use, including its location on an infill site with access to high quality public transit options, implementation of mixed commercial and residential uses, and improvements to the pedestrian environment. While it is speculative to assess transportation fuel usage from related projects, it is expected that cumulative transportation fuel usage resulting from the project and cumulative projects, including projects throughout the county, would be consistent with projections regarding future transportation fuel usage and supply.

Additionally, as described above, petroleum currently accounts for 89 percent of California's transportation energy sources; however, over the last decade the State has implemented several policies, rules, and regulations to improve vehicle efficiency, increase the development and use of alternative fuels, reduce air pollutants and GHGs from the transportation sector, and reduce vehicle miles traveled which would reduce reliance on petroleum fuels. The CEC also predicts that there will be an increase in the use of alternative fuels, such as natural gas, biofuels, and electricity in future years. As with the proposed project, cumulative projects would be expected to reduce VMT and petroleum fuel use by encouraging the use of alternative modes of transportation (mass transit and bicycling) and other design features (pedestrian accessibility) that promote VMT reductions. Therefore, cumulative impacts related to wasteful, inefficient and unnecessary use of transportation energy would be less than significant, and the project's contribution to cumulative impacts would not be cumulatively considerable.

b. Cumulative Impact E-2

Cumulative development in Beverly Hills would increase demand for energy resources, as discussed above under Cumulative Impact E-1. However, as with the proposed project, cumulative development projects would be required to comply with the energy conservation policies described above, including Title 24, CALGreen Code, and the Beverly Hills Green Building Standards to reduce energy use. In addition, cumulative development projects would be required to demonstrate consistency with the applicable goals of the 2020-2045 RTP/SCS, Beverly Hills General Plan, and Beverly Hills Sustainable City Plan. Cumulative development would also receive electricity that is procured in compliance with SB 1020, which would promote the use of renewable energy. As a result, cumulative development would not result in a conflict with or obstruction of a state or local plan for renewable energy or energy efficiency, and cumulative impacts would be less than significant.

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4.5 Geology and Soils

This section analyzes the potential geology and soils impacts of the proposed project during both construction and operational phases, respectively. Specifically, this analysis focuses on the project's potential of substantial adverse effects related to rupture of a known earthquake fault or seismic ground shaking, substantial risks to life or property related to expansive soils, and potential to destroy a unique paleontological resource or geological feature. Mitigation measures are proposed in an effort to reduce significant impacts, as needed. Other geology and soils impacts analyzed under CEQA include the project's potential of substantial adverse effects related to seismic-related ground failure including liquefaction or landslides, substantial soil erosion or loss of topsoil, unstable geologic units or soil, or soils incapable of supporting septic tanks or alternative wastewater disposal systems. These impacts were found to be less than significant for the reasons set forth in the Initial Study (Appendix A) and are not discussed further in this section.

4.5.1 Regulatory Setting

The following is a summary of the regulatory context under which seismic and soils hazards and paleontological resources are regulated at the Federal, State, and local level.

a. Federal Regulations

Uniform Building Code

The Uniform Building Code (UBC) defines different regions of the United States and ranks them according to their seismic hazard potential. The four types of these regions are Seismic Zones 1 through 4, with Zone 1 having the least seismic potential and Zone 4 having the highest seismic potential. The City of Beverly Hills is located in Seismic Zone 4.

U.S. Geological Survey Landslide Hazard Program

The United States Geological Survey created the Landslide Hazard Program in the mid-1970s; the primary objective of the program is to reduce long-term losses from landslide hazards by improving our understanding of the causes of ground failure and suggesting mitigation strategies. The Federal government takes the lead role in funding and conducting this research, whereas the reduction of losses due to geologic hazards is primarily a State and local responsibility. In Los Angeles County, plans and programs designed for the protection of life and property are coordinated by the Los Angeles County Office of Emergency Services.

b. State Regulations

Alquist-Priolo Earthquake Fault Zoning Act

The purpose of the Alquist-Priolo Earthquake Fault Zoning Act of 1972 is "to regulate development near active faults so as to mitigate the hazard of surface fault rupture." The

Alquist-Priolo Act was a direct result of the 1971 San Fernando earthquake which was associated with extensive fault ruptures that damaged homes, commercial buildings, and other structures leading to injuries and the loss of human life. The primary purpose of the Act is to prevent the construction of buildings intended for human occupancy on the surface traces of active faults and also to provide citizens with increased safety and to minimize the loss of life during and immediately following earthquakes. The State Geologist (chief of the California Geological Survey [CGS]) is required to delineate Earthquake Fault Zones along known active faults. Cities and counties affected by the zones must regulate certain development within the zones. They must withhold development permits for sites within the zones until geologic investigations demonstrate that the sites are not threatened by surface displacement from future faulting. Typically, structures for human occupancy are prohibited within these zones unless a comprehensive geologic investigation shows the fault does not pose a hazard to the proposed structure. A portion of the project site is situated partially on the eastern end of the Santa Monica Fault Zone (SMFZ). As a result, before a habitable structure within this area can be permitted, a geologic investigation prepared by a California licensed geologist will be required to demonstrate that buildings will not be constructed over the trace of the fault. Buildings must be setback a distance established by the certified geologist. Setback distances may vary, but a minimum 50-foot setback is required.

California Building Code

The California Building Code (CBC) is contained in the California Code of Regulations (CCR), Title 24, Part 2, which is a portion of the California Building Standards Code. Title 24 is assigned to the California Building Standards Commission, which by law is responsible for coordinating all building standards. The CBC incorporates by reference the Federal UBC with necessary California amendments. The CBC is a regulatory tool that includes building code standards to address geologic and seismic hazards. Approximately one-third of the text in the CBC has been tailored for California earthquake conditions.

Chapter 23 of the CBC contains specific requirements for seismic safety. Chapter 29 of the CBC regulates excavation, foundations, and retaining walls. Chapter 33 of the CBC contains specific requirements pertaining to site demolition, excavation, and construction to protect people and property from hazards associated with excavation cave-ins and falling debris or construction materials. Chapter 70 of the CBC regulates grading activities, including drainage and erosion control. Construction activities are subject to occupational safety standards for excavation, shoring, and trenching as specified in the State of California OSHA regulations (Title 8 of the CCR) and in Section A33 of the CBC.

Chapter 16A, Division IV of the CBC, entitled “Earthquake Design,” states that the “purpose of the earthquake provisions herein is primarily to safeguard against major structural failures or loss of life.” The CBC and UBC regulate the design and construction of excavations, foundations, building frames, retaining walls, and other building elements to mitigate the effects of seismic shaking and adverse soil conditions. The procedures and limitations for the design of structures are based on site characteristics, occupancy type, configuration, structural system, height, and seismic zoning. Seismic zones are mapped

areas (Figure 16A-2 of the CBC and Figure 16-2 of the UBC) that are based on proximity to known active faults and the potential for future earthquakes and intensity of seismic shaking. Seismic zones range from 0 to 4, with areas mapped as Zone 4 being potentially subject to the highest accelerations due to seismic shaking and the shortest recurrence intervals. The City of Beverly Hills, along with all of Southern California, is within Seismic Zone 4, the area of greatest risk that is subject to the strictest building standards.

Seismic Hazards Mapping Act

The CGS also provides guidance with regard to seismic hazards. Under CGS's Seismic Hazards Mapping Act, seismic hazard zones are to be identified and mapped to assist local governments in land use planning. The intent of this publication is to protect the public from the effects of strong ground shaking, liquefaction, landslides, ground failure, or other hazards caused by earthquakes. In addition, CGS's Special Publications 117, "Guidelines for Evaluating and Mitigating Seismic Hazards in California," provides guidance for the evaluation and mitigation of earthquake-related hazards for projects within designated zones of required investigations.

California Public Resources Code

Section 5097.5 of the California Public Resource Code (PRC) states "no person shall knowingly and willfully excavate upon, or remove, destroy, injure or deface" any "vertebrate paleontological site" on public lands without the "permission of the public agency having jurisdiction over such lands." Violation of this section is a misdemeanor.

As used in PRC, "public lands" means lands owned by or under the jurisdiction of the State or any city, county, district, authority, or public corporation, or any agency thereof. Consequently, public agencies are required to comply with PRC Section 5097.5 for their own activities, including construction and maintenance, as well as for permit actions (e.g., encroachment permits) undertaken by others.

c. Local Regulations

City of Beverly Hills General Plan Safety Element

The City of Beverly Hills General Plan Safety Element provides the following goal and policy pertaining to geologic hazards applicable to the project site.

Goal S 5: Protection from Geologic Hazards. To reduce the known level of risk to loss of life, personal injury, public and private property damage, economic and social dislocation, and disruption of vital community services that would result from earthquake damage or other geologic disturbance.

- **Policy S 5.1: Safety Standards.** Require new development and redevelopment to be in compliance with seismic and geologic hazard safety standards, including design and construction standards that regulate land use in areas known to have or to potentially have significant seismic and/or other geologic hazards.

- **Policy S 5.5: Hazard Mitigation Action Plan.** Review and evaluate annually progress in implementing the City's Hazard Mitigation Action Plan, and revise as needed for compliance with local, State and Federal requirements every five years. Ensure that mitigation strategies addressing seismic and geologic hazards are implemented where feasible, and that effective public outreach and education is included (City of Beverly Hills 2022a).

City of Beverly Hills General Plan Historic Preservation Element

The City of Beverly Hills General Plan Historic Preservation Element provides the following goal and policy pertaining to paleontological resources:

Goal HP 1: Value and Preserve Significant Cultural Resources. A community with well-preserved and maintained historic and cultural resources that provide a sense of permanence, foster civic pride and stewardship, and contribute to the unique identity and charm of the City.

- **Policy HP 1.9: Paleontological Resources Unearthed During Construction Activities.** In the event that excavation reveals any paleontological resources, suspend earth disturbing work until the resource is evaluated. Allow work to resume only after the find has been appropriately mitigated (City of Beverly Hills 2010).

Beverly Hills Municipal Code

BHMC Section 9-1-201, the Beverly Hills Building Code, includes the adoption of the most recent (2022) CBC with local amendments. The City of Beverly Hills Community Development Department's Development Services Division enforces building codes pertaining to earthquake hazards. The City of Beverly Hills Building Code sets the minimum design and construction standards for construction.

City Policy for Site-Specific Seismic Fault Investigation

In 2014, Beverly Hills adopted a policy requiring a Site-Specific Seismic Fault Investigation for non-exempt projects in the city. The policy requires preparation, peer review, and City approval of a fault-rupture investigation that studies the potential for fault rupture, slope instability, liquefaction, settlement, and surface displacement (City of Beverly Hills 2022b).

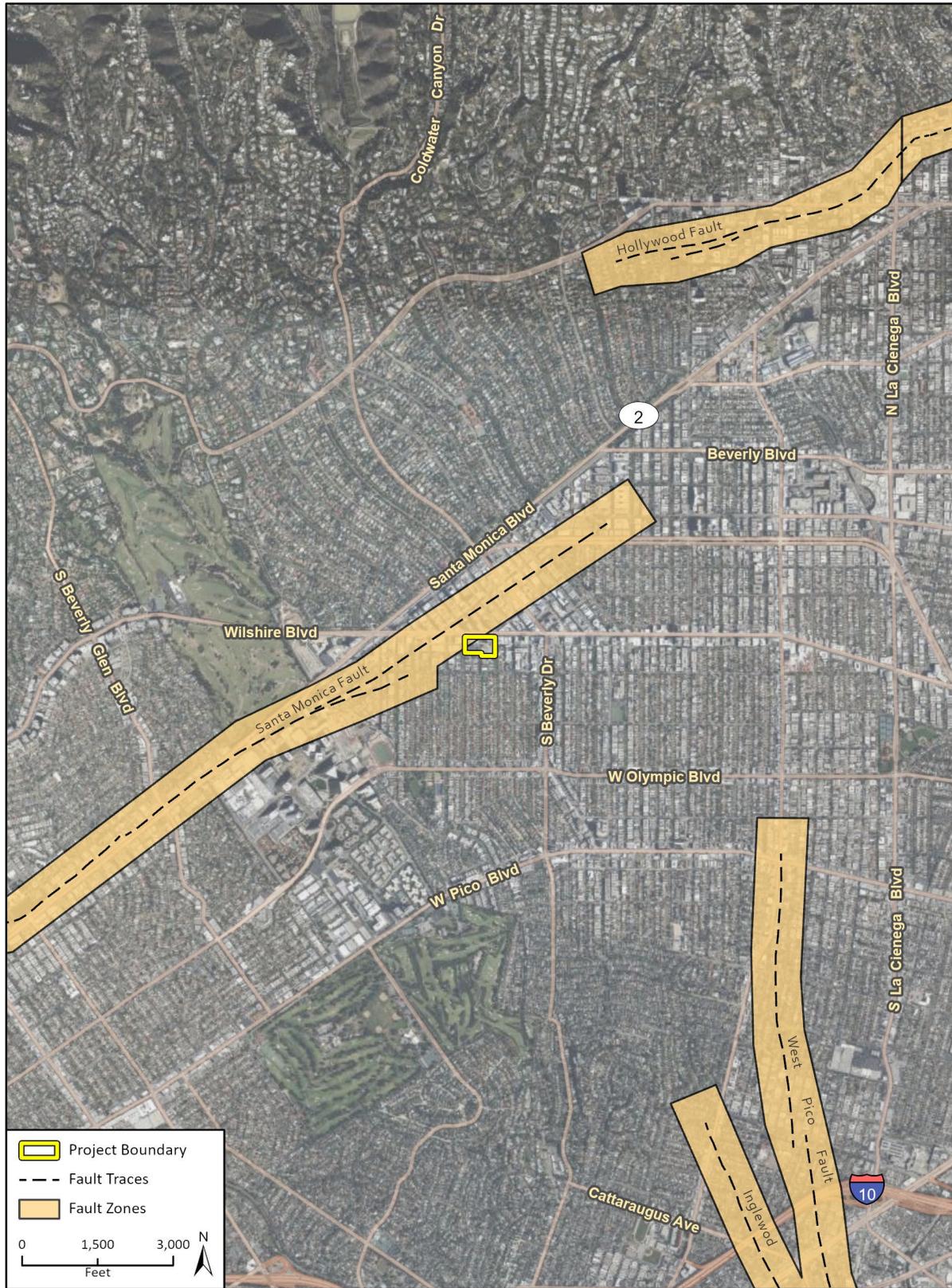
4.5.2 Environmental Setting

The project site is located in the northern portion of the Los Angeles Basin, approximately six miles east of the Santa Monica Mountains and 18 miles south of the San Gabriel Mountains. Regionally, the project site is located at the northernmost end of the Peninsular Ranges geomorphic province, near the boundary of the Transverse Ranges geomorphic province. The Peninsular Ranges geomorphic province is characterized by elongated northwest-southeast trending geologic structures such as the nearby Newport-Inglewood Fault Zone. In contrast, the Transverse Ranges geomorphic province is characterized by east-west trending geologic structures such as the nearby Santa Monica Fault, the Hollywood Fault, and the Santa Monica Mountains. The Santa Monica Fault Zone forms the boundary between the two geomorphic provinces in Beverly Hills (Geocon 2020, 2021, and 2022).

The project site is situated partially on the eastern end of the SMFZ. Under the Alquist-Priolo Earthquake Fault Zoning Act, the Santa Monica Fault has been zoned as active (CGS 2018). In Section 3601 of the Alquist-Priolo Earthquake Fault Zoning Act regulations, the California State Mining and Geology Board defines an active fault as one that has had surface displacement within Holocene time (i.e., within the last approximately 11,000 years). The northwest section of the project site is located within the delineated Alquist-Priolo Special Study Zone for the SMFZ, specifically all of Parcel B subarea and the Saks Rehabilitation building, one parcel (APN #4328-021-022) of the Neighborhood West subarea, and one parcel (APN #4328-026-004) of the Parcel A subarea (CGS 2018). Other active faults in the project site vicinity include the Hollywood Fault (approximately 1.4 miles northeast) and the Newport-Inglewood-Rose Canyon Fault Zone (approximately 1.25 miles southeast). The San Andreas Fault Zone is located approximately 38 miles northeast of the project site. See Figure 4.5-1 for a map of active faults and Alquist-Priolo Earthquake Fault Zones in the project vicinity.

Artificial fill consisting of clayey silt, sandy silt, and sandy clay were encountered at a maximum depth of 7.5 feet below existing ground surface. The project site is underlain by young Holocene alluvial fan deposits which are underlain by older Pleistocene alluvial fan deposits (Geocon West, Inc. [Geocon] 2022).

Figure 4.5-1 Fault Zones in Project Vicinity



Imagery provided by Microsoft Bing and its licensors © 2023.

Geologic data provided by "California Geologic Survey," 2023, California Department of Conservation, 2023.

22-13259 EIR Figures
CRFig 4.5-1 Fault Zones in Project Vicinity

4.5.3 Impact Analysis

a. Significance Thresholds and Methodology

Significance Thresholds

The proposed project would have a potentially significant impact if it were to result in one or more of the following:

- a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
 1. 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);
 2. Strong seismic ground shaking;
 3. Seismic-related ground failure, including liquefaction; and/or
 4. Landslides;
- b. Result in substantial soil erosion or the loss of topsoil;
- c. Be located on a geologic unit or soil 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 wastewater disposal systems where sewers are not available for the disposal of wastewater; and/or
- f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

As described in the Initial Study for the proposed project, the proposed project would have either a less than significant impact or no impact related to Threshold a.3, Threshold a.4, Threshold b, Threshold c, and Threshold e. Therefore, these issues are not addressed further in this EIR.

Methodology

The analysis of potential geology and soils hazards is largely based on the geotechnical study and Fault Rupture Hazard Investigations (and peer reviewed by City of Beverly Hills' consultant Charles Nestle, PG 6400; CEG 2065, of J Lee Engineering, Inc. and recommended for acceptance by David Yelton, the Assistant Director/Building Official of the City of Beverly Hills) prepared for the proposed project, as well as existing data and historical information. The Fault Rupture Hazard Investigations for the project site were prepared by Geocon in 2020 and 2021 and were peer reviewed and accepted by the City in 2021 (Appendix E). The

Geotechnical Investigation for the project was prepared by Geocon on June 20, 2022 (Appendix E).

The potential for impacts to paleontological resources are assessed based on paleontological sensitivity of the geologic deposits under the project site. The Society of Vertebrate Paleontology (SVP) has defined fossils as being remains or traces of plants and animals that are greater than 5,000 years old (i.e., older than middle Holocene in age) (SVP 2010). Fossils occur in a non-continuous and often unpredictable distribution within some sedimentary units, and the potential for fossils to occur within sedimentary units depends on several factors.

Paleontological sensitivity refers to the potential for a geologic unit to produce scientifically significant fossils. Direct impacts to paleontological resources occur when earthwork activities, such as grading or trenching, cut into the geologic deposits within which fossils are buried and physically destroy the fossils. Sensitivity is determined by rock type, history of the geologic unit in producing significant fossils, and fossil localities recorded from that unit. Paleontological sensitivity is derived from the known fossil data collected from the entire geologic unit, not just from a specific survey.

The SVP outlines in its Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources (2010) guidelines for categorizing paleontological sensitivity of geologic units within a project area. The paleontological sensitivity of geologic units underlying the project site has been evaluated according to the following categories:

- **High Potential:** Rock units from which significant vertebrate or significant invertebrate fossils or significant suites of plant fossils have been recovered are considered to have a high potential for containing significant non-renewable fossiliferous resources. These units include but are not limited to, sedimentary formations and some volcanic formations which contain significant nonrenewable paleontological resources anywhere within their geographical extent, and sedimentary rock units temporally or lithologically suitable for the preservation of fossils.
- **Low Potential:** Sedimentary rock units that are potentially fossiliferous but have not yielded fossils in the past or contain common and/or widespread invertebrate fossils of well documented and understood taphonomic (processes affecting an organism following death, burial, and removal from the ground), phylogenetic species (evolutionary relationships among organisms), and habitat ecology.
- **Undetermined Potential:** Specific areas underlain by sedimentary rock units for which little information is available are considered to have undetermined fossiliferous potential. Field surveys by a qualified vertebrate paleontologist to specifically determine the potential of the rock units are required before programs of impact mitigation for such areas may be developed.
- **No Potential:** Rock units of metamorphic or igneous origin are commonly classified as having no potential for containing significant paleontological resources.

To evaluate potential impacts to paleontological resources, Rincon paleontologists requested and reviewed a paleontological records search from the Natural History Museum of Los Angeles County (NHMLA), as well as reviewed geologic maps and primary literature. Based on reviewed information, paleontological sensitivities pursuant to the guidelines of the SVP were assigned to the geologic units present at the surface or in the subsurface of the project site that would be impacted by ground-disturbing activities associated with project construction.

As described in Section 2, Project Description, this EIR analyzes the environmental effects of buildout of the Specific Plan over time at a programmatic level including with and without the Residential Conversion Units. This EIR also performs a project level review of the proposed Conceptual Plan. The three scenarios would involve the same types of land uses, siting, footprint, mass, overall layout of structures, and locations of street, overall development footprint, construction activities, operational characteristics, and aesthetic character. Therefore, the below analysis applies to all three scenarios.

b. Project Design Features

No specific project design features related to geology and soils, including paleontological resources, are proposed by the project.

c. Project Impacts and Mitigation Measures

Threshold 4.5a.1.: Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving 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?

Impact GEO-1 THE PROJECT SITE IS PARTIALLY WITHIN AN ALQUIST-PRIOLO FAULT ZONE; HOWEVER, A SITE-SPECIFIC FAULT RUPTURE HAZARD INVESTIGATION DETERMINED THAT THE POTENTIAL FOR FAULT RUPTURE AT THE PROJECT SITE IS LOW. THE POTENTIAL OF SUBSTANTIAL ADVERSE EFFECTS INVOLVING RUPTURE OF A KNOWN EARTHQUAKE FAULT IS LOW. THUS, THE PROPOSED PROJECT WOULD NOT BE SUBJECT TO SUBSTANTIAL RISK OF GROUND RUPTURE AND IMPACTS WOULD BE LESS THAN SIGNIFICANT.

As mentioned above in Environmental Setting, a portion of the project site is within the SMFZ Alquist-Priolo Fault Zone. Site-specific Fault Rupture Hazard Investigations were prepared for the proposed project, which were peer reviewed and accepted by the City in December 2021 in compliance with the City Policy for Site-Specific Seismic Fault Investigations (J Lee Engineering Inc 2021a and 2021b; City of Beverly Hills 2021a and 2021b; Appendix E). The Geocon Geotechnical Investigation summarizes the results of the Fault Rupture Hazard Investigations (Appendix E). As discussed in the Geotechnical Investigation, it was determined that no buildings within the project site would be

constructed across active faults and the potential for the active SMFZ to result in fault rupture at the project site is low.

Construction

Project construction would include utility relocations, excavation, structure construction, and landscaping and site restoration. Construction of the project would adhere to State and local seismic safety regulations including the Alquist-Priolo Earthquake Fault Zoning Act, Seismic Safety Act, Seismic Hazards Mapping Act, UBC, CBC, and the Beverly Hills Building Code. Chapter 16A, Division IV of the CBC, entitled “Earthquake Design,” states that the “purpose of the earthquake provisions herein is primarily to safeguard against major structural failures or loss of life.” The CBC and UBC regulate the design and construction of excavations, foundations, building frames, retaining walls, and other building elements to mitigate the effects of seismic hazards and adverse soil conditions. The procedures and limitations for the design of structures are based on site characteristics, occupancy type, configuration, structural system, height, and seismic zoning.

With compliance with the applicable regulations, construction of the proposed project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault. Construction impacts would be less than significant.

Operation

As described above, the risk of fault rupture at the site is low, and the project structures would be constructed in accordance with the requirements of the CBC, UBC, and Beverly Hills Building Code. Therefore, operation of the proposed project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault. Potential impacts associated with rupture of the ground surface within the vicinity of the project site would be less than significant.

Mitigation Measures

No mitigation measures would be required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

Threshold 4.5a.2.: Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?

Impact GEO-2 AS IS COMMON IN SOUTHERN CALIFORNIA, THE PROJECT COULD RESULT IN EXPOSURE OF PEOPLE OR STRUCTURES TO A RISK OF LOSS, INJURY, OR DEATH INVOLVING STRONG SEISMIC GROUND SHAKING. HOWEVER, THE GEOTECHNICAL INVESTIGATION DETERMINED THAT THE POTENTIAL OF SUBSTANTIAL ADVERSE EFFECTS INVOLVING GROUND SHAKING IS LOW WITH COMPLIANCE WITH THE APPLICABLE CODES AND STANDARDS AND IMPLEMENTATION OF THE GEOTECHNICAL INVESTIGATION'S RECOMMENDATIONS. THEREFORE, IMPACTS WOULD BE LESS THAN SIGNIFICANT.

Although the project site is not subject to fault rupture, the site is within a seismically active region and could be subject to strong ground shaking in the event of an earthquake at one of the local or regional faults. This hazard is common in southern California and the effects of ground shaking and ground failure can be minimized if the proposed structures are designed and constructed in conformance with current building codes and engineering practices.

Construction

As discussed in Section 4.4.2, *Regulatory Setting*, the proposed project would be required to comply with State and local seismic safety regulations to ensure that development is constructed in a manner that would minimize risk of damage from earthquakes. These regulations include the Alquist-Priolo Earthquake Fault Zoning Act, Seismic Safety Act, Seismic Hazards Mapping Act, UBC, CBC, and the Beverly Hills Building Code. In particular, the proposed project would be required to demonstrate compliance with the Beverly Hills Building Code, which incorporates current seismic design provisions of the current CBC to minimize seismic ground shaking impacts. The Beverly Hills 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 minimize losses from an earthquake and maximize earthquake safety. With compliance with the applicable regulations, construction of the proposed project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic ground shaking. Construction impacts would be less than significant.

Operation

The project must demonstrate compliance with the applicable seismic safety provisions of the regulations discussed above prior to construction and occupancy of the proposed structures. To ensure compliance, the design and construction of the proposed project would include proven construction engineering practices in accordance with the recommendations of an approved, final geotechnical report. The Beverly Hills Development Services Division is responsible for implementing the provisions of the Beverly Hills Building Code, and the proposed project would be required to comply with the plan review and permitting requirements of the Development Services Division, including the

recommendations provided in final site-specific geotechnical reports subject to review and approval by the City. As part of this process, Fault Rupture Hazard Investigations were completed, which underwent a peer review and formal acceptance process that culminated in the issuance of clearance letters from the City (Geocon 2020 and 2021; J Lee Engineering Inc 2021a and 2021b; City of Beverly Hills 2021a and 2021b; Appendix E). The impact to people, buildings, or structures on the project site from strong seismic ground shaking during project operation would be reduced by the required conformance with applicable building codes and accepted engineering practices.

Furthermore, operation of the proposed project would not involve mining operations, deep excavation into the earth, or boring of large areas creating unstable seismic conditions or stresses in the earth's crust that could exacerbate seismic hazards. Therefore, operation of the proposed project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking and impacts would be less than significant.

Mitigation Measures

No mitigation measures would be required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

Threshold 4.5d: Would the project be located on expansive soil, as defined in Table 1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Impact GEO-3 THE GEOTECHNICAL INVESTIGATION DETERMINED THERE IS A MINIMAL RISK OF EXPANSIVE SOILS ON THE PROJECT SITE. THEREFORE, IMPACTS ASSOCIATED WITH EXPANSIVE SOILS WOULD BE LESS THAN SIGNIFICANT.

Expansive soils can change dramatically in volume depending on moisture content. When wet, these soils can expand; conversely, when dry, they can contract or shrink. Sources of moisture that can trigger this shrink-swell phenomenon include seasonal rainfall, landscape irrigation, utility leakage, and/or perched groundwater. Expansive soil can develop wide cracks in the dry season, and changes in soil volume have the potential to damage concrete slabs, foundations, and pavement. Special building/structure design or soil treatment are often needed in areas with expansive soils. Expansive soils are typically very fine-grained with a high to very high percentage of clay.

As mentioned above in Section 4.5.2, *Environmental Setting*, artificial fill consisting of clayey silt, sandy silt, and sandy clay were encountered at a maximum depth of 7.5 feet below existing ground surface. The project site is underlain by young Holocene alluvial fan deposits which are underlain by older Pleistocene alluvial fan deposits. The moisture levels of the artificial fill underlying the project site are characterized as slightly moist to moist and soft to stiff. The alluvial soils underlying the project site are characterized as slightly moist

to wet and soft to hard or medium dense to very dense. The site soils are characterized as having low expansion potential.

Construction

Construction of the proposed project would require adherence to the UBC and CBC, which account for and mitigate the effects of adverse soil conditions through the incorporation of design requirements. Specifically, CBC Section 3307.1 states that, "Adjoining public and private property shall be protected from damage during construction, remodeling and demolition work. Protection must be provided for footings, foundations, party walls, chimneys, skylights and roofs". The UBC employs a similar standard and states that, "Any person making or causing an excavation to be made exceeding twelve feet (12') in depth below the grade, shall protect the excavation so that the adjoining soil will not cave in or settle, and shall extend the foundation of any adjoining buildings below the depth of twelve feet (12') below grade at his own expense." With these requirements in place, construction impacts related to expansive soils would be less than significant.

Operation

According to the Geotechnical Investigation, the proposed structures would not be prone to the effects of expansive soils and building foundations would be laid in very low to low expansive materials (Geocon 2022). Furthermore, the proposed project would be constructed in accordance with the CBC, UBC, and Beverly Hills Building Code requirements to account for any adverse soil conditions. Therefore, operation of the project would not result in substantial direct or indirect risks to life or property associated with expansive soils and impacts would be less than significant.

Mitigation Measures

No mitigation measures would be required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

Threshold 4.5f: Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Impact GEO-4 THE PROJECT IS ANTICIPATED TO IMPACT SEDIMENTS WITH HIGH PALEONTOLOGICAL SENSITIVITY AND IMPACTS TO PALEONTOLOGICAL RESOURCES WOULD BE POTENTIALLY SIGNIFICANT. IMPACTS WOULD BE REDUCED TO LESS THAN SIGNIFICANT WITH IMPLEMENTATION OF MITIGATION MEASURES GEO- 1 AND GEO-2, WHICH WOULD REQUIRE CONSTRUCTION WORKER TRAINING, CONSTRUCTION MONITORING, AND PROPER PROCEDURES IN THE EVENT THAT PALEONTOLOGICAL RESOURCES ARE ENCOUNTERED DURING GROUND DISTURBING ACTIVITIES.

Consistent with SVP (2010) guidelines, the paleontological sensitivity of the geologic units underlying the project site are described below based on review of published geologic maps, a literature review, museum records search, and online fossil locality databases.

The region surrounding the project site was mapped by Campbell et al. (2016), who identified a single geologic unit, Young alluvium (Unit 1), underlying the project site. Young alluvium (Unit 1) consists of unconsolidated, stream- or fan-deposited silt, sand and gravel, that is late Pleistocene in age (Campbell et al. 2016). Pleistocene-aged alluvial sediments have produced numerous scientifically significant paleontological resources in the Los Angeles Basin, including mammoth (*Mammuthus*), saber-toothed cat (*Smilodon*), ground sloth (*Paramylodon*, *Megalonyx*), other mammals, reptiles, birds, and invertebrates (Jefferson 2010; Paleobiology Database 2023). Given this fossil-producing history, Young alluvium (Unit 1) has high paleontological sensitivity.

A geotechnical investigation conducted for the project included test borings which encountered between 2 and 7.5 feet of artificial fill throughout the project site (Geocon 2022). This artificial fill generally consisted of brown to dark brown clayey silt, sandy silt, and sandy clay. Below the fill, the bores encountered variously colored (e.g., light brown, dark brown, gray, reddish-brown, olive), primarily fine-grained alluvial sediments ranging from clayey silt to silty sand with some thin gravel beds.

Rincon requested a fossil locality search from the NHMLA on May 24, 2023, which recovered no known fossil localities within the project site (Bell 2023). However, localities LACM VP 3821 and LACM VP 3355 are known from the northeastern corner of the intersection of Wilshire Boulevard and Bedford Drive, approximately 200 feet north of the project site. These localities produced unidentified ungulate (hoofed) mammal and horse (*Equus*) fossils, respectively, and were discovered at approximately 40 feet below the surface during building excavations. In addition to LACM VP 3821 and LACM VP 3355, four other NHMLA fossil localities are known within 1.6 miles of the project site, yielding elephant (Proboscidea), bison (*Bison*), horse (*Equus*), deer (Cervidae), rodent, and invertebrate fossils. Only one of these four sites, LACM VP 3176, has a recorded depth of discovery, which is 30 feet below the surface.

Construction

Ground-disturbing activities within previously undisturbed (i.e., non-fill) sediments with high paleontological sensitivity could result in significant impacts to paleontological resources. Impacts would be significant if construction activities result in the destruction, damage, or loss of scientifically important paleontological resources and associated stratigraphic and paleontological data. These activities may include grading, excavation, or any other activity that disturbs the surface or subsurface geologic formations. Excavations for this project are anticipated to reach up to 60 feet below the current grade, which will impact previously undisturbed portions of high-sensitivity Young alluvium (Unit 1) (Geocon 2022). This depth is also greater than the 30- or 40-foot depths of known nearby fossil localities reported by the NHMLA (Bell 2023). Therefore, construction activities associated with the project could result in significant impacts to paleontological resources.

Operation

Operation of the project would commence upon completion of construction. No excavation or ground-disturbing activities that may inadvertently encounter paleontological resources would occur during the project's operational phase. Therefore, there would be no impacts to paleontological resources during project operation.

Mitigation Measures

GEO-1 Paleontological Worker Environmental Awareness Program

Prior to the start of ground disturbing construction activities (e.g., grading, trenching, boring) that extend more than 2 feet below the surface within previously undisturbed sediments, the Applicant shall retain a Qualified Professional Paleontologist, as defined by the SVP (2010). The Qualified Professional Paleontologist or their designee shall conduct a paleontological Worker Environmental Awareness Program (WEAP) training approved by the City for construction personnel regarding the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction personnel.

GEO-2 Paleontological Monitoring

The Applicant shall retain a Paleontological Resources Monitor to conduct full-time paleontological monitoring during ground-disturbing construction activities (e.g., grading, trenching, boring) that extend more than 2 feet below the surface within previously undisturbed sediments. The Paleontological Resources Monitor shall have experience with collection and salvage of paleontological resources and shall meet the minimum standards of the SVP (2010) for a Paleontological Resources Monitor. The Qualified Professional Paleontologist may recommend that monitoring be reduced in frequency or ceased entirely based on geologic observations. Such decisions shall be subject to review and approval by the City. In the event of a fossil discovery by the paleontological monitor or construction personnel, all construction activity within 50 feet of the find shall cease, and the Qualified Professional Paleontologist shall evaluate the find. If the fossil(s) is (are) not scientifically

9600 Wilshire Boulevard Specific Plan

- **Fossil Salvage.** The paleontological monitor shall salvage (i.e., excavate and recover) the fossil to protect it from damage/destruction. Typically, fossils can be safely salvaged quickly by a single paleontological monitor with minimal disruption to construction activity. In some cases, larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. Bulk matrix sampling may be necessary to recover small invertebrates or microvertebrates from within paleontologically sensitive deposits. After the fossil(s) is (are) salvaged, construction activity may resume.
- **Fossil Preparation and Curation.** Fossils shall be identified to the lowest (i.e., most-specific) possible taxonomic level, prepared to a curation-ready condition, and curated in a scientific institution with a permanent paleontological collection along with all pertinent field notes, photos, data, and maps. Fossils of undetermined significance at the time of collection may also warrant curation at the discretion of the Qualified Professional Paleontologist.

Upon completion of ground-disturbing activities (or laboratory preparation and curation of fossils, if necessary), the Qualified Professional Paleontologist shall prepare a final report describing the results of the paleontological monitoring efforts. The report shall include a summary of the field and laboratory methods employed; an overview of project geology; and, if fossils were discovered, an analysis of the fossils, including physical description, taxonomic identification, and scientific significance. The report shall be submitted to the City and, if fossil curation occurred, the designated scientific institution. Each determination and decision identified in this Measure by the Qualified Professional Paleontologist shall be subject to review and approval by the City.

Significance After Mitigation

Implementation of Mitigation Measure GEO-1 and GEO-2 would reduce potential impacts to paleontological resources to a less than significant level through the recovery, identification, and curation of previously unrecovered fossils. This mitigation measure would apply to ground-disturbing activities within previously undisturbed sediments that extend beyond two feet below the current grade, which represents the minimum observed depth of artificial fill in the Geotechnical Investigation (Geocon 2022).

4.5.4 Cumulative Impacts

a. Cumulative Impacts GEO-1, GEO-2, and GEO-3

Construction

Planned and pending projects listed in Section 3, *Environmental Setting*, would increase structural development within the city. Similar to the construction of the proposed project, construction of the related projects could potentially be subject to fault rupture, ground shaking, and expansive soils. The proposed project and cumulative projects would be designed and constructed in accordance with the latest version of the applicable Federal, State, and local codes relative to seismic and soil hazards criteria, including the UBC, CBC,

Beverly Hills Building Code, and City Policy for Site-Specific Seismic Fault Investigations. The impact to people, buildings, or structures during construction of cumulative projects from fault rupture, strong seismic ground shaking, and expansive soils would be reduced by the required conformance with applicable building codes, and accepted engineering practices. Therefore, cumulative construction impacts related to fault rupture, seismic ground shaking, and expansive soils would be less than significant.

Operation

Cumulative development would expose new residents and property to potential risks from fault rupture, seismic ground shaking, and expansive soils in the area. However, geologic hazards are site-specific, and individual developments would not create additive impacts that would directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of an earthquake fault, strong seismic ground shaking, or expansive soils. Moreover, the proposed project and cumulative development projects would be required to comply with applicable provisions of the Alquist-Priolo Earthquake Fault Zoning Act, Seismic Safety Act, Seismic Hazards Mapping Act, UBC, CBC, City Policy for Site-Specific Seismic Fault Investigations, and the Beverly Hills Building Code. These laws regulate the design and construction of excavations, foundations, building frames, retaining walls, and other building elements to mitigate the effects of seismic shaking and adverse soil conditions. In compliance with these regulations, cumulative projects would undergo site-specific Fault Rupture Hazard Investigations, if required, and geotechnical studies would be required to incorporate safety design measures for site-specific seismic and soils conditions. The City will continue to require that all new structures comply with seismic and geologic hazard safety standards, including design and construction standards that regulate land use in areas known to have or to potentially have significant seismic and/or other geologic hazards. Potential impacts from future individual developments near the project site would be addressed on a case-by-case basis, and appropriate mitigation would be designed to mitigate impacts resulting from individual projects, as necessary. Therefore, cumulative operational impacts related to risks from fault rupture, seismic ground shaking, and expansive soils in the area would be less than significant.

b. Cumulative Impact GEO-4

Construction

Cumulative development in the city would increase the potential for impacts to buried paleontological resources through ground-disturbing construction activities. However, the potential for the presence of paleontological resources is site-specific, and individual developments would not create compounding impacts that would affect paleontological resources on other sites. Similar to the proposed project, individual development proposals are reviewed separately by the City and would undergo environmental review when it is determined that the potential for significant impacts exists. In the event future cumulative development could result in impacts to paleontological resources, impacts to such

resources would be addressed on a case-by-case basis. Cumulative development projects would be expected to implement similar mitigation measures as the proposed project, such as paleontological monitoring during construction, to reduce impacts to paleontological resources. Therefore, cumulative construction impacts to paleontological resources would be less than significant.

Operation

The cumulative projects involve a mix of residential, office, and commercial uses. Similar to the proposed project, operation of the cumulative projects would not involve ground disturbing activities. Therefore, there would be no cumulative operational impacts to paleontological resources.

c. Summary

In summary, cumulative impacts related to geologic hazards, including fault rupture, ground shaking, and expansive soils, would be less than significant during construction and operation of the proposed project. Cumulative impacts to paleontological resources during project construction would be less than significant, and there would be no cumulative impacts to paleontological resources during operation. Therefore, the proposed project would not result in a cumulatively considerable contribution to cumulative geology and soils impacts.

4.6 Greenhouse Gas Emissions

This section discusses the regulatory setting, existing environmental setting, and evaluates the potential impacts of greenhouse gas (GHG) emissions associated with the proposed project. Construction and operational GHG emissions associated with project buildout are calculated using the California Emissions Estimator Model (CalEEMod), version 2022.1.

4.6.1 Regulatory Setting

a. Federal Regulations

The United States Supreme Court determined in *Massachusetts et al. v. Environmental Protection Agency et al.* ([2007] 549 U.S. 05-1120) that the U.S. Environmental Protection Agency (USEPA) has the authority to regulate motor vehicle GHG emissions under the federal Clean Air Act. The USEPA issued a Final Rule for mandatory reporting of GHG emissions in October 2009. This Final Rule applies to fossil fuel suppliers, industrial gas suppliers, direct GHG emitters, and manufacturers of heavy-duty and off-road vehicles and vehicle engines and requires annual reporting of emissions. In 2012, the USEPA issued a Final Rule that established the GHG permitting thresholds that determine when Clean Air Act permits issued under the New Source Review Prevention of Significant Deterioration and Title V Operating Permit programs are required for new and existing industrial facilities.

In *Utility Air Regulatory Group v. Environmental Protection Agency* (134 Supreme Court 2427 [2014]), the United States Supreme Court held that USEPA may not treat GHGs as an air pollutant for purposes of determining whether a source can be considered a major source required to obtain a Prevention of Significant Deterioration or Title V permit. The Court also held that Prevention of Significant Deterioration permits otherwise required based on emissions of other pollutants may continue to require limitations on GHG emissions based on the application of Best Available Control Technology.

b. State Regulations

The California Air Resources Board (CARB) is responsible for the coordination and oversight of state and local air pollution control programs in California. There are numerous regulations aimed at reducing the state's GHG emissions. These initiatives are summarized below. For more information on the legislation, executive orders, building codes, and reports discussed below, and to view reports and research referenced below, please refer to the following websites: <https://www.energy.ca.gov/data-reports/reports/californias-fourth-climate-change-assessment>, www.arb.ca.gov/cc/cc.htm, and <https://www.dgs.ca.gov/BSC/Codes>.

California Global Warming Solutions Act of 2006 (Assembly Bill [AB] 32 and Senate Bill [SB] 32)

AB 32, the "California Global Warming Solutions Act of 2006," outlines California's major legislative initiative for reducing GHG emissions. AB 32 codifies the statewide goal of

9600 Wilshire Boulevard Specific Plan

reducing GHG emissions to 1990 levels by 2020 and requires CARB to prepare a Scoping Plan that outlines the main state strategies for reducing GHG emissions to meet the 2020 deadline. Additionally, AB 32 requires CARB to adopt regulations to require reporting and verification of statewide GHG emissions. Based on this guidance, CARB approved a 1990 statewide GHG level and 2020 target of 431 MMT of CO₂e, which was achieved in 2016. CARB approved the Scoping Plan on December 11, 2008, which included GHG emission reduction strategies related to energy efficiency, water use, and recycling and solid waste, among others (CARB 2008). Many of the GHG reduction measures included in the Scoping Plan (e.g., Low Carbon Fuel Standard, Advanced Clean Car standards, and Cap-and-Trade) have been adopted since the Scoping Plan's approval.

CARB approved the 2013 Scoping Plan update in May 2014. The update defined CARB's climate change priorities for the next five years, set the groundwork to reach post-2020 statewide goals, and highlighted California's progress toward meeting the "near-term" 2020 GHG emission reduction goals defined in the original Scoping Plan. It also evaluated how to align the state's longer term GHG reduction strategies with other state policy priorities, including those for water, waste, natural resources, clean energy, transportation, and land use (CARB 2014).

On September 8, 2016, the governor signed Senate Bill (SB) 32 into law, extending the California Global Warming Solutions Act of 2006 by requiring the state to further reduce GHG emissions to 40 percent below 1990 levels by 2030 (the other provisions of AB 32 remain unchanged). On December 14, 2017, CARB adopted the 2017 Scoping Plan, which provides a framework for achieving the 2030 target. The 2017 Scoping Plan relies on the continuation and expansion of existing policies and regulations, such as the Cap-and-Trade Program, and implementation of recently adopted policies and legislation, such as SB 1383 and SB 100 (discussed further below). The 2017 Scoping Plan also puts an increased emphasis on innovation, adoption of existing technology, and strategic investment to support its strategies. As with the 2013 Scoping Plan update, the 2017 Scoping Plan does not provide project-level thresholds for land use development. Instead, it recommends that local governments adopt policies and locally appropriate quantitative thresholds consistent with statewide per capita goals of six MT of CO₂e by 2030 and two MT of CO₂e by 2050 (CARB 2017). As stated in the 2017 Scoping Plan, these goals may be appropriate for plan-level analyses (city, county, sub-regional, or regional level), but not for specific individual projects because they include all emissions sectors in the state (CARB 2017).

Assembly Bill 1279

AB 1279, "The California Climate Crisis Act," was passed on September 16, 2022, and declares that the State would achieve net zero GHG emissions as soon as possible, but no later than 2045, and to achieve and maintain net negative GHG emissions thereafter. In addition, the bill states that the State would reduce GHG emissions by 85 percent below 1990 levels no later than 2045.

In response to the passage of AB 1279 and the identification of the 2045 GHG reduction target, CARB published the Final 2022 Climate Change Scoping Plan in November 2022

(CARB 2022). The 2022 Update builds upon the framework established by the 2008 Climate Change Scoping Plan and previous updates while identifying new, technologically feasible, cost-effective, and equity-focused path to achieve California’s climate target. The 2022 Update includes policies to achieve a significant reduction in fossil fuel combustion, further reductions in short-lived climate pollutants, support for sustainable development, increased action on natural and working lands (NWL) to reduce emissions and sequester carbon, and the capture and storage of carbon.

The 2022 Update assesses the progress California is making toward reducing its GHG emissions by at least 40 percent below 1990 levels by 2030, as called for in SB 32 and laid out in the 2017 Scoping Plan, addresses recent legislation and direction from Governor Newsom, extends and expands upon these earlier plans, and implements a target of reducing anthropogenic emissions to 85 percent below 1990 levels by 2045, as well as taking an additional step of adding carbon neutrality as a science-based guide for California’s climate work. As stated in the 2022 Update, “The plan outlines how carbon neutrality can be achieved by taking bold steps to reduce GHGs to meet the anthropogenic emissions target and by expanding actions to capture and store carbon through the state’s NWL and using a variety of mechanical approaches” (CARB 2022). Specifically, the 2022 Update:

- Identifies a path to keep California on track to meet its SB 32 GHG reduction target of at least 40 percent below 1990 emissions by 2030.
- Identifies a technologically feasible, cost-effective path to achieve carbon neutrality by 2045 and a reduction in anthropogenic emissions by 85 percent below 1990 levels.
- Focuses on strategies for reducing California’s dependency on petroleum to provide consumers with clean energy options that address climate change, improve air quality, and support economic growth and clean sector jobs.
- Integrates equity and protecting California’s most impacted communities as driving principles throughout the document.
- Incorporates the contribution of NWL to the state’s GHG emissions, as well as their role in achieving carbon neutrality.
- Relies on the most up-to-date science, including the need to deploy all viable tools to address the existential threat that climate change presents, including carbon capture and sequestration, as well as direct air capture.
- Evaluates the substantial health and economic benefits of taking action.
- Identifies key implementation actions to ensure success.

In addition to reducing emissions from transportation, energy, and industrial sectors, the 2022 Update includes emissions and carbon sequestration in NWL and explores how NWL contributes to long-term climate goals. Under the Scoping Plan Scenario, California’s 2030 emissions are anticipated to be 48 percent below 1990 levels, representing an acceleration of the current SB 32 target. Cap-and-Trade regulation continues to play a large factor in the reduction of near-term emissions for meeting the accelerated 2030 reduction target. Every sector of the economy will need to begin to transition in this decade to meet our GHG

reduction goals and achieve carbon neutrality no later than 2045. The 2022 Update approaches decarbonization from two perspectives, managing a phasedown of existing energy sources and technologies, as well as increasing, developing, and deploying alternative clean energy sources and technology.

Senate Bill 375

The Sustainable Communities and Climate Protection Act of 2008 (SB 375), signed in August 2008, enhances the state’s ability to reach AB 32 goals by directing CARB to develop regional GHG emission reduction targets to be achieved from passenger vehicles by 2020 and 2035. SB 375 aligns regional transportation planning efforts, regional GHG reduction targets, and affordable housing allocations. Metropolitan Planning Organizations (MPOs) are required to adopt a Sustainable Communities Strategy (SCS), which allocates land uses in the MPO’s Regional Transportation Plan (RTP). Qualified projects consistent with an approved SCS or Alternative Planning Strategy (categorized as “transit priority projects”) can receive incentives to streamline California Environmental Quality Act (CEQA) processing.

On March 22, 2018, CARB adopted updated regional targets for reducing GHG emissions from 2005 levels by 2020 and 2035. The Southern California Association of Governments (SCAG) was assigned targets of an eight percent reduction in per capita GHG emissions from passenger vehicles by 2020 and a 19 percent reduction in per capita GHG emissions from passenger vehicles by 2035. In the SCAG region, SB 375 also provides the option for the coordinated development of subregional plans by the subregional councils of governments and the county transportation commissions to meet SB 375 requirements. The SCAG 2020-2045 Regional Transportation Plan/Sustainable Committee Strategy (Connect SoCal) (2020) demonstrates that the SCAG region would achieve its initial regional emissions reduction targets for the 2020 and 2035 target years.

California Building Standards Codes

The California Code of Regulations (CCR) Title 24 is referred to as the California Building Standards Code. It consists of a compilation of several distinct standards and codes related to building construction including plumbing, electrical, interior acoustics, energy efficiency, and handicap accessibility for persons with physical and sensory disabilities. The current iteration is the 2022 Title 24 standards. The California Building Standards Code’s energy-efficiency and green building standards are outlined below.

Part 6 – Building Energy Efficiency Standards/Energy Code

CCR Title 24, Part 6 is the Building Energy Efficiency Standards or California Energy Code. This code, originally enacted in 1978, establishes energy-efficiency standards for residential and non-residential buildings in order to reduce California’s energy demand. New construction and major renovations must demonstrate their compliance with the current Energy Code through submittal and approval of a Title 24 Compliance Report to the local building permit review authority and the California Energy Commission (CEC). The 2022

Title 24 standards are the applicable building energy efficiency standards for the proposed project because they became effective on January 1, 2023.

Part 11 – California Green Building Standards

The California Green Building Standards Code, referred to as CALGreen, was added to Title 24 as Part 11, first in 2009 as a voluntary code, which then became mandatory effective January 1, 2011 (as part of the 2010 California Building Standards Code). The 2022 CALGreen includes mandatory minimum environmental performance standards for all ground-up new construction of residential and non-residential structures. It also includes voluntary tiers with stricter environmental performance standards for these same categories of residential and non-residential buildings. Local jurisdictions must enforce the minimum mandatory CALGreen standards and may adopt additional amendments for stricter requirements.

California Advanced Clean Cars Program

AB 1493 (2002), California’s Advanced Clean Cars program (referred to as “Pavley”), requires CARB to develop and adopt regulations to achieve “the maximum feasible and cost-effective reduction of GHG emissions from motor vehicles.” On June 30, 2009, the USEPA granted the waiver of Clean Air Act preemption to California for its GHG emission standards for motor vehicles, beginning with the 2009 model year, which allows California to implement more stringent vehicle emission standards than those promulgated by the USEPA. Pavley I regulates model years from 2009 to 2016 and Pavley II, now referred to as “Low Emission Vehicle III GHG,” regulates model years from 2017 to 2025. The Advanced Clean Cars program coordinates the goals of the Low Emission Vehicle, Zero Emissions Vehicles, and Clean Fuels Outlet programs and would provide major reductions in GHG emissions. By 2025, the rules will be fully implemented, and new automobiles will emit 34 percent fewer GHGs and 75 percent fewer smog-forming emissions from their model year 2016 levels (CARB 2011).

California Integrated Waste Management Act (Assembly Bill 341)

The California Integrated Waste Management Act of 1989, as modified by AB 341 in 2011, requires each jurisdiction’s source reduction and recycling element to include an implementation schedule that shows: (1) diversion of 25 percent of all solid waste by January 1, 1995, through source reduction, recycling, and composting activities and (2) diversion of 50 percent of all solid waste on and after January 1, 2000.

Senate Bill 1383

Adopted in September 2016, SB 1383 (Lara, Chapter 395, Statutes of 2016) requires CARB to approve and begin implementing a comprehensive strategy to reduce emissions of short-lived climate pollutants. SB 1383 requires the strategy to achieve the following reduction targets by 2030:

9600 Wilshire Boulevard Specific Plan

- Methane – 40 percent below 2013 levels
- Hydrofluorocarbons – 40 percent below 2013 levels
- Anthropogenic black carbon – 50 percent below 2013 levels

SB 1383 also requires the California Department of Resources Recycling and Recovery, in consultation with CARB, to adopt regulations that achieve specified targets for reducing organic waste in landfills.

Senate Bill 100

Adopted on September 10, 2018, SB 100 supports the reduction of GHG emissions from the electricity sector by accelerating the state’s Renewables Portfolio Standard Program, which was last updated by SB 350 in 2015. SB 100 requires electricity providers to increase procurement from eligible renewable energy resources to 33 percent of total retail sales by 2020, 60 percent by 2030, and 100 percent by 2045.

Executive Order B-55-18

On September 10, 2018, former Governor Brown issued Executive Order (EO) B-55-18, which established a new statewide goal of achieving carbon neutrality by 2045 and maintaining net negative emissions thereafter. This goal is in addition to the existing statewide GHG reduction targets established by SB 375, SB 32, SB 1383, and SB 100.

Executive Order N-79-20

On September 23, 2020, Governor Newsom issued EO N-79-20, which established the following new statewide goals:

- All new passenger cars and trucks sold in-state to be zero-emission by 2035;
- All medium- and heavy-duty vehicles in the state to be zero-emission by 2045 for all operations where feasible and by 2035 for drayage trucks; and
- All off-road vehicles and equipment to be zero-emission by 2035 where feasible.

EO N-79-20 directs CARB, the Governor’s Office of Business and Economic Development, the CEC, the California Department of Transportation, and other state agencies to take steps toward drafting regulations and strategies and leveraging agency resources toward achieving these goals.

Clean Energy, Jobs, and Affordability Act of 2022 (Senate Bill 1020)

Adopted on September 16, 2022, SB 1020 creates clean electricity targets for eligible renewable energy resources and zero-carbon resources to supply 90 percent of retail sale electricity by 2035, 95 percent by 2040, 100 percent by 2045, and 100 percent of electricity procured to serve all state agencies by 2035. This bill shall not allow increased carbon emissions elsewhere in the western grid and shall not allow resource shuffling.

c. Local Regulations

2020-2045 Regional Transportation Plan/Sustainable Communities Strategy

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. On September 3, 2020, SCAG's Regional Council formally adopted the 2020-2045 RTP/SCS (titled Connect SoCal). The 2020-2045 RTP/SCS builds upon the progress made through implementation of the 2016-2040 RTP/SCS and includes ten goals focused on promoting economic prosperity, improving mobility, protecting the environment, and supporting healthy/complete communities. The SCS implementation strategies include focusing growth near destinations and mobility options, promoting diverse housing choices, leveraging technology innovations, and supporting implementation of sustainability policies. The SCS establishes a land use vision of center focused placemaking, concentrating growth in and near Priority Growth Areas, transferring of development rights, urban greening, creating greenbelts and community separators, and implementing regional advance mitigation (SCAG 2020).

Beverly Hills Sustainable City Plan

In February 2009, the City adopted the Beverly Hills Sustainable City Plan. The following goals related to GHG emissions are applicable to the proposed project (City of Beverly Hills 2009):

Climate Change and Air Quality Goal: Combat climate change and improve air quality.

Energy Goal: Encourage the use of energy in a clean and efficient manner and the use of renewable energy sources.

Land Use, Transportation, and Open Space Goal: Foster an energy-efficient, walkable community that provides ample goods, services, and benefits to all residents while respecting the local environment.

The Sustainable City Plan is not considered a qualified GHG reduction plan as defined in the CEQA Guidelines Section 15183.5. The City is currently developing a Climate Action and Adaptation Plan to reduce and encourage the reduction of GHG emissions citywide.

City of Beverly Hills General Plan

The City of Beverly Hills General Plan Land Use and Open Space Elements contain the following policies specific to GHG emissions (City of Beverly Hills 2010):

- **Policy LU 14.1 City Form.** Accommodate a balanced mix of land uses and encourage development to be located and designed to enable residents access by walking, bicycling, or taking public transit to jobs, shopping, entertainment, services, and recreation, thereby reducing automobile use, energy consumption, air pollution, and GHGs.

- **Policy LU 14.2 Site Development.** Require that sites and buildings be planned and designed to meet applicable environmental sustainability objectives by: (a) facilitating pedestrian access between properties and access to public transit; (b) providing solar access; (c) assuring natural ventilation; (d) enabling capture and re-use of stormwater and graywater on-site while reducing discharge into the stormwater system; and (e) using techniques consistent with the City's sustainability programs such as the Green Building Ordinance of the City of Beverly Hills.
- **Policy LU 14.4 New Construction of Private Buildings.** Require that new and substantially renovated buildings be designed and constructed in accordance with the City's sustainability programs such as the Green Building Ordinance of the City of Beverly Hills or comparable criteria to reduce energy, water, and natural resource consumption, minimize construction wastes, use recycled materials, and avoid the use of toxics and hazardous materials.
- **Policy OS 7.9 Greenhouse Gas Reduction.** Work with CARB and the South Coast Air Quality Management District (SCAQMD) to comply with statewide greenhouse gas reduction goals as established in AB 32 and any other subsequent legislation.

Beverly Hills Complete Streets Plan

The Beverly Hills Complete Streets Plan is a long-range planning document that outlines the City's overall transportation policy guidance with the aim of transforming Beverly Hills from an auto-dominated community to one that embraces all modes of travel, reduces vehicle trips on local streets, and is a world class bicycling city. The plan includes recommendations for bikeway network enhancements, priority corridors for pedestrian improvements, first/last mile transit improvements, transportation network efficiency improvements, and neighborhood traffic management, among others.

4.6.2 Environmental Setting

a. Climate Change and Greenhouse Gases

Gases that absorb and re-emit infrared radiation in the atmosphere are called GHGs. The gases that are widely seen as the principal contributors to human-induced climate change include carbon dioxide (CO₂), methane (CH₄), nitrous oxides (N₂O), fluorinated gases such as hydrofluorocarbons (HFCs) and perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆). Water vapor is excluded from the list of GHGs because it is short-lived in the atmosphere and its atmospheric concentrations are largely determined by natural processes, such as oceanic evaporation.

Different types of GHGs have varying global warming potentials (GWP). The GWP of a GHG is the potential of a gas or aerosol to trap heat in the atmosphere over a specified timescale (generally, 100 years). Because GHGs absorb different amounts of heat, a common reference gas (CO₂) is used to relate the amount of heat absorbed to the amount of the gas emitted, referred to as "carbon dioxide equivalent" (CO₂e), which is the amount of GHG emitted multiplied by its GWP. Carbon dioxide has a 100-year GWP of one. By contrast, methane has a GWP of 30, meaning its global warming effect is 30 times greater than CO₂

on a molecule per molecule basis (Intergovernmental Panel on Climate Change [IPCC] 2021).¹

Climate change is the observed increase in the average temperature of the Earth's atmosphere and oceans along with other substantial changes in climate (such as wind patterns, precipitation, and storms) over an extended period. The term "climate change" is often used interchangeably with the term "global warming," but climate change is preferred because it conveys that other changes are happening in addition to rising temperatures. The baseline against which these changes are measured originates in historical records that identify temperature changes that occurred in the past, such as during previous ice ages. The global climate is changing continuously, as evidenced in the geologic record which indicates repeated episodes of substantial warming and cooling. The rate of change has typically been incremental, with warming or cooling trends occurring over the course of thousands of years. The past 10,000 years have been marked by a period of incremental warming, as glaciers have steadily retreated across the globe. However, scientists have observed acceleration in the rate of warming over the past 150 years. The IPCC expressed that the rise and continued growth of atmospheric CO₂ concentrations is unequivocally due to human activities in the IPCC's Sixth Assessment Report (2021). Human influence has warmed the atmosphere, ocean, and land, which has led the climate to warm at an unprecedented rate in the last 2,000 years. It is estimated that between the period of 1850 through 2019, that a total of 2,390 gigatonnes of anthropogenic CO₂ was emitted. It is likely that anthropogenic activities have increased the global surface temperature by approximately 1.07 degrees Celsius between the years 2010 through 2019 (IPCC 2021).

The accumulation of GHGs in the atmosphere regulates the earth's temperature. Without the natural heat-trapping effect of GHGs, the earth's surface would be about 33 degrees Celsius (°C) cooler (World Meteorological Organization 2023). However, since 1750, estimated concentrations of CO₂, CH₄, and N₂O in the atmosphere have increased by 47 percent, 156 percent, and 23 percent, respectively, primarily due to human activity (IPCC 2021). GHG emissions from human activities, particularly the consumption of fossil fuels for electricity production and transportation, are believed to have elevated the concentration of these gases in the atmosphere beyond the level of concentrations that occur naturally.

b. Greenhouse Gas Emissions Inventory

Global Emissions Inventory

In 2015, worldwide anthropogenic GHG emissions totaled 47,000 million metric tons (MMT) of CO₂e, which is a 43 percent increase from 1990 GHG levels. Specifically, 34,522 MMT of CO₂e of CO₂, 8,241 MMT of CO₂e of CH₄, 2,997 MMT of CO₂e of N₂O, and 1,001 MMT of CO₂e of fluorinated gases were emitted in 2015. The largest source of GHG emissions were energy production and use (includes fuels used by vehicles and buildings), which accounted

¹ The Intergovernmental Panel on Climate Change's (2021) *Sixth Assessment Report* determined that methane has a GWP of 30. However, the 2017 Climate Change Scoping Plan published by CARB uses a GWP of 25 for methane, consistent with the Intergovernmental Panel on Climate Change's (2007) *Fourth Assessment Report*. Therefore, this analysis utilizes a GWP of 25.

for 75 percent of the global GHG emissions. Agriculture uses and industrial processes contributed 12 percent and six percent, respectively. Waste sources contributed three percent. These sources account for approximately 96 percent (USEPA 2023a).

United States Emissions Inventory

United States GHG emissions were 6,347.7 MMT of CO₂e in 2021 or 5,593.5 MMT CO₂e after accounting for sequestration. Emissions increased by 6.8 percent from 2020 to 2021. The increase from 2020 to 2021 was driven by an increase in CO₂ emissions from fossil fuel combustion which increased 7 percent relative to previous years and is primarily due to the economic rebounding after the COVID-19 pandemic. In 2020, the energy sector (including transportation) accounted for 81 percent of nationwide GHG emissions while agriculture, industrial and waste accounted for approximately 10 percent, 6 percent, and 3 percent respectively (USEPA 2023b).

California Emissions Inventory

Based on a review of CARB California Greenhouse Gas Inventory for the years between 2000-2020, California produced 369.2 MMT of CO₂e in 2020, which is 35.3 MMT of CO₂e lower than 2019 levels. The 2019 to 2020 decrease in emissions is likely due in large part to the impacts of the COVID-19 pandemic. The major source of GHG emissions in California is the transportation sector, which comprises 37 percent of the state's total GHG emissions from on-road and off-road vehicles, aviation, rail, and water-borne vessels, as well as a few other smaller sources activity. The industrial sector is the second largest source, comprising 20 percent of the state's GHG emissions while electric power accounts for approximately 16 percent. The magnitude of California's total GHG emissions is due in part to its large size and large population compared to other states. However, a factor that reduces California's per capita fuel use and GHG emissions as compared to other states is its relatively mild climate. In 2016, the state of California achieved its 2020 GHG emission reduction target of reducing emissions to 1990 levels as emissions fell below 431 MMT of CO₂e (CARB 2022). The annual 2030 statewide target emissions level is 260 MMT of CO₂e (CARB 2017).

Local Emissions Inventory

In 2019, the Beverly Hills community (residents & businesses) generated approximately 418,271 MT CO₂e. GHG emissions were dominated by the transportation sector, which generated 49 percent of the City's total GHG emissions. Energy (electricity and natural gas use) was the second largest source of GHG emissions, generating 46 percent of the total. Solid waste and water sector emissions made much smaller contributions to overall GHG emissions, at four percent and less than one percent (City of Beverly Hills 2023).

Existing Project Site Emissions

The project site's active commercial land uses include approximately 145,039 square feet (sf) of Saks Women's Building and Shoe Building. In addition, the project site contains 247 surface parking lot spaces and 309 subterranean parking garages. Area source emissions for the project site are generated by maintenance equipment, landscape equipment, and use

of products that contain solvents. Energy source emissions are associated with building electricity and natural gas usage at the project site. In addition, mobile source emissions from the existing uses are generated by motor vehicle trips to and from the project site. Additionally, waste sources emissions are from solid waste generated at the project site and water source emissions are generated from water used on the project site. Table 4.6-1 below presents the GHG emissions associated with the existing land uses based on CalEEMod estimates. It should be noted that existing operational emissions presented in Table 4.6-1 do not include emissions from the vacant 9570 Wilshire Building. However, as noted in Section 2, *Project Description*, independent of this project, the interior of the building is currently being rehabilitated as a retail department store and it is anticipated that Saks will relocate its women’s retail operations to the 9570 Wilshire Building upon completion of the pending work thus transferring the emissions from the Saks Women’s Building to the 9570 Wilshire Building but not affecting the underlying analysis.

Table 4.6-1 Existing Project Site GHG Emissions

Emission Source	Annual Emissions (MT CO₂e)
Mobile	529
Area	5
Energy	268
Water	26
Waste	48
Refrigerant	<1
Total	876

MT CO₂e = metric tons of carbon dioxide equivalent

Source: Appendix B, Table 2.5 “Operations Emissions by Sector, Unmitigated”

c. Potential Effects of Climate Change

Globally, climate change has the potential to affect numerous environmental resources though potential impacts related to future air temperatures and precipitation patterns. Scientific modeling predicts that continued GHG emissions at or above current rates would induce more extreme climate changes during the 21st century than were observed during the 20th century. The year 2022 was the sixth warmest year since global records began in 1880 at 0.86°C (1.55°F) above the 20th century average of 13.9°C (57.0°F). This value is 0.13°C (0.23°F) less than the record set in 2016 and it is only 0.02°C (0.04°F) higher than the last year's (2021) value, which now ranks as the seventh highest (National Oceanic and Atmospheric Administration 2023). Furthermore, several independently analyzed data records of global and regional Land-Surface Air Temperature obtained from station observations jointly indicate that Land Surface Air Temperature and sea surface temperatures have increased. Due to past and current activities, anthropogenic GHG emissions are increasing global mean surface temperature at a rate of 0.2°C per decade. In addition to these findings, there are identifiable signs that global warming is currently

taking place, including substantial ice loss in the Arctic over the past two decades (IPCC 2014 and 2018).

Potential impacts of climate change in California may include reduced water supply from snowpack, sea level rise, more extreme heat days per year, more large forest fires, and more drought years. *California's Fourth Climate Change Assessment* (California Natural Resource Agency 2019) includes regional reports that summarize climate impacts and adaptation solutions for nine regions of the state and regionally specific climate change case studies. However, while there is growing scientific consensus about the possible effects of climate change at a global and statewide level, current scientific modeling tools are unable to predict what local impacts may occur with a similar degree of accuracy. A summary follows of some of the potential effects that climate change could generate in California.

Air Quality and Wildfires

Scientists project that the annual average maximum daily temperatures in California could rise by 2.4 to 3.2°C in the next 50 years and by 3.1 to 4.9°C in the next century. Higher temperatures are conducive to air pollution formation and rising temperatures could therefore result in worsened air quality in California. As a result, climate change may increase the concentration of ground-level ozone, but the magnitude of the effect, and therefore its indirect effects, are uncertain. In addition, as temperatures have increased in recent years, the area burned by wildfires throughout the state has increased, and wildfires have occurred at higher elevations in the Sierra Nevada Mountains (California Natural Resource Agency 2019). If higher temperatures continue to be accompanied by an increase in the incidence and extent of large wildfires, air quality could worsen. Severe heat accompanied by drier conditions and poor air quality could increase the number of heat-related deaths, illnesses, and asthma attacks throughout the state. With increasing temperatures, shifting weather patterns, longer dry seasons, and more dry fuel loads, the frequency of large wildfires and area burned is expected to increase (California Natural Resources Agency 2021).

Water Supply

Analysis of paleoclimatic data (such as tree-ring reconstructions of stream flow and precipitation) indicates a history of naturally and widely varying hydrologic conditions in California and the west, including a pattern of recurring and extended droughts. Uncertainty remains with respect to the overall impact of climate change on future precipitation trends and water supplies in California. Year-to-year variability in statewide precipitation levels has increased since 1980, meaning that wet and dry precipitation extremes have become more common (California Environmental Protection Agency 2018). For example, the winter of 2022-2023 had severe storms and flooding from increased rainfall and snowmelt, which the California Department of Water Resources identified as “the latest example that California’s climate is becoming more extreme” (California Department of Water Resources 2023). This uncertainty regarding future precipitation trends complicates the analysis of future water demand, especially where the relationship

between climate change and its potential effect on water demand is not well understood. The average early spring snowpack in the western United States, including the Sierra Nevada Mountains, decreased by about 10 percent during the last century. During the same period, sea level rose over 0.15 meters along the central and southern California coasts. The Sierra snowpack provides the majority of California's water supply as snow that accumulates during wet winters is released slowly during the dry months of spring and summer. A warmer climate is predicted to reduce total snowpack levels by reducing the amount of snowfall due to increased temperatures. Projections indicate that average spring snowpack in the Sierra Nevada and other mountain catchments in central and northern California will decline by approximately 66 percent from its historical average by 2050 (California Natural Resource Agency 2019).

Hydrology and Sea Level Rise

Climate change could affect the intensity and frequency of storms and flooding (California Natural Resource Agency 2019). Furthermore, climate change could induce substantial sea level rise in the coming century. Rising sea level increases the likelihood of and risk from flooding. The rate of increase of global mean sea levels between 1993 to 2022, observed by satellites, is approximately 3.4 millimeters per year, double the twentieth century trend of 1.6 millimeters per year (World Meteorological Organization 2013; National Aeronautics and Space Administration 2023). Global mean sea levels in 2013 were about 0.23 meter higher than those of 1880 (National Oceanic and Atmospheric Administration 2022). Sea levels are rising faster now than in the previous two millennia, and the rise will probably accelerate, even with robust GHG emission control measures. The most recent IPCC report predicts a mean sea level rise ranging between 0.25 to 1.01 meters by 2100 with the sea level ranges dependent on a low, intermediate, or high GHG emissions scenario (IPCC 2021). A rise in sea levels, in a recent study using the U.S. Geological Survey Coastal Storm Modeling System, could erode 31 to 67 percent of southern California beaches and cause flooding of approximately 370 miles of coastal highways during 100-year storm events. This would also jeopardize California's water supply due to saltwater intrusion and induce groundwater flooding and/or exposure of buried infrastructure (California Natural Resource Agency 2019). Furthermore, increased storm intensity and frequency could affect the ability of flood-control facilities, including levees, to handle storm events.

Agriculture

California has an over \$51 billion annual agricultural industry that produces over a third of the country's vegetables and three-quarters of the country's fruits and nuts (California Department of Food and Agriculture 2022). Higher CO₂ levels can stimulate plant production and increase plant water-use efficiency. However, if temperatures rise and drier conditions prevail, certain regions of agricultural production could experience water shortages of up to 16 percent, which would increase water demand as hotter conditions lead to the loss of soil moisture. In addition, crop yield could be threatened by water-induced stress and extreme heat waves, and plants may be susceptible to new and changing pest and disease outbreaks (California Natural Resource Agency 2019).

Temperature increases could also change the time of year certain crops such as wine grapes bloom or ripen, and thereby affect their quality (California Climate Change Center 2006).

Ecosystems

Climate change and the potential resultant changes in weather patterns could have ecological effects on the global and local scales. Soil moisture is likely to decline in many regions due to higher temperatures, and intense rainstorms are likely to become more frequent. Rising temperatures could have four major impacts on plants and animals: timing of ecological events; geographic distribution and range of species; species composition and the incidence of nonnative species within communities; and ecosystem processes, such as carbon cycling and storage (Parmesan 2006; California Natural Resource Agency 2019).

4.6.3 Impact Analysis

a. Significance Thresholds and Methodology

Significance Thresholds

The proposed project would have a potentially significant impact if it were to result in one or more of the following:

- 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.

The majority of individual projects do not generate sufficient GHG emissions to directly influence climate change. However, physical changes caused by a project can contribute incrementally to cumulative effects that are significant, even if individual changes resulting from a project are limited. The issue of climate change typically involves an analysis of whether a project's contribution towards an impact would be cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects (CEQA Guidelines Section 15064[h][1]). Per CEQA Guidelines Section 15064(h)(3), a project's incremental contribution to a cumulative impact can be found not cumulatively considerable if the project would comply with a previously approved plan or mitigation program that provides specific requirements that would avoid or substantially lessen the cumulative problem within the geographic area of the project. Therefore, CEQA Guidelines Section 15064(h)(3) allows a lead agency to make a finding of less than significance for GHG emissions if a project complies with adopted plans, programs, policies, and/or other regulatory strategies to reduce GHG emissions.

Section 15064.4 of the CEQA Guidelines recommends that lead agencies quantify the GHG emissions of projects and consider several other factors that may be used in the determination of significance of GHG emissions from a project: the extent to which the project may increase or reduce GHG emissions; whether a project exceeds an applicable significance threshold; and the extent to which the project complies with regulations or requirements adopted to implement a reduction or mitigation of GHGs.

Section 15064.4 does not establish a threshold of significance. Lead agencies have the discretion to establish significance thresholds for their respective jurisdictions, and in establishing those thresholds, a lead agency may appropriately look to thresholds developed by other public agencies, or suggested by other experts, such as the California Air Pollution Control Officers Association (CAPCOA), as long as any threshold is supported by substantial evidence. See CEQA Guidelines Section 15064.7(c). The City of Beverly Hills has not adopted a numerical significance threshold for assessing impacts related to GHG emissions. Neither SCAQMD, California Office of Planning and Research, CARB, California Air Pollution Control Officers Association (CAPCOA), nor any other state or applicable regional agency has adopted a numerical significance threshold for assessing GHG emissions that is applicable to the proposed project.

In the absence of any adopted or accepted numeric threshold, the significance of the proposed project's GHG emissions are evaluated consistent with CEQA Guidelines Section 15064.4(b) and CEQA Guidelines Section 15064(h)(3) by considering whether the proposed project complies with applicable plans, policies, regulations, and requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions.

Therefore, the significance of the proposed project's potential impacts regarding GHG emissions and climate change is evaluated based on the threshold of significance established by the City for the project, namely whether the project complies with applicable plans, policies, regulations and requirements adopted to implement a statewide, regional or local plan for the purposes of reducing GHG emissions and mitigating the effects of climate change. For this project, as a land use development project, the applicable adopted regulatory plans to reduce GHG emissions is the 2020-2045 RTP/SCS, which is designed to achieve the regional GHG reductions from the land use and transportation sectors as required by SB 375 and the State's long-term climate goals. This analysis also considers the 2022 Scoping Plan, the City of Beverly Hills General Plan, and the Beverly Hills Sustainable City Plan. The GHG emissions from the construction and operation of the proposed project are provided for informational purposes.

Methodology

The most common GHGs emitted by land use developments and linear projects, which are quantified by CalEEMod, are CO₂, CH₄, and N₂O. CalEEMod version 2022.1 includes a new common refrigerant used in air conditioning and refrigeration equipment, some of which are hydrofluorocarbons. Emissions of all GHGs are converted into their equivalent GWP in terms of CO₂ (i.e., CO₂e). Minimal amounts of other GHGs (such as chlorofluorocarbons) would be emitted; however, these other GHG emissions would not substantially add to the total. GHG emissions associated with project construction and operational activity were calculated using the CalEEMod version 2022.1 (see Appendix B for calculations).

As described in Section 2, Project Description, this EIR analyzes the environmental effects of buildout of the Specific Plan at a programmatic level including with and without the Residential Conversion Units. This EIR also performs a project level review of the proposed

9600 Wilshire Boulevard Specific Plan

Conceptual Plan. The proposed Conceptual Plan and the two Specific Plan build-out scenarios are summarized below:

- **Conceptual Plan Buildout:** Consistent with the description provided under Section 2.5.2, *Conceptual Plan*, the Wilshire Boulevard District would consist of approximately 261,722 sf of commercial space, in addition to the continued commercial use of the existing 107,000 sf at 9570 Wilshire. Additionally, the Neighborhood District would have 68 residential units and 10,581 sf of ground floor Small Shop/Boutique Retail.
- **Specific Plan Buildout Scenario 1, Maximum Buildout of the Specific Plan with No Residential Conversion:** Consistent with the description provided under Section 2.5.1.1, *Floor Area*, in addition to approximately 107,000 sf of commercial uses at 9570 Wilshire, the Wilshire Boulevard District would contain 293,000 sf of commercial uses of which 166,000 sf would be net new floor area. The Neighborhood District would contain 70 residential units and 15,000 sf of ground floor Small Shop/Boutique Retail.
- **Specific Plan Buildout Scenario 2, Maximum Buildout of the Specific Plan with Maximum Residential Conversion:** 250,000 sf of commercial floor area (which includes approximately 107,000 sf of existing floor area at 9570 Wilshire) would be included in the Wilshire Boulevard District, of which 16,000 sf would be net new floor area. As contemplated in the Specific Plan, 75 Residential Conversion Units consisting of 150,000 sf of floor area located above the ground floor would be developed across the Saks Rehabilitation and Parcel B subareas. In addition (and consistent with Specific Plan Buildout Scenario 1, No Residential Conversion), 70 residential units and 15,000 sf of ground floor Small Shop/Boutique Retail would be developed in the Neighborhood District. This scenario assumes that no Residential Conversion Units would be developed on the 9570 Wilshire subarea, because while permissible in concept pursuant to the proposed Specific Plan, express findings under a conditional use permit, which the Applicant is not seeking at this time, and additional environmental review and clearance would be required in order to authorize any such conversion to be made. A total of 265,000 sf of commercial uses and 145 residential units would be developed across the site.

The same types of land uses and sustainability features would be included in all three buildout scenarios and the three scenarios share the same general construction characteristics, such as construction timeline, disturbance area, equipment list, and excavation quantities. Therefore, the analysis of project consistency with applicable plans and policies related to reducing GHG emissions (Threshold b.) is addressed as a whole. Construction and operational GHG emissions would vary slightly between the scenarios due to the different amounts of each land use type and construction vendor trips. Therefore, the construction and operational GHG emissions for each scenario are calculated separately and the potential for the project to generate GHG emissions that may have a significant impact on the environment (Threshold a.) is assessed based on the most GHG-intensive scenario. The methodology for the GHG emissions quantification is further described below.

Construction

Construction of the proposed project would occur over approximately 50 months, as detailed in Section 2, *Project Description*. During construction, the proposed project would generate GHG emissions primarily from the use of internal combustion engines to power on-site equipment as well as off-site transportation of workers and materials. Further details on the assumptions included in the modeling of GHG emissions are provided in Section 4.1, *Air Quality*. A complete listing of the construction equipment, construction phase durations, and CalEEMod input assumptions used in this analysis are included within the emissions calculation worksheets that are provided in Appendix B. Construction emissions occur for a limited period of a project's lifetime, as a standard practice, GHG emissions from construction are amortized over a presumed project lifetime. The project's GHG construction emissions are amortized for the lifetime of the project, which is 30 years based on SCAQMD guidance (SCAQMD 2008). If construction is delayed or occurs over a longer period, criteria GHG emissions would be expected to be reduced because of a more modern and cleaner-burning construction equipment fleet mix than assumed in the CalEEMod.

Operational

Operation of the project would be expected to begin in late 2028. Details for mobile source, area source, and stationary source inputs included in the modeling of GHG emissions are provided in Section 4.1, *Air Quality*. Additional sources detailed in Section 4.1, *Air Quality*, that contribute to the release of GHG emissions include the following:

ENERGY SOURCES

Energy source emissions are based on CalEEMod default assumptions for the proposed land use types in each buildout scenario. Emissions from energy use include electricity and natural gas use. The proposed project would generate GHG emissions from electricity use associated with appliances and heating ventilation and air conditioning (HVAC) systems. The proposed project would be served by Southern California Edison (SCE). Specific energy intensity factors (i.e., the amount of CO₂e per megawatt-hour) from SCE are used in the calculation of GHG emissions.

The default electricity consumption values in CalEEMod include the CEC-sponsored California Commercial End Use Survey and Residential Appliance Saturation Survey studies. The 2022.1 CalEEMod currently incorporates California's 2019 Title 24 building energy efficiency standards. CalEEMod assumption values for parking lot fixtures and cooling the building were used in the analysis. Refer to Section 4.1, *Air Quality*, for additional details about energy consumption assumptions.

WASTE SOURCES

GHG emissions from waste generation were also calculated in CalEEMod and are based on CARB's methods for quantifying GHG emissions from solid waste using the degradable organic content of waste (CARB 2010). Waste disposal rates by land use and overall composition of municipal solid waste in California was primarily based on data provided by the California Department of Resources Recycling and Recovery.

WATER AND WASTEWATER SOURCES

The analysis used CalEEMod default water and wastewater consumption rates to determine GHG emissions from water and wastewater sources. CalEEMod calculated GHG emissions from water and wastewater usage based on the default electricity intensity from the CEC's 2006 Refining Estimates of Water-Related Energy Use in California and the average values for northern and southern California.

b. Project Design Features

The project would incorporate energy-efficiency design, as detailed in Project Design Feature (PDF) E-1 in Section 4.4, *Energy*, and Section 2, *Project Description*. These features would also serve to reduce project GHG emissions. PDF E-1 is duplicated below for reference.

PDF E-1 Energy Efficiency

The proposed project would include the following energy efficiency features:

- All structures would incorporate photovoltaic (PV) provisions as required by the State of California 2022 Energy Code (Title 24)
- Development shall be designed to achieve a Leadership in Energy and Environmental Design (LEED) Silver V4.1 equivalency Development shall be designed to use and shall achieve ten percent less energy than required by the 2022 Title 24
- New development shall utilize all-electric HVAC systems consisting of heat recovery/heat pump type variable refrigerant flow systems for all residential and commercial structures
- Provide EV parking in accordance with CALGreen requirements and provide electrical capacity sufficient to accommodate EV charging for up to 50 percent of residential parking and 25 percent of commercial parking spaces

c. Project Impacts and Mitigation Measures

Threshold 4.6a: Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?

Threshold 4.6b: Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs?

Impact GHG-1 **ALTHOUGH CONSTRUCTION AND OPERATION OF THE PROPOSED PROJECT WOULD GENERATE GHG EMISSIONS, THE PROJECT WOULD INCORPORATE FEATURES THAT REDUCE GHG EMISSIONS AND ALIGN WITH THE GOALS OF THE APPLICABLE PLANS, POLICIES, AND REGULATIONS RELATED TO GHG EMISSIONS. THE PROPOSED PROJECT WOULD NOT CONFLICT WITH THE APPLICABLE PLANS, POLICIES, AND REGULATIONS ADOPTED FOR THE PURPOSE OF REDUCING GHG EMISSIONS. IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

As discussed under Section 4.6.3a., *Significance Thresholds*, plans and policies have been adopted to reduce GHG emissions in the Southern California region, including the State's 2022 Scoping Plan, SCAG's 2020-2045 RTP/SCS, City of Beverly Hill's General Plan, and

Beverly Hills Sustainable City Plan. The project's consistency with these plans and applicable policies is discussed in the following subsections. As discussed herein, the project would not conflict with plans and policies aimed at reducing GHG emissions. Project GHG emissions are provided for informational purposes following the consistency analysis.

Consistency with Applicable Plans and Policies

2022 Scoping Plan

The principal State plan to monitor and regulate GHGs is AB 32, the California Global Warming Solutions Act of 2006, which was followed by SB 32. The quantitative goal of AB 32 was to reduce GHG emissions to 1990 levels by 2020. According to CARB, California achieved its 2020 GHG emission reduction target in 2016. The goal of SB 32 is to reduce GHG emissions to 40 percent below 1990 levels by 2030. In 2022, the State passed AB 1279, which declares the State would achieve net-zero GHG emissions by 2045 and would reduce GHG emissions by 85 percent below 1990 levels by 2045. The latest iteration of the Scoping Plan is the 2022 Scoping Plan, which focuses on outcomes needed to achieve carbon neutrality by assessing paths for clean technology, energy deployment, natural and working lands, and others, and is designed to meet the state's long-term climate objectives and support a range of economic, environmental, energy security, environmental justice, and public health priorities. The 2022 Scoping Plan's strategies that apply to the proposed project include the following:

- Reducing fossil fuel use, energy demand, and vehicle miles traveled (VMT)
- Building decarbonization
- Maximizing recycling and diversion from landfills

The proposed project would be consistent with these goals through project design that would be ten percent more energy efficient than what is required by the State of California 2022 Energy Code and, as applicable, would comply with the latest iteration of the Title 24 Standards. In addition, the proposed building structures would incorporate photovoltaic (PV) provisions consistent with the requirements for residential and nonresidential land uses. The project would utilize electric HVAC systems and would limit natural gas usage to the extent feasible. The enhanced ventilation would exceed the 2022 Energy Code energy efficiency requirement by 30 percent. In addition, the project would achieve a Leadership in Energy and Environmental Design (LEED) Silver equivalency through energy-efficiency features, drought-tolerant landscaping, gray water systems, and storm water capture to minimize the use of water. The proposed project would be served by SCE or the Clean Power Alliance (CPA), which are required to increase their renewable energy procurement in accordance with SB 1020 targets. Therefore, the proposed project would not conflict with the 2022 Scoping Plan goals related to reducing energy demand and building decarbonization.

The proposed project would occur on an infill site served by a variety of public transit options, with several Los Angeles County Metropolitan Transit Authority (Metro) transit stops along Wilshire Boulevard in the vicinity of the project site, as well as the Metro D (Purple) Line Wilshire/Rodeo Station currently under construction. The project would include mixed uses and is located within a quarter mile of existing residential and

9600 Wilshire Boulevard Specific Plan

commercial uses, which could encourage alternative modes of transportation such as walking, bicycling and public transit. In addition, long-term and short-term bicycle parking spaces would be provided at a rate equal to five percent of the total vehicle parking spaces. The project would be built to the CALGreen (Title 24) requirements for electric vehicle charging and, under the Conceptual Plan, would provide 95 EV charging parking spaces. Therefore, the project would promote alternative modes of transportation, reduced VMT, and reduced fossil fuel use. The project’s consistency with the applicable strategies/actions of the 2022 Scoping Plan is further addressed in Table 4.6-2, below. As illustrated therein, the proposed project would not conflict with the GHG reduction-related actions and strategies in the 2022 Scoping Plan.

Table 4.6-2 Consistency with Applicable 2022 Scoping Plan GHG Emission Reduction Strategies

Strategy/Action	Project Consistency	Responsible Party(ies)
Climate Legislation and executive orders Directly Reflected in the 2022 Scoping Plan		
<p>AB 1279. Establishes the policy of the state to achieve carbon neutrality as soon as possible, but no later than 2045; to maintain net negative GHG emissions thereafter; and to ensure that by 2045 statewide anthropogenic GHG emissions are reduced at least 85 percent below 1990 levels.</p>	<p>No Conflict. This bill is implemented at the State level through implementation of the 2022 Scoping Plan Update. This action does not directly apply to the project; however, the project would utilize energy from either SCE or CPA which would be subject to this assembly bill. In addition, the proposed project with implement project-level strategies to reduce GHG emissions as detailed below.</p>	<p>State, CARB, and SCAG</p>
<p>SB 1020. Adds interim renewable energy and zero carbon energy retail sales of electricity targets to California end-use customers set at 90 percent in 2035 and 95 percent in 2040. It accelerates the timeline required to have 100 percent renewable energy and zero carbon energy procured to serve state agencies from the original target year of 2045 to 2035.</p>	<p>No Conflict. This bill is implemented at the State level. The project would be consistent with this regulation through the use of electricity produced and sold within the State and delivered through SCE or CPA.</p>	<p>State, and CARB</p>

Strategy/Action	Project Consistency	Responsible Party(ies)
<p>SB 1206. Mandates a stepped sales prohibition on newly produced high-global warming potential (GWP) HFCs to transition California’s economy toward recycled and reclaimed HFCs for servicing existing HFC-based equipment. Additionally, SB 1206 also requires CARB to develop regulations to increase the adoption of very low-GWP, i.e., GWP [less than (<)] 10, and no-GWP technologies in sectors that currently rely on higher-GWP HFCs.</p>	<p>No Conflict. This bill is implemented at the State level. The project would be consistent with this bill through compliance with State and local policies enacted under this bill as applicable to the project (i.e., refrigerant use).</p>	<p>State, and CARB</p>
<p>SB 596. Requires CARB, by July 1, 2023, to develop a comprehensive strategy for the state’s cement sector to achieve net-zero-emissions of GHGs associated with cement used within the state as soon as possible, but no later than December 31, 2045.</p>	<p>No Conflict. While this bill does not directly apply to the project, the project would be consistent in that its construction would require use of concrete, and therefore, as the concrete industry institutes net-zero-emissions processes, the concrete used in the development of the project would be compliant with the employed strategies. There are no components of the project that would directly conflict with the implementation of this bill.</p>	<p>State and CARB</p>
<p>Executive Order N-79-20.</p> <ul style="list-style-type: none"> ▪ Establishes a State goal for in-state sales of zero-emissions on-road and off-road vehicles. ▪ Establishes the use of existing authorities for the State Air Resources Board, the Energy Commission, Public Utilities Commission, and other relevant State agencies to accelerate deployment of affordable fueling and charging options for zero-emissions vehicles. 	<p>No Conflict. The project would be consistent with this Executive Order as it would be constructed consistent with CALGreen requirements including, as to the Conceptual Plan, a minimum of 95 EV charging spaces, with electrical capacity sufficient to accommodate EV charging for up to 50 percent of residential parking and 25 percent of commercial parking spaces. The accessibility of EV charging spaces promotes the use of EVs by residents, employees, and visitors.</p> <p>No Conflict. This regulation is implemented at the State level. The project would not conflict or hinder the implementation of affordable fueling or charging options for zero-emission vehicles. As described above, the proposed project would include EV charging stations and other electric vehicle accommodations consistent with CALGreen requirements to enable the use of zero-emissions vehicles.</p>	<p>State and CARB</p>

City of Beverly Hills
9600 Wilshire Boulevard Specific Plan

Strategy/Action	Project Consistency	Responsible Party(ies)
<p>Executive Order N-19-19. Directed state government to redouble its efforts to reduce GHG emissions and mitigate the impacts of climate change while building a sustainable, inclusive economy.</p>	<p>No Conflict. The project would be required to comply with all State (e.g., Title 24) and Local (e.g., Beverly Hills Green Building Ordinance) plans for the reduction of GHGs. Through implementation of PDF GHG-1, the project would further reduce emissions by implementing all-electric kitchen appliances, enhanced ventilation, all-electric HVAC systems, and energy efficient water heaters to achieve energy efficiency that exceeds the requirements of the 2022 Title 24 Standards.</p>	<p>State, CARB, CEC, SCAG, and City of Beverly Hills</p>
<p>Executive Order B-55-18. Establish a statewide goal to achieve carbon neutrality as soon as possible, and no later than 2045, and to achieve and maintain net negative emissions thereafter.</p>	<p>No Conflict. The project would be required to comply with all State (e.g., Title 24) and local (e.g., Beverly Hills Green Building Ordinance) plans for the reduction of GHGs. Through implementation of PDF GHG-1, the project would further reduce GHG emissions by implementing all-electric kitchen appliances, enhanced ventilation, all-electric HVAC systems, and energy-efficient water heaters to achieve energy efficiency that exceeds the requirements of the 2022 Title 24 Standards. Additionally, the project would include features that reduce VMT, such as the provisioning of mixed uses, location within a High Quality Transit Area, pedestrian improvements, and providing short-term and long-term bicycle parking.</p>	<p>State, CARB, and City of Beverly Hills</p>
<p>SB 100. Mandates that the CPUC, CEC, and CARB plan for 100 percent of total retail sales of electricity in California to come from eligible renewable energy resources and zero-carbon resources by December 31, 2045. This bill also updates the state’s Renewables Portfolio Standard (RPS) to include the following interim targets:</p> <ul style="list-style-type: none"> ▪ 44% of retail sales procured from eligible renewable sources by December 31, 2024. ▪ 52% of retail sales procured from eligible renewable sources by December 31, 2027. ▪ 60% of retail sales procured from eligible renewable sources by December 31, 2030. 	<p>No Conflict. While this bill would not directly apply to the project, the project would not interfere with the implementation of this bill as it is a residential and commercial project and not an energy producer. However, the proposed project would receive electricity from SCE or CPA, which would be required to supply renewable energy consistent with the requirements of SB 100.</p>	<p>State, CARB, CEC, and CPUC,</p>

Strategy/Action	Project Consistency	Responsible Party(ies)
<p>AB 2127. Requires the CEC, working with CARB and the CPUC, to prepare and biennially update a statewide assessment of the electric vehicle charging infrastructure needed to support the levels of electric vehicle adoption required for the state to meet its goals of putting at least 5 million zero-emission vehicles on California roads by 2030 and of reducing emissions of GHGs to 40% below 1990 levels by 2030.</p>	<p>No Conflict. While this bill does not directly apply to the project, the project would further the State’s ability to meet ZEV implementation goals by increasing the on-site availability of EV charging stations and EV-ready parking spaces.</p>	<p>State, CARB, CEC, and CPUC</p>
<p>SB 30. Requires the Insurance Commissioner to convene a working group to identify, assess, and recommend risk transfer market mechanisms that, among other things, promote investment in natural infrastructure to reduce the risks of climate change related to catastrophic events, create incentives for investment in natural infrastructure to reduce risks to communities, and provide mitigation incentives for private investment in natural lands to lessen exposure and reduce climate risks to public safety, property, utilities, and infrastructure. The bill requires the policies recommended to address specified questions.</p>	<p>No Conflict. While this bill would not directly apply to the project, the project would not interfere with the implementation of this bill as it is a redevelopment project and would not involve the development of or interference with existing natural lands.</p>	<p>State, and CARB</p>
<p>SB 375. requires integration of planning processes for transportation, land-use, and housing. Under SB 375, each Metropolitan Planning Organization would be required to adopt a Sustainable Community Strategy (SCS) to encourage compact development that reduces passenger vehicle miles traveled and trips so that the region will meet a target, created by CARB, for reducing GHG emissions.</p>	<p>No Conflict. The project is a mixed-use, infill development within an existing urbanized area that would concentrate new residential, commercial and hotel uses within a high quality transit area. As required under SB 375, CARB is required to update regional GHG emissions targets every eight years with the last update formally adopted in March 2018. As part of the 2018 updates, CARB has adopted a passenger vehicle related GHG reduction of 19 percent for 2035 for the SCAG region. Further, as discussed below, the project would result in a reduction in vehicle trips compared to a standard project. Therefore, the project would not conflict with SB 375.</p>	<p>SCAG</p>

Strategy/Action	Project Consistency	Responsible Party(ies)
Actions from Scoping Plan Scenario: Key Residential and Mixed-Use Project Attributes that Reduce GHGs¹		
<p>Transportation Electrification: Provides EV charging infrastructure that, at a minimum, meets the most ambitious voluntary standards in the California Green Building Standards Code at the time of project approval.</p>	<p>No Conflict: The proposed project would be consistent with the 2022 Title 24 Tier II voluntary measures, which require 40 percent of parking spaces be EV ready and a minimum of 15 percent of all parking spaces have EV charging stations. Consistent with these requirements, the project would include a minimum of 95 EV charging spaces and provide electric capacity sufficient to accommodate EV charging for up to 50 percent of residential parking and 25 percent of commercial parking spaces.</p>	<p>Project Applicant and City</p>
<p>VMT Reduction: Is located on infill sites that are surrounded by existing urban uses and reuses or redevelops previously undeveloped or underutilized land that is presently served by existing utilities and essential public services (e.g., transit, streets, water, sewer)</p>	<p>No Conflict: The project is located on an infill site surrounded by existing urban uses. The project, a mixed-use development with up to 145 multi-family residential units, open space areas, associated access and parking, and up to 400,000 sf of commercial and neighborhood serving retail uses, would replace existing commercial uses and parking lots.</p> <p>The project site is served by existing utilities, such as natural gas, electricity, sewer, water, and stormwater drainage facilities, within the public rights-of-way along Wilshire Boulevard, South Bedford Drive, South Peck Drive, and South Camden Drive.</p> <p>The proposed project would be within walking and biking distance of existing residential, commercial, and recreational uses. In addition, the project is serviced by Metro bus routes, including eight bus stops adjacent or within the project site, and will be within walking distance of the Metro Purple Line Wilshire/Rodeo Station currently under construction. Under the Conceptual Plan, the project would incorporate at least 95 EV charging spaces with electric capacity sufficient to accommodate EV charging for up to 50 percent of residential parking and 25 percent of commercial parking spaces. These features would incentivize the use of public transit, active transportation, and fuel-efficient vehicles for traveling to and from the site. Therefore, the proposed project would focus growth near destinations and mobility options.</p>	<p>CARB and SCAG</p>

Strategy/Action	Project Consistency	Responsible Party(ies)
VMT Reductions: Does not result in the loss or conversion of natural and working lands (NWL). ²	No Conflict: The project is an infill and redevelopment of residential and commercial uses and would not require the development of NWL. The project site is currently developed and therefore does not constitute NWL. There would be no conflict with this strategy.	State, SCAG
VMT Reduction: <ul style="list-style-type: none"> ▪ Consists of transit-supportive densities (minimum of 20 residential dwelling units per acre), or ▪ Is in proximity to existing transit stops (within a half mile),⁵¹ or ▪ Satisfies more detailed and stringent criteria specified in the region’s SCS. 	No Conflict: The project density would range from 21 units per acre to 45 units per acre depending on the project scenario. Additionally, the site is serviced by Metro, including two bus stops in the immediate vicinity of the project site, and the Wilshire/Rodeo Purple Line Station currently under construction.	CARB, SCAG
VMT Reduction: Results in no net loss of existing affordable units.	No Conflict: The project site does not include affordable housing units; therefore, the project would not result in a net loss of existing affordable units.	CARB, SCAG

¹ Taken from Table 3 in Appendix D of the Scoping Plan

² Natural and working lands consist of the following categories: forests, shrublands, grasslands, Sacramento-San Joaquin Delta, urban forests, wildland urban interface, annual croplands, perennial croplands and deserts.

³ Density calculations exclude 9570 Wilshire Boulevard which is undergoing renovation through permits issued prior to commencement of this project.

Source: CARB 2022

2020-2045 Regional Transportation Plan/Sustainable Communities Strategy

On September 3, 2020, SCAG’s Regional Council formally adopted the 2020-2045 RTP/SCS (titled Connect SoCal). Connect SoCal is forecast to help California reach its GHG reduction goals by reducing GHG emissions from passenger cars in the SCAG region by 8 percent below 2005 levels by 2020 and 19 percent by 2035 in accordance with the most recent CARB targets adopted in March 2018. Connect SoCal includes ten goals with corresponding implementation strategies for focusing growth near destinations and mobility options, promoting diverse housing choices, leveraging technology innovations, and supporting implementation of sustainability policies. The project’s consistency with the applicable strategies of the 2020-2045 RTP/SCS is illustrated in Table 4.6-3 below.

Table 4.6-3 Consistency with Applicable 2020-2045 RTP/SCS Strategies

Reduction Strategy	Consistency Analysis
<p>Focus Growth Near Destinations and Mobility Options.</p> <ul style="list-style-type: none"> ▪ Emphasize land use patterns that facilitate multimodal access to work, educational and other destinations ▪ Focus on a regional jobs/housing balance to reduce commute times and distances and expand job opportunities near transit and along center-focused main streets ▪ Plan for growth near transit investments and support implementation of first/last mile strategies ▪ Promote the redevelopment of underperforming retail developments and other outmoded nonresidential uses ▪ Prioritize infill and redevelopment of underutilized land to accommodate new growth, increase amenities and connectivity in existing neighborhoods ▪ Encourage design and transportation options that reduce the reliance on and number of solo car trips (this could include mixed uses or locating and orienting close to existing destinations) ▪ Identify ways to “right size” parking requirements and promote alternative parking strategies (e.g., shared parking or smart parking) 	<p>No Conflict. The Project is in an infill location with convenient access to public transit and opportunities for walking and biking which would promote an improved quality of life by facilitating a reduction of vehicle trips, VMT, and air pollution. Specifically, the project site is located in a transit-rich neighborhood with bus stops along Wilshire Boulevard immediately adjacent to the project site and the future Metro D Line Rodeo Station within 0.5 mile of the project site. The project site’s proximity to transit would reduce VMT and associated air pollution. The project’s access to transit, mixed-uses, proposed pedestrian improvements, bicycle parking spaces, and employee lockers and showers provided on-site would further reduce vehicle trips and VMT by encouraging walking and non-automotive forms of transportation.</p>
<p>Leverage Technology Innovations.</p> <ul style="list-style-type: none"> ▪ Promote low emission technologies such as neighborhood EVs, shared rides hailing, car sharing, bike sharing and scooters by providing supportive and safe infrastructure such as dedicated lanes, charging and parking/drop-off space ▪ Improve access to services through technology—such as telework and telemedicine as well as other incentives such as a “mobility wallet,” an app-based system for storing transit and other multimodal payments ▪ Identify ways to incorporate “micro-power grids” in communities, for example solar energy, hydrogen fuel cell power storage and power generation 	<p>No Conflict. The project would be constructed in accordance with the California Building Energy Efficiency Standards and CALGreen, which include requirements for a portion of the project’s parking spaces to be electric vehicle charging spaces capable of supporting future electric vehicle supply equipment, which would promote future use of low emission vehicle technologies. Therefore, the project would leverage technology innovations.</p>

Reduction Strategy	Consistency Analysis
<p>Promote a Green Region.</p> <ul style="list-style-type: none"> ▪ Promote more resource efficient development focused on conservation, recycling and reclamation ▪ Integrate local food production into the regional landscape ▪ Promote more resource efficient development focused on conservation, recycling and reclamation ▪ Preserve, enhance and restore regional wildlife connectivity ▪ Reduce consumption of resource areas, including agricultural land ▪ Identify ways to improve access to public park space 	<p>No Conflict. The project is a mixed-use infill development that would involve construction of residential, commercial, office, and hotel uses in an urbanized area and would therefore not interfere with regional wildlife connectivity or convert agricultural land or other natural or working lands. The project is designed to achieve a LEED Silver V4.1 equivalent through environmentally sensitive architecture and building systems, thereby increasing resource efficient development in the city. The project would also include new publicly accessible outdoor open space, including the possibility of farmer’s markets which would encourage the use of local food production. The project’s open space would also reduce the urban heat island effect and support carbon sequestration . Therefore, the project would support development of a green region.</p>

Source: SCAG 2020

As illustrated above, the project would be consistent with Connect SoCal’s goal of focusing growth near destinations and mobility options by developing commercial and residential land uses within a quarter mile of existing residential and commercial uses, as well as bus and rail transit options. The project site could encourage alternative modes of transportation and reduce commute times and distance to work. In addition, the project site is within a High-Quality Transit Area and would include long-term and short-term bicycle parking spaces on the project site.² Therefore, the proposed project would reduce the reliance of vehicle motor trips. The project would leverage technology innovations with the incorporation of PV provisions consistent with the 2022 Energy Code standards for residential and nonresidential uses and, under the Conceptual Plan, would include 95 EV charging parking spaces and provide electric capacity sufficient to accommodate EV charging for up to 50 percent of residential parking and 25 percent of commercial parking spaces. The project would be consistent with Connect SoCal’s goal to promote a green region by incorporating landscaping irrigated with gray water, drip irrigation, and water efficient toilets, showerheads, faucets, and urinals to conserve water. Therefore, the proposed project would not conflict with the GHG emissions reduction strategies contained in Connect SoCal.

City of Beverly Hills General Plan and Sustainable City Plan

The proposed project would be consistent with policies of the City’s General Plan that are indirectly aimed at reducing GHG emissions through reductions in vehicle miles traveled, energy use, and water consumption. The City of Beverly Hills Sustainable City Plan includes

² High-Quality Transit Area is within one half-mile of a well-serviced transit stop or a transit corridor with 15-minute or less service frequency during peak commute hours.

goals aimed at improving energy efficiency, conserving water, and encouraging efficient land use and transportation patterns (City of Beverly Hills 2009).

The proposed project would be consistent with the Sustainable City Plan's Energy Policy 2 and Policy LU 14.4 in the General Plan by incorporating PV provisions consistent with the 2022 Energy Code, installing all-electric HVAC systems, all-electric ready kitchen appliances, and installing EV charging station parking spaces. In addition, the project would be ten percent more energy efficient than what is required by the 2022 Title 24 Standards and would comply with the latest iteration of the Title 24 Standards. Water-efficient landscaping, such as drought-tolerant plants, drip irrigation, and gray water system would be consistent with City's Sustainable City Plan Water Policy 1, which seeks to minimize water consumption from landscaping. The project would be located with a quarter mile of public transit and existing commercial and residential uses and would provide long-term and short-term bicycle parking to encourage alternate forms of travel, consistent with the City's Sustainable City Plan Land-Use, Transportation and Open Space Policy 3 (reduce traffic congestion while improving the pedestrian experience on roadways and encourage alternative forms of travel, especially to parks) and General Plan Policy LU 14.1 City Form. Consistency with these policies would reduce GHG emissions through reductions in VMT, energy use, and water consumption. Therefore, the proposed project would not conflict with the applicable goals and policies in the General Plan and Sustainable City Plan.

The project would reduce GHG emissions through sustainable project design features that would reduce VMT, energy use, and water consumption consistent with the 2022 Scoping Plan, SCAG's 2020-2045 RTP/SCS, and the City's General Plan and Sustainable City Plan. Therefore, the project would not conflict with State and local policies for reducing GHG emissions, and project impacts would be less than significant.

GHG Emissions

Quantified GHG emissions are provided for informational purposes in accordance with CEQA Guidelines Section 15064.4(a), which calls for a good faith effort to describe and calculate emissions. The analysis includes three construction CalEEMod model for each of the scenarios. Construction of the proposed project would generate temporary GHG emissions primarily from the operation of construction equipment as well as from vehicles transporting construction workers to and from the project site and heavy trucks to transport building materials. As shown in Table 4.6-4, construction of the proposed project would generate an estimated total of 9,754 MT CO₂e under the Conceptual Plan, 9,840 MT CO₂e under the Specific Plan Buildout Scenario 1 (No Residential Conversion), and 9,708 MT CO₂e under the Specific Plan Buildout Scenario 2 (Maximum Residential Conversion). Amortized over a 30-year period pursuant to SCAQMD guidance, construction of the proposed project would generate an estimated 325 MT CO₂e per year for the Conceptual Plan, 328 MT CO₂e per year for the Specific Plan Buildout Scenario 1, and 324 MT CO₂e per year for the Specific Plan Buildout Scenario 2.

Table 4.6-4 Estimated Construction Emissions of Greenhouse Gases

Construction Year	Construction GHG Emissions (MT CO ₂ e)		
	Conceptual Plan	Specific Plan Buildout Scenario 1 (No Residential Conversion)	Specific Plan Buildout Scenario 2 (Maximum Residential Conversion)
2024	91	91	91
2025	1,258	1,360	1,349
2026	5,416	5,385	5,340
2027	1,870	1,878	1,834
2028	1,119	1,126	1,094
Total	9,754	9,840	9,708
Amortized over 30 Years	325	328	324

MT CO₂e = metric tons of carbon dioxide equivalent

Source: see Appendix B for CalEEMod outputs

Operation of the proposed project would generate GHG emissions associated with off-road equipment, area sources, energy and water usage, vehicle trips, wastewater, solid waste, refrigerant, and stationary sources, as described in Section 4.6.3a, *Significance Thresholds and Methodology*. Table 4.6-5 Table 4.6-5 combines the estimated construction and operational GHG emissions associated with all three buildout scenarios for the proposed project. Emissions from the existing Saks Women’s Building and Shoe Building (876 MT of CO₂e per year) are subtracted from the proposed project’s operational emissions to determine the net increase of GHG emissions on the project site. Annual net increase in emissions from the Conceptual Plan would be approximately 4,502 MT of CO₂e per year; the Specific Plan Buildout Scenario 1 (No Residential Conversion) would be approximately 6,811 MT of CO₂e per year; and the Specific Plan Buildout Scenario 2 (Maximum Residential Conversion) would be approximately 5,795 MT of CO₂e per year. Refer to Appendix B for the supporting CalEEMod calculations.

Table 4.6-5 Combined Net Annual Emissions of Greenhouse Gases

Emission Source	Annual Emissions (MT CO ₂ e)		
	Conceptual Plan	Specific Plan Buildout Scenario 1 (No Residential Conversion)	Specific Plan Buildout Scenario 2 (Maximum Residential Conversion)
Construction¹	325	328	324
Operational	5,053	7,359	6,347
Mobile	3,557	5,282	4,382
Area	15	16	13
Energy	1,239	1,526	1,462
Water	92	99	98
Waste	112	142	108
Refrigerant	16	30	22
Stationary	263	263	263
<i>Existing Uses</i>	<i>(876)</i>	<i>(876)</i>	<i>(876)</i>
Net Increase Emissions	4,502	6,811	5,795

MT CO₂e = metric tons of carbon dioxide equivalent

¹ Amortized construction related GHG emissions over 30 years.

Source: see Appendix B for CalEEMod outputs

The project would be consistent with the statewide, regional, and local plans and policies adopted for the purposes of reducing GHG emissions and mitigating the effects of climate change. The project would be consistent with the 2022 Building Energy Efficiency Standards and could potentially reduce the number of solo trips and VMT per capita with the project's proximity to residential and commercial land uses and public transit options. Therefore, GHG impacts would be less than significant.

Mitigation Measures

No mitigation measures would be required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

4.6.4 Cumulative Impacts

a. Cumulative Impacts GHG-1

GHG and climate change are, by definition, cumulative impacts. The geographic scope for considering cumulative impacts related to GHG emissions is the State of California. Although GHG emissions have worldwide repercussions, the contribution of the project to cumulative impacts is addressed in light of the goals for reducing statewide emissions.

Statewide GHG emissions are an existing significant cumulative impact. As such, the State has established the following statewide emissions reductions targets:

- By 2020, reduce GHG emissions to 1990 levels
- By 2030, reduce GHG emissions to 40 percent below 1990 levels
- By 2045, reduce GHG emissions to 85 percent below 1990 levels

GHG impacts are assessed in a cumulative context since no single project can cause a discernible change to the climate. Therefore, cumulative significance is based on the same thresholds as the proposed project. In the absence of an adopted numeric threshold for the City of Beverly Hills, the significance of the project's GHG emissions is evaluated on the consistency with applicable plans, policies, regulations, and requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions. The analysis provided GHG emissions for informational purposes. For this project, the most directly applicable adopted regulatory plans to reduce GHG emissions are the 2022 Scoping Plan, SCAG's 2020-2045 RTP/SCS, City of Beverly's General Plan, and Beverly Hills Sustainable City Plan.

As discussed under Impact GHG-1, the proposed project would be consistent with the statewide, regional, and local plans by including energy conservation measures that would be ten percent more energy efficient than what is required in the latest Title 24 Building Energy Efficiency Standards (Part 6) and Green Building Standards (Part 11), and would comply with the latest iterations of the Title 24 Standards. Furthermore, the proposed project would be consistent with the 2022 Energy Code and incorporate PV provisions, minimize the use of natural gas, and install all-electric HVAC systems for all land use types associated with the proposed project. The project would achieve LEED Silver V4.1 equivalency through project design, such as drought-tolerant landscaping, drip irrigation, and gray water systems consistent with the water conservation measures in the 2022 CALGreen Standards. The project is within a quarter mile of existing commercial and residential land uses, as well as public transit options, which could potentially reduce VMT per capita. In addition, approximately five percent of the proposed parking spaces for each long-term and short-term bicycle parking spaces would be installed, the project would be built to the CALGreen 2022 (Title 24) requirements for electric vehicle charging and, under the Conceptual Plan, would provide 95 EV charging station parking spaces and electrical capacity sufficient to accommodate EV charging for up to 50 percent of residential parking and 25 percent of commercial parking spaces. Therefore, the project would promote alternative modes of transportation that would have the effect of reducing VMT and associated mobile GHG emissions. Therefore, the proposed project would be consistent with the 2022 Scoping Plan, 2020-2045 RTP/SCS, and City General Plan and Sustainable City Plan. Thus, based on the CEQA Guidelines for determining the significance of GHG emissions, while cumulative impacts are considered significant, the proposed project's contribution to cumulative GHG emissions impacts would not be cumulatively considerable. The project's cumulative contribution to global climate change would be less than significant.

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4.7 Hazards and Hazardous Materials

This section analyzes the potential hazards and hazardous materials impacts of the proposed project during both construction and operational phases. Specifically, this analysis focuses on the project's potential to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Other hazards analyzed under CEQA include the routine use, transport, or disposal of large quantities of hazardous materials, release of hazardous materials into the environment, emission or handling of hazardous materials within 0.25-miles of a school, hazardous material sites compiled pursuant to Government Code Section 65962.5, and potential impacts related to airports, private airstrips, and wildland fires. These impacts were found to be less than significant for the reasons set forth in the Initial Study (Appendix A) and are not discussed further in this section.

4.7.1 Regulatory Setting

The following is a summary of the regulatory context under which emergency response and evacuation plans are regulated at the local level.

a. Local Regulations

Los Angeles County Operational Area Emergency Response Plan

The Los Angeles County Operational Area Emergency Response Plan (OAERP), adopted on July 10, 2012, establishes a coordinated emergency management system. The OAERP includes the prevention, protection, response, recovery, and mitigation plans. The Los Angeles County Operational Area is divided into several Disaster Management Areas and Beverly Hills is located in Area A. Disaster Management Areas contain disaster routes pre-identified for use during times of crises (County of Los Angeles 2012).

City of Beverly Hills Local Hazard Mitigation Action Plan

The Hazard Mitigation Action Plan was added to the Safety Element in 2011 in response to the Disaster Mitigation Act 2000, which required State and local governments to develop hazard mitigation plans and update them every 5 years. The purpose of the Hazard Mitigation Plan is to respond to the many potential hazards that could affect the City of Beverly Hills. The plan was subsequently updated in 2019 and covers the five year period from 2017-2022. The City anticipates the next update of the hazard mitigation plan to include discussion of construction for the Metro D (Purple) Line Extension (City of Beverly Hills 2019).

City of Beverly Hills Emergency Operations Plan

The Beverly Hills Emergency Operations Plan, approved August 6, 2013, addresses the City's planned response to emergency situations related to major natural and man-made disasters. The Emergency Operations Plan is designed to comply with the California Standardized Emergency Management System and the National Incident Management

System (City of Beverly Hills 2013). An updated Emergency Operations Plan is currently being prepared by the City and is anticipated to be adopted in 2023.

City of Beverly Hills General Plan (Safety Element)

The City of Beverly Hills General Plan Safety Element, amended on May 10, 2022, provides a comprehensive framework to reduce the potential risk of death, injuries, property damage, and economic and social dislocation due to natural or manmade disasters. The Safety Element guides public health and safety, and addresses fire, flood, geologic, and seismic hazards, hazardous materials, and disaster preparedness. The following goals and policies from the Safety Element are applicable to hazards and hazardous materials, regarding emergency response.

Goal S 1: Protection of Life and Property. The protection of human life and property from the risks of wildlife and urban fires.

- **Policy S 1.4: Hazard Mitigation Action Plan.** Review and evaluate annually for progress in implementing the City’s Hazard Mitigation Action Plan, and revise as needed for compliance with local, State, and Federal requirements every five years.

Goal S 6: Protection from Hazardous Materials. To ensure that the health, safety and general welfare of residents, visitors and the overall natural environment is protected to the maximum extent feasible from harmful exposure to hazardous materials.

- **Policy S 6.1: Inter-jurisdictional Coordination.** Continue to coordinate with and support the Los Angeles County Certified Unified Program Agency, the Los Angeles County Fire Department, and their Health & Hazardous Materials Division in carrying out inspections, emergency response, enforcement, and site mitigation oversight of hazardous materials and waste.

Goal S 7 Preparation for Natural or Manmade Disasters. A city that has a strengthened and maximized potential to prepare for, mitigate against, respond to, and recover from natural or human-induced disasters and multi-disasters, and to minimize the loss of life and damage to life, property, and the environment.

- **Policy S 7.2: Emergency Operation Plan.** Review and update the City’s Emergency Operations Plan on an annual basis and submit the plan to the State for approval every five years (City of Beverly Hills 2022).

In addition, *Policy CIR 3.2* of the General Plan Circulation Element provides policies regarding the design of traffic calming devices. As applicable to this analysis, it requires that such devices be appropriately designed with consideration to, among other things, accessibility, adequate visibility, and the needs of emergency responders and sanitation and that these devices do not result in unintended consequences such as increased travel times, emergency response times, sound, and traffic diversions. Additionally, *Policy CIR 11.1* acknowledges that alleys provide alternate emergency access and permit a higher degree of efficiency along streets.

4.7.2 Environmental Setting

The project site is characterized as urban and developed with three existing commercial structures, an ancillary loading facility, and surface parking lots. The project site also contains a portion of South Peck Drive, an approximately 27-foot-wide alley that runs along the southwestern boundary of the site between South Bedford Drive and South Peck Drive, and an additional approximately 20-foot-wide alley in the southeastern portion of the site that connects to South Camden Drive and an existing residential alley to the south of the project site. Wilshire Boulevard is the main access corridor to and from the project site, with access also provided by South Peck Drive, South Camden Drive, and South Bedford Drive.

Santa Monica Boulevard is the closest designated disaster route of the Los Angeles County OAERP, approximately 0.2-miles northwest of the project site. In addition, Olympic Boulevard, Beverly Boulevard, and La Cienega Boulevard are designated disaster routes within Beverly Hills and are located approximately 0.4-miles, 0.9-miles, and 1.5-miles from the project site, respectively (County of Los Angeles 20120).

4.7.3 Impact Analysis

a. Significance Thresholds and Methodology

Significance Thresholds

The proposed project would have a potentially significant impact if it were to result in one or more of the following:

- 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 0.25 mile of an existing or proposed school;
- d. Be located on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment;
- e. Be located in an airport land use plan or within two miles of a public airport or public use airport and 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; or
- g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires.

As described in the Initial Study for the proposed project, the proposed project would have either a less than significant impact or no impact related to Threshold a through Threshold e and Threshold g. Therefore, these issues are not addressed further in the EIR. This section addresses potential impacts related to Threshold f.

Methodology

The potential for the proposed project to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan (Threshold f) is assessed based on review of project plans, the traffic study prepared for the project, and readily available information such as local emergency response plans or emergency evacuation plans.

As described in Section 2, Project Description, this EIR analyzes the environmental effects of buildout of the Specific Plan over time at a programmatic level including with and without the Residential Conversion Units. This EIR also performs a project level review of the proposed Conceptual Plan. The amounts of non-residential square footage and residential units vary between these three scenarios; however, footprint of development, types of land uses, construction and grading activities, and roadway locations and standards, improvements, operational characteristics and site circulation would be consistent across the three scenarios. Therefore, the below analysis applies to all three scenarios.

b. Project Design Features

No project design features are proposed with regard to emergency response plans and evacuation.

c. Project Impacts and Mitigation Measures

Threshold 4.7f: Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Impact HAZ-1 PROJECT CONSTRUCTION WOULD NOT AFFECT ANY DESIGNATED DISASTER ROUTES, BUT MAY RESULT IN TEMPORARY DELAYS AND LANE CLOSURES ALONG SOUTH BEDFORD DRIVE, SOUTH PECK DRIVE, SOUTH CAMDEN DRIVE, AND WILSHIRE BOULEVARD. HOWEVER, MITIGATION MEASURE T-1 WOULD REQUIRE THAT A CONSTRUCTION MANAGEMENT PLAN BE IMPLEMENTED TO LIMIT THE POTENTIAL IMPACTS TO EMERGENCY RESPONSE AND EVACUATION. THE PROJECT DESIGN WOULD COMPLY WITH CITY AND BHFD REQUIREMENTS REGARDING SITE ACCESS AND EMERGENCY VEHICLE ACCESS. PROJECT OPERATION WOULD NOT SIGNIFICANTLY INTERFERE WITH VEHICULAR CIRCULATION OR EMERGENCY RESPONSE, OR EVACUATION ROUTES. THEREFORE, IMPACTS RELATED TO IMPAIRING IMPLEMENTATION OF OR PHYSICAL INTERFERENCE WITH AN ADOPTED EMERGENCY RESPONSE PLAN OR EMERGENCY EVACUATION PLAN WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION.

Construction

According to the City's Emergency Operations Plan, the Beverly Hills Police Department (BHPD) is responsible for emergency evacuation, access, and perimeter control; and the Beverly Hills Fire Department (BHFD) has primary responsibility in hazardous materials incidents and rescue operations in the event of an emergency (City of Beverly Hills 2013). Santa Monica Boulevard is the closest designated disaster route, approximately 0.2-mile northwest of the project site. In addition, Olympic Boulevard, Beverly Boulevard, and La Cienega Boulevard are designated disaster routes within 1.5-miles of the project site (County of Los Angeles 2010). The project site is not directly adjacent to the nearby designated disaster routes and the project does not propose any changes on or near these roadways. Additionally, the designated outbound haul route is anticipated to be from the Specific Plan Area to northbound South Bedford Drive and South Camden Drive. From South Bedford Drive, trucks would then travel west on Wilshire Boulevard toward I-405. The reverse of this route would be used for inbound truck traffic. From South Camden Drive, each of the following two alternative routes would be authorized (the selection would be made on a case-by-case basis based on real-time traffic conditions): first, trucks could travel east on Wilshire Boulevard turning south on Beverly Boulevard and then west on Olympic Boulevard toward I-405; second, trucks could travel east on Wilshire Boulevard turning north on Beverly Boulevard and then west on Santa Monica Boulevard towards I-405. Wilshire Boulevard would most likely be the primary construction delivery route, subject to a final Construction Management Plan approved by the City, and would not result in substantial construction traffic on the nearby designated disaster routes.

Project construction activities would require encroachments into the public rights-of-way of South Bedford Drive, South Peck Drive, South Camden Drive, Wilshire Boulevard, and alleys within the boundary of the project site. Temporary lane closures may be required on these roadways, and full roadway closure of the portion of South Peck Drive and alleys within the boundary of the project site for the duration of project construction would occur. Compliance with all applicable City codes and regulations pertaining to emergency response and evacuation plans maintained by the police and fire departments in the City of Beverly Hills would be required. Additionally, emergency vehicles, including fire trucks and ambulances, have sirens that would alert construction vehicle drivers to yield to emergency vehicles, as required under the California Vehicle Code (Section 21806(a)(1)).

Nonetheless, because project construction activities would require temporary road lane and road closures and encroachments into the public rights-of-way within the project site and on adjacent and connecting public rights-of-way, impacts to emergency response plans and emergency evacuation plans could be potentially significant.

Operation

Operation of the proposed project would not modify or affect the continued use of Santa Monica Boulevard as an emergency evacuation route. Following the completion of construction activities, all temporary lane closures would be reopened for use and vehicular access to the roadways within and surrounding the project site would be maintained. The

9600 Wilshire Boulevard Specific Plan

Specific Plan and Conceptual Plan include reducing the navigable width from the existing width of 35 feet to a minimum 26 feet in some areas of South Peck Drive, with the intention of reducing vehicle speeds, discouraging cut-through traffic, and creating a more pedestrian-oriented environment. This modified width would allow for the continued maintenance and operation of the existing traffic pattern (one north-bound and one south-bound traffic lane) and would preserve emergency responder access. South Bedford Drive and Camden Drive would be modified with decorative planter wells, similarly, reducing the navigable width without restricting traffic flow or emergency response and evacuation access. Project operation may also include occasional closure of the eastern portion of the Via to vehicles to enhance the pedestrian experience. During the potential temporary closures, the project would remain accessible from Wilshire Boulevard, South Bedford Drive, South Drive, South Peck Drive, and South Camden Drive.

Furthermore, the project does not propose facilities, operations, or barriers that would interfere with any emergency response or emergency evacuation plan. The project's driveways and internal circulation would be designed to meet all applicable City Building Code and Fire Code requirements regarding site access, including providing adequate emergency vehicle access. Such codes implement and carry out the intent of the General Plan policies noted above. Compliance with applicable City Building Code and Fire Code requirements, including emergency vehicle access, would be confirmed as part of BHFD's fire/life safety plan review and BHFD's fire/life safety inspection for new construction projects. As such, operational impacts related to impairing implementation of or physically interfering with an adopted emergency response plan or emergency evacuation plan would be less than significant.

Mitigation Measures

Mitigation Measure T-1 from Section 4.11, *Transportation*, is duplicated below.

T-1 Construction Management Plan

A final Construction Management Plan will be submitted to the City for approval prior to the start of demolition, grading, or construction whichever occurs first. The final Construction Management Plan shall include a Traffic Control Plan and Construction Worker Parking Plan that will facilitate safe traffic and pedestrian movement, minimize the potential conflicts between construction activities, street traffic, public transit operations, bicyclists and pedestrians, and ensure appropriate parking for construction workers is provided. Furthermore, the final Construction Management Plan shall include, but not be limited to, the following measures:

- Implement a Traffic Control Plan that limits obstruction of traffic lanes to the extent feasible (while allowing for the specific closures identified above) and routes vehicular traffic, emergency vehicles, transit, bicyclists, and pedestrians around any lane and/or sidewalk closures;
- Establish a haul route plan for heavy trucks;

- Schedule delivery and hauling of construction materials outside of peak travel periods to the maximum extent feasible;
- Implement safety precautions for pedestrians and bicyclists through such measures as alternate routing and protection barriers as appropriate;
- Minimize obstructions to uses in proximity to the project site during construction, including temporary traffic constraints, temporary loss of access, and temporary loss of bus stops or rerouting of bus lines;
- Establish requirements for loading/unloading and storage of construction materials on the project site to minimize traffic disruptions and impacts to adjacent land uses;
- Coordinate with the Beverly Hills Police Department (BHPD) and Beverly Hills Fire Department (BHFD) to ensure adequate emergency vehicle access to the project site and surrounding roadways and land uses;
- Coordinate with Metro to ensure that construction does not impact Metro facilities or construction activities in the vicinity of the project site;
- Coordinate with other nearby projects, such as Cumulative Project Nos. 1, 15, 18, 19, and 20, under construction to address construction traffic, deliveries, and worker parking, as necessary;
- Implement a Construction Worker Parking Plan that provides adequate on- and/or off-site parking for construction workers and prohibits on-street parking;
- Maintain emergency response access on South Bedford Drive, South Camden Drive, and Wilshire Boulevard throughout construction, and provide detour routes for vehicles and pedestrians traveling on South Peck Drive; and
- A copy of the Construction Management Plan shall be maintained on-site and submitted to local emergency response agencies and Metro and these agencies shall be notified no later than 14-days prior to commencement of construction activities that would partially or fully obstruct public roadways.

Significance after Mitigation

Mitigation Measure T-1, outlined above, would require coordination with the City, BHPD, BHFD, and Metro to ensure adequate emergency access to the project site and surrounding roadways, as well as additional measures to reduce obstruction of the surrounding roadways. Implementation of Mitigation Measure T-1 would ensure the project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan during construction and impacts would be less than significant.

4.7.4 Cumulative Impacts

a. Cumulative Impact HAZ-1

As shown in Table 3-1 in Section 3, *Environmental Setting*, there are 29 cumulative projects in the vicinity of the project site. In particular, the Cumulative Project Nos. 1, 15, 18, 19, 20, 26, 27, 28, and 29 are either located within 0.25 mile of the project site or along the same

9600 Wilshire Boulevard Specific Plan

major arterial as the project site. In addition, Cumulative Project Nos. 21, 22, and 29 are adjacent to Santa Monica Boulevard, Cumulative Project Nos. 13 and 14 are adjacent to Olympic Boulevard, and Cumulative Project No. 16 is adjacent to Beverly Boulevard, designated disaster routes, and could result in cumulative impacts related to emergency response and evacuation. These nearby cumulative projects include residential, retail, hotel, office, educational, and restaurant development. Cumulative development in Beverly Hills and the surrounding communities could result in cumulative impacts to emergency response plans or emergency evacuation routes if they obstruct or add substantial traffic to designated emergency evacuation routes. In addition, construction of nearby cumulative projects may also require temporary lane closures that could affect emergency access.

As described above, there are six cumulative projects located along designated disaster routes. If constructed concurrently, these cumulative projects could require concurrent lane closures or detours to these designated evacuation routes, which could impair implementation of emergency response plans. In addition, if cumulative projects located in proximity to the project site have overlapping schedules, there is the potential for multiple lane closures and substantial construction traffic along local streets such as Wilshire Boulevard, which could impact emergency access in the project site vicinity. Similar to the proposed project, it is foreseeable that during project specific review of other cumulative projects for which discretionary approvals are required, the cumulative projects with the potential to result in substantial construction traffic and lane closures would be required to implement Construction Management Plans, including traffic control plans, which would be coordinated with the City, BHPD, and BHFD to ensure adequate access is maintained and the emergency evacuation routes are not obstructed during construction. In addition, as specified in Mitigation Measure T-1, the proposed project would be required to coordinate with the City regarding other nearby projects under construction in order to address construction traffic, deliveries, and worker parking, as necessary.

Operation of the cumulative projects could result in an increase in vehicle traffic on the designated disaster response routes, which could impair implementation of emergency response plans. All cumulative projects would be reviewed by the City to ensure any required roadway or intersection improvements to nearby designated evacuation routes are constructed by the developer or by the City using developer paid bonds. In addition, the design of the cumulative projects would be reviewed by the City and BHFD to ensure they meet all applicable City Building Code and Fire Code requirements regarding site access, including providing adequate emergency vehicle access. Implementation of the Construction Management Plans and traffic management plans and compliance with City policies and design requirements would ensure cumulative impacts related to impairment to implementation of emergency response plans or obstruction of emergency evacuation routes would be less than significant.

4.8 Land Use and Planning

This section of the Draft EIR analyzes the project's potential impacts with regard to conflicts with applicable land use plans, policies, and regulations adopted for the purpose of avoiding or mitigating an environmental effect. The project's potential impact related to the potential physical division of an established community was fully evaluated in the Initial Study prepared for the project (California Environmental Quality Act [CEQA] Guidelines Appendix G, Section XI(a), included in Appendix A of this Draft EIR) and was determined to be less than significant.

4.8.1 Regulatory Setting

Various state, regional, and local plans and policies, described below, govern land uses, planning, and development in the project area.

a. State Regulations

California Government Code Section 65302

California law requires that every city and county prepare and adopt a long-range comprehensive General Plan to guide future development and to identify the community's environmental, social, and economic goals. As stated in Section 65302 of the California Government Code, "[t]he general plan shall consist of a statement of development policies and shall include a diagram or diagrams and text setting forth objectives, principles, standards, and plan proposals." While a general plan will contain the community vision for future growth, California law also requires each plan to address the mandated elements listed in Section 65302. The mandatory elements for all jurisdictions are land use, circulation, housing, conservation, open space, noise, safety, and environmental justice (when statutory triggers are met).

Sustainable Communities and Climate Protection Act of 2008 (Senate Bill 375)

On September 30, 2008, Senate Bill (SB) 375 was adopted to help achieve Assembly Bill (AB) 32 goals through regulation of cars and light trucks. SB 375 aligns three policy areas of importance to local government: (1) regional long-range transportation plans and investments; (2) regional allocation of the obligation for cities and counties to zone for housing; and (3) achievement of greenhouse gas (GHG) emission reduction targets for the transportation sector set forth in AB 32. It establishes a process for the California Air Resource Board (CARB) to develop GHG emission reduction targets for each region (as opposed to individual local governments or households). SB 375 also requires Metropolitan Planning Organizations (MPO) to prepare a Sustainable Communities Strategy (SCS) within the Regional Transportation Plan (RTP) that guides growth while taking into account the transportation, housing, environmental, and economic needs of the region. SB 375 uses CEQA streamlining as an incentive to encourage residential or mixed-use residential projects which help achieve AB 32 goals to reduce GHG emissions.

b. Regional Regulations

Southern California Association of Governments 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy

On September 3, 2020, the Southern California Association of Governments (SCAG) Regional Council adopted the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (2020-2045 RTP/SCS), also known as Connect SoCal. The 2020-2045 RTP/SCS presents a long-term transportation vision through the year 2045 for the six-county region of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties. The overarching strategy includes plans for “High Quality Transit Areas”, “Livable Corridors”, and “Neighborhood Mobility Areas” as key features of a thoroughly planned maturing region in which people benefit from increased mobility, more active lifestyles, increased economic opportunity, and an overall higher quality of life. High quality transit areas are described as generally walkable transit villages or corridors that are within 0.5 mile of a well serviced transit stop or transit corridor with 15-minute or less service frequency during peak commute hours. Local jurisdictions are encouraged to focus housing and employment growth within “High Quality Transit Areas.”

The 2020-2045 RTP/SCS contains baseline socioeconomic projections that are used as the basis for SCAG’s transportation planning, and the provision of services by other regional agencies. SCAG policies are directed towards the development of regional land use patterns that contribute to reductions in vehicle miles traveled (VMT) and improvements to the transportation system. Rooted in past RTP/SCS plans, Connect SoCal’s “Core Vision” centers on maintaining and better managing the region’s transportation network, expanding mobility choices by co-locating housing, jobs, and transit, and increasing investment in transit and complete streets. The plan’s “Key Connections” augment the “Core Vision” to address challenges related to the intensification of core planning strategies and increasingly aggressive GHG reduction goals including, without limitation, Housing Supportive Infrastructure, Go Zones, and Shared Mobility. Connect SoCal intends to create benefits for the SCAG region by achieving regional goals for sustainability, transportation equity, improved public health and safety, and enhancement of the regions’ overall quality of life. These benefits include but are not limited to a five percent reduction in VMT per capita, a nine percent reduction in vehicle hours traveled, a two percent increase in work-related transit trips, the creation of more than 264,500 new jobs, a 29 percent reduction in greenfield development, and, building off of the 2016-2040 RTP/SCS, a six percent increase in the share of new regional household growth occurring in High Quality Transit Areas (HQTAs) and a 15 percent increase in the share of new job growth in HQTAs.

South Coast Air Quality Management District Air Quality Management Plan

The South Coast Air Quality Management District (SCAQMD) was established in 1977 pursuant to the Lewis-Presley Air Quality Management Act. The SCAQMD is responsible for developing plans for ensuring air quality in the South Coast Air Basin conforms with federal and state air pollution standards. In conjunction with SCAG, the SCAQMD has prepared the 2022 AQMP establishing a comprehensive regional air pollution control program including

air pollution control strategies leading to the attainment of state and federal air quality standards in the South Coast Air Basin. Refer to Section 4.1, *Air Quality*, of this Draft EIR for an analysis of the project's consistency with the AQMP.

c. Local Regulations

City of Beverly Hills General Plan

The City's General Plan was originally adopted in 1977 and amended and readopted in 2010 with various subsequent amendments, the most recent of which occurred with the adoption of an updated Housing Element in 2023. The General Plan is a policy document that serves as a comprehensive, long-term plan for future development and growth within the city. It serves as a framework for the city's future, providing context and guidelines for land use, transportation, housing, economic development, public services, and environmental sustainability.

The General Plan is divided into seven state mandated elements including: Land Use, Circulation, Conservation, Open Space and Recreation, Noise, Safety, and Housing Elements. The City's General Plan also includes three additional elements addressing Historic Preservation, Economic Sustainability, and Public Services. Each element provides specific policies and goals for the City's development in that area. The City's General Plan elements applicable to the project are summarized below, while specific goals and policies that apply to the project are discussed under Section 4.8.3, *Impact Analysis*, below.

Land Use Element

The goals and policies of the Land Use Element are intended to maintain the overall land use pattern in the city, ensure that in areas where land use change occurs, it will be in a manner that is consistent with the objectives of the community, resolve transitional conflicts with abrupt changes in land use and development intensity within the city and between the city and neighboring jurisdictions, and maintain and enhance the desirability of residential and nonresidential areas of Beverly Hills. The Land Use Element also links the other elements of the General Plan together because it dictates the long-range use of the land (City of Beverly Hills 2010a).

Housing Element

The goal of the Housing Element is to facilitate an adequate supply of safe, affordable housing for all Beverly Hills community members. A key component of this Housing Element is the analysis of potential sites for residential development and the establishment of housing programs to accommodate the city's share of future housing needs for all income groups as identified through the Regional Housing Needs Assessment (RHNA) planning process. The Housing Element identifies strategies and programs for housing maintenance and conservation, housing supply and diversity, fair housing and special needs residents, and removing governmental constraints (City of Beverly Hills 2023a).

Historic Preservation Element

The Historic Preservation Element was added to the General Plan in 2010. This Element is the principal guide for preservation of the city's historic resources. It identifies known historic resources in the city, describes state and federal laws pertaining to historic resources, and includes policies aimed to preserving known and newly identified resources (City of Beverly Hills 2010b).

Noise Element

The purpose of the Noise Element is to ensure that Beverly Hills residents will be protected from excessive noise. The information contained in this Element provides a framework to achieve compatible land uses and provides baseline noise levels and sources of noise to aide in enforcement of noise controls (City of Beverly Hills 2010c).

Safety Element

The primary purpose of the Safety Element is to reduce the potential risk of death, injuries, property damage, and economic and social dislocation resulting from earthquakes, urban and wildland fires, terrorism, floods, earthquakes, landslides, public health emergencies, and other natural and manmade disasters. This Element specifically addresses fire, flood, geologic and seismic hazards, hazardous materials, noise, and natural and man-made disaster preparedness (City of Beverly Hills 2022).

Circulation Element

The goals and policies of the Circulation Element are intended to limit negative effects caused by vehicles, and to circulate vehicles through the city as expeditiously as possible. The Circulation Element has two overarching objectives: first, the neighborhoods of Beverly Hills should be preserved and enhanced, including limiting negative effects caused by vehicles. Second, vehicles should move into, out of, or through Beverly Hills as expeditiously as possible (City of Beverly Hills 2010d).

Beverly Hills Municipal Code

The Beverly Hill Municipal Code (BHMC) organizes regulations that implement the City's General Plan. Title 10, *Planning and Zoning*, divides the city into zoning districts and provides development standards for each district, including permitted uses, density, and intensity of uses, building height, and other standards for development and activity.

4.8.2 Environmental Setting

As discussed in Section 2, *Project Description*, and Section 3, *Environmental Setting*, the project site is developed and located within an urban setting in the City of Beverly Hills, Los Angeles County (see Figure 2-1, Regional Location). Local access to the project is provided by Wilshire Boulevard, South Bedford Drive, South Camden Drive, and South Peck Drive, with regional access provided by Interstate 405 (I-405). Land uses in the vicinity of the project site include a mix of residential, retail, and commercial uses (see Figure 2-2, Project

Site Location). The project site is bounded by Wilshire Boulevard to the north, South Camden Drive to the east, South Bedford Drive to the west, and multi-family residential to the south. South Peck Drive bisects the project site. The project site is bordered by commercial development to the north, east, and west, and multi-family residential to the south and east. The project site currently contains three existing commercial structures, an ancillary loading facility, and three surface parking lots. The project site also contains a portion of South Peck Drive, an approximately 27-foot-wide alley that runs along the southwestern boundary of the site between South Bedford Drive and South Peck Drive, and an additional approximately 20-foot-wide alley in the southeastern portion of the site that connects to South Camden Drive and an existing residential alley to the south of the proposed project. The project site is also served by a variety of public transit options, with several Los Angeles County Metropolitan Transit Authority (Metro) transit bus stops along Wilshire Boulevard in the vicinity of the project. The project site is also approximately 0.2-mile from the Metro D (Purple) Line Wilshire/Rodeo Station currently under construction.

The proposed Specific Plan would divide the project site into two districts (Wilshire Boulevard District and Neighborhood District) and six subareas (9570 Wilshire, Parcel A, Parcel B, and Saks Rehabilitation located in the Wilshire Boulevard District; Neighborhood East and Neighborhood West, located in the Neighborhood District). The districts and subareas are identified and described in Figure 2-3, Specific Plan Boundary, located in Section 2, *Project Description*.

As shown in Table 2-2, Existing and Proposed General Plan Land Use and Zoning Designations, the current land use and zoning designations for the project site fronting Wilshire Boulevard include a General Plan land use designation of Low Density General Commercial or Medium Density Retail and zoning designation of Commercial (C-3) with a Commercial Retail Planned Development (C-R-PD) Overlay and Mixed-Use Overlay. The remainder of the project site has a General Plan land use designation of High-Density Multi-Family Residential and zoning designation of Multiple Residential (R-4), Multiple Residential Zone (R-4X2), and Residential Parking (R-4-P). The project proposes a new General Plan land use and zoning designation called the “9600 Wilshire Boulevard Specific Plan” and would maintain the Mixed-Use Overlay on the 9570 Wilshire subarea only.

The 9600 Wilshire Boulevard Specific Plan would facilitate, over time, the rehabilitation and adaptive reuse of the Saks Fifth Avenue Women’s Building, the retention of the existing commercial building in the 9570 Wilshire subarea for continued commercial use, and the development of new residential, retail, office, hospitality, social club, boutique hotel, open space, and related uses throughout the project site. As shown on Figure 2-9, Conceptual Plan — Site Plan, the project includes rehabilitation and adaptive reuse of the historic Saks Women’s Building, demolition of the existing Shoe Building, and new construction of multiple mixed-use commercial, residential, and office structures.

4.8.3 Impact Analysis

a. Significance Thresholds and Methodology

Significance Thresholds

The proposed project would have a potentially significant impact if it were to result in one or more of the following:

- a. Physically divide an established community.
- b. Conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

As described in the Initial Study (Appendix A) for the proposed project, the proposed project would have a less than significant impact related to the division of an established community (Threshold a). Therefore, this issue is not addressed further in the EIR. The following section focuses on Threshold b, related to the project's consistency with applicable land use policies and regulations.

Methodology

The potential for the proposed project to result in a significant impact due to a conflict with land use plans, policies, and regulations adopted for the purpose of avoiding or mitigating an environmental effect (Threshold b) is assessed based upon a review of the previously identified planning and zoning documents that were adopted to mitigate or avoid an environmental effect.

Analysis of conflicts and consistency with applicable plans is included in this section of the Draft EIR. Under state planning and zoning law (Government Code Section 65000, et seq.) strict conformity with all aspects of a plan is not required. Generally, plans reflect a range of competing interests and agencies are given deference to determine consistency with their own plans. A proposed project should be considered consistent with a general plan or elements of a general plan if it furthers one or more policies and does not obstruct other policies.

As described in detail in Section 2, *Project Description*, this EIR analyzes the environmental effects of buildout of the Specific Plan at a programmatic level including with and without the Residential Conversion Units. This EIR also performs a project level review of the proposed Conceptual Plan. The proposed Conceptual Plan and the two Specific Plan build-out scenarios are summarized below:

- Conceptual Plan Buildout: Consistent with the description provided under Section 2.5.2, *Conceptual Plan*, the Wilshire Boulevard District would consist of approximately 261,722 square feet of commercial space, in addition to the continued commercial use of the existing 107,000 square feet at 9570 Wilshire. Additionally, the Neighborhood District would have 68 residential units and 10,581 sf of ground floor Small Shop/Boutique Retail.

- Specific Plan Buildout Scenario 1, Maximum Buildout of the Specific Plan with No Residential Conversion: Consistent with the description provided under Section 2.5.1.1, Floor Area, in addition to approximately 107,000 sf of commercial uses at 9570 Wilshire, the Wilshire Boulevard District would contain 293,000 sf of commercial uses of which 166,000 sf would be net new floor area. The Neighborhood District would contain 70 residential units and 15,000 sf of ground floor Small Shop/Boutique Retail.
- Specific Plan Buildout Scenario 2, Maximum Buildout of the Specific Plan with Maximum Residential Conversion: 250,000 sf of commercial floor area (which includes approximately 107,000 sf of existing floor area at 9570 Wilshire) would be included in the Wilshire Boulevard District, of which 16,000 sf would be net new floor area. As contemplated in the Specific Plan, 75 Residential Conversion Units consisting of 150,000 sf of floor area located above the ground floor would be developed across the Saks Rehabilitation and Parcel B subareas. In addition (and consistent with Specific Plan Buildout Scenario 1), 70 residential units and 15,000 sf of ground floor Small Shop/Boutique Retail would be developed in the Neighborhood District. This scenario assumes that no Residential Conversion Units would be developed on the 9570 Wilshire subarea, because while permissible in concept pursuant to the proposed Specific Plan, express findings under a conditional use permit, which the Applicant is not seeking at this time, and additional environmental review and clearance would be required in order to authorize any such conversion to be made. A total of 265,000 sf of commercial uses and 145 residential units would be developed across the site.

The physical characteristics of the development, including footprint, building heights, architectural, types of uses, lighting and landscaping styles, circulation, and publicly accessible open space would be consistent across the development scenarios. Construction activities would also be substantially the same for each scenario. Therefore, the below analysis is applicable to all three scenarios. Where the specific amounts and types of land uses to be developed is applicable to the project's consistency with plans and policies adopted for the purpose of mitigating or avoiding an environmental effect, each scenario is addressed separately, as appropriate.

b. Project Design Features

No specific project design features are proposed with regard to land use.

c. Project Impacts and Mitigation Measures

Threshold 4.8b: 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?

Impact LU-1 THE PROJECT REQUIRES APPROVAL OF A GENERAL PLAN AMENDMENT, ZONING MAP AND ZONE TEXT AMENDMENT, AND ADOPTION OF THE PROPOSED SPECIFIC PLAN. AS DESCRIBED HEREIN, THE PROPOSED PROJECT IS GENERALLY CONSISTENT WITH AND WOULD NOT CONFLICT WITH THE APPLICABLE PLANS, POLICIES, AND REGULATIONS ADOPTED FOR THE PURPOSE OF AVOIDING OR MITIGATION ENVIRONMENTAL EFFECTS. WITH APPROVAL OF THE REQUIRED DISCRETIONARY ACTIONS, THE PROPOSED PROJECT WOULD NOT CONFLICT WITH THE CITY'S GENERAL PLAN AND MUNICIPAL CODE. IMPACTS RELATED TO CONFLICTS WITH PLANS, POLICIES, AND REGULATIONS WOULD THEREFORE BE LESS THAN SIGNIFICANT.

As discussed above in Section 4.8.2, *Environmental Setting*, the current land use and zoning designations for the project site fronting Wilshire Boulevard include a General Plan land use designation of Low Density General Commercial or Medium Density Retail and zoning designation of Commercial (C-3) with a Commercial Retail Planned Development (C-R-PD) Overlay and Mixed-Use Overlay. The remainder of the project site has a General Plan land use designation of High-Density Multi-Family Residential and a zoning designation of Multiple Residential (R-4), Multiple Residential Zone (R-4X2), and Residential Parking (R-4-P) (City of Beverly Hills 2021 and 2023). The project proposes a new General Plan land use and zoning designation "9600 Wilshire Boulevard Specific Plan", while preserving the Mixed-Use Overlay at 9570 Wilshire. Under the proposed Specific Plan, development would include demolition of certain existing structures, rehabilitation of the Saks Women's Building, retention of the former Barney's New York Building, and the introduction of new buildings and land uses that would increase development density for commercial and residential land uses and allow for an increase in building heights compared to existing conditions.

The following analysis discusses the proposed project's consistency with applicable land use policies and regulations. The analysis considers the project's consistency with applicable local and regional land use plans, including the Beverly Hills General Plan, BHMC, and SCAG 2020-2045 RTP/SCS. Final General Plan consistency would be determined by City decision makers and approval of the 9600 Wilshire Boulevard Specific Plan General Plan designation would be required for the proposed project to be consistent with land use policies.

Beverly Hills General Plan Consistency

The nine elements of the Beverly Hills General Plan contain a number of goals, objectives, recommendations, and programs for land development adopted for the purpose of avoiding or mitigating environmental effects. These goals, objectives, recommendations, and programs are general in nature and subject to interpretation. As noted above, the final authority for interpretation of these components rests with the City Council. The consistency of the project with each General Plan Element and applicable goals and policies is analyzed in Table 4.8-1. The analysis below includes only the goals and policies that are

related to potential environmental impacts and that are applicable to the proposed project. CEQA Guideline Section 15125 states that the EIR shall discuss “any inconsistencies between the proposed project and applicable general plans, specific plans and regional plans.” Therefore, the discussion below includes consideration of such potential inconsistencies.

Table 4.8-1 Project Consistency with Beverly Hills General Plan Goals and Policies

Goal/Policy	Would the Project Conflict?
Land Use Element	
<p>LU 1.1 The Scale of the City. Although implicit in any discussion of the future of the city, the importance of scale must be underscored. As long as the city is able to regenerate itself within the general framework of the existing scale, it will offer an environment which is becoming increasingly unique in the Westside.</p>	<p>No Conflict. The proposed project would occur on sites primarily designated for residential and commercial uses. The scale and massing of the proposed project would be compatible with the existing Saks Women’s Building and other urban development on Wilshire Boulevard, where buildings of similar scale are located. The proposed project involves construction of two residential buildings, one six-story, 30-unit building and one six-story, 38-unit building, and two new commercial buildings, one six-story and one seven-story building. The proposed Specific Plan includes a maximum height for the commercial district of 98 feet and a maximum height for the residential district of 78 feet. Although the proposed project would involve construction of taller buildings than some existing buildings on-site and would involve development of up to six-story residential buildings in place of existing commercial surface parking lots, the development along Wilshire would be consistent with the existing scale of the Saks Women’s Building and the development within the Neighborhood District would contribute to a gradual transition in building height from the residential uses to the south of the project site towards the more intense scale of development fronting Wilshire Boulevard. In addition, the project would be consistent with Policy LU 9.3, which allows higher-intensity development at anchor locations, including the project site.</p>
<p>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.</p> <p>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.</p>	<p>No Conflict. The proposed project would provide for a unified and comprehensive development that would focus building massing and the tallest heights to the north of the project site, nearest to existing high-intensity development along Wilshire Boulevard and transition to lower heights near the sensitive residential uses to the south of the project site. The Specific Plan would establish requirements for the architecture, lighting, and signage within the project site, including building materials, orientation, form, lighting intensity, and wayfinding signage. The project proposes architecture that would complement the Saks Women’s Building, former Barney’s New York Building, and the surrounding development pattern along the Wilshire</p>

Goal/Policy	Would the Project Conflict?
<p>LU 2.4 Architectural and Site Design. Require that new construction and renovation of existing buildings and properties exhibit a high level of excellence in site planning, architectural design, building materials, use of sustainable design and construction practices, landscaping, and amenities that contribute to the city’s distinctive image and complement existing development.</p>	<p>Boulevard corridor. The Specific Plan would also establish lighting and signage requirements for the project site which provide pedestrian-oriented lighting and safe roadway/sidewalk lighting from shielded fixtures which direct light to prevent spillover onto adjacent properties, as well as clear signage for wayfinding. Additionally, the project would provide for a variety of publicly accessible open spaces, pedestrian enhancements, and landscaping improvements that would be accessible to patrons, site residents, and residents of the surrounding neighborhood. Open space would be provided in the Terrace, which would be publicly accessible for residential and commercial occupants, as well as the local community. The Terrace would be activated by, and serve as an entrance for, adjacent small shop/boutique retail uses.</p> <p>In addition, the proposed project would be designed with sustainability in mind. As described in Section 2, <i>Project Description</i>, the proposed project would be designed to achieve Leadership in Energy and Environmental Design (LEED) Silver or similar rating, exceed the Title 24 energy efficiency requirements by 10 percent, and incorporate a variety of energy and water efficiency features.</p>
<p>LU 2.2 Public Streetscapes and Landscape. Maintain and enhance the quality and health of the “green infrastructure” that contributes to the City’s identity and quality of life, including its street trees, landscaped medians and parkways, parks, and open spaces, while seeking to conserve water resources.</p> <p>LU 2.8 Pedestrian-Active Streets. Require that buildings in business districts be oriented to, and actively engage the street through design features such as build-to lines, articulated and modulated facades, ground floor transparency such as large windows, and the limitation of parking entries directly on the street. Parking ingress and egress should be accessed from alleys where feasible.</p>	<p>No Conflict. The proposed project would include publicly accessible open space in the Terrace, approximately 6,858 sf under the proposed Conceptual Plan. The Terrace would be activated by, and serve as an entrance for, adjacent small shop/boutique retail uses. It would include items such as benches, tables, a fountain or monument, art installation, flower bed, and/or a community garden. The Terrace would be privately owned and maintained but would be publicly accessible. As discussed in Section 2, <i>Project Description</i>, the proposed project would comply with applicable water conservation requirements, use water efficiency installations, plant drought tolerant landscaping, and be designed to achieve a LEED Silver or similar designation.</p> <p>The proposed project would enhance the pedestrian character along the adjacent roadways including Wilshire Boulevard, South Camden Drive, South Peck Drive, and South Bedford Drive. Pedestrian walkways would be shielded from vehicular traffic with the use of structures like bollards and landscaped planters, and the streetscape would be improved with new street trees and landscaping. Vehicular circulation would be provided through the use of a valet service and alley and other off-street access to a subterranean parking garage, furthering the policies of limiting parking entries directly from the street and allowing the project’s architectural facades and fenestration to be visible from the street.</p>

Goal/Policy	Would the Project Conflict?
<p>LU 2.5 Design Review. Consider design review for new construction and renovation projects that focuses on achieving appropriate form, function, and use of materials to promote creativity, innovation, and design quality.</p>	<p>No Conflict. The proposed project would undergo architectural review as part of the entitlement process identified within the Specific Plan to achieve appropriate form, function, and use or materials. In addition, as required by Mitigation Measure CUL-1, the project design would be reviewed by a qualified professional to ensure that the project is in compliance with the Secretary of the Interior’s Standards for Rehabilitation (refer to Section 4.3, <i>Cultural Resources</i>).</p>
<p>LU 2.6 City History. Acknowledge the City’s history of places and buildings, preserving historic sites, buildings, and districts that contribute to the City’s identity while accommodating renovations of existing buildings to maintain their economic viability, provided the new construction contextually “fits” and complements the site or building.</p>	<p>No Conflict. The proposed project would provide an innovative and unified plan for an aesthetically cohesive project site characterized by architecture that respects the existing development in the area and preserves the historically-significant Saks Women’s Building. The proposed project would rehabilitate and adaptively reuse the Saks Women’s Building in accordance with the Secretary of the Interior’s Standards for Rehabilitation. This would allow the building to maintain its economic viability while retaining its historical significance. As discussed in Section 4.3, <i>Cultural Resources</i>, new development on the project site under the proposed project would be designed to complement the Saks Women’s Building, and would not result in a material impairment of its historical significance</p>
<p>LU 2.9 Public Safety. Require that development be located and designed to promote public safety by providing street-fronting uses, lighting, sightlines, and features that enhance community safety.</p>	<p>No Conflict. The project would provide street-fronting retail, restaurant, social club, and boutique hotel uses as well as incorporate security features such as secured parking and residential entryways, security cameras, and sufficient lighting throughout the project site to ensure safety and visibility and well illuminated entryways, walkways, lobbies, and parking areas to minimize areas of concealment.</p>
<p>LU 2.10 Development Transitions and Compatibility. Require that sites and buildings be planned, located, and designed to assure functional and visual transitions between areas of differing uses and densities by addressing property and height setbacks, window and entry placement, lighting, landscape buffers, and service access.</p>	<p>No Conflict. See discussion under Policy LU 1.1. As discussed therein, the proposed project would provide for a visual transition between the higher density buildings located north of the project site along Wilshire Boulevard and the lower density buildings located on the southern half of the project site in the Neighborhood District. In addition, the proposed project would include landscaping and pedestrian friendly features such as locating sidewalks and street at the same elevation while separating the pedestrian and vehicular environment with structures like planters and/or bollards to designate pedestrian-safe areas. In addition, enhanced pavement, streetlights, street trees, and other enhancements would be added to the rights-of-way within the project site. The project would locate pedestrian entrances on South Bedford Drive, South Peck Drive, Wilshire Boulevard, and the publicly accessible Via and Terrace situated to the immediate south of the commercial buildings. Commercial loading/service access would be limited to the Via and the 9570 Wilshire (loading) to ensure that commercial loading activities do not substantially affect residential uses to the south.</p>

Goal/Policy	Would the Project Conflict?
<p>LU 3 Managed Change. Managed change that respects and is complementary to the qualities that distinguish the city as a community, is orderly and well planned, provides for the needs of existing and future residents and businesses, ensures the effective and equitable provision of public services, and makes efficient use of land and infrastructure.</p>	<p>No Conflict. The proposed project would provide for a unified and comprehensive development that would be complementary to the surrounding uses by focus building massing to the north of the project site, nearest to existing high-intensity development along Wilshire Boulevard and transition to lower heights near the residential uses to the south of the project site. The proposed project would include a mix of residential and commercial uses that would provide new housing opportunities and new retail and restaurant services for the community and enhance the economic viability of the project site. The proposed project would make efficient use of existing land and infrastructure through its location on an infill site. Additionally, the project would provide for a variety of publicly accessible open spaces, pedestrian enhancements, and landscaping improvements that would be accessible to patrons, site residents, and residents of the surrounding neighborhood. Additionally, as described in the project’s Initial Study (Appendix A) the proposed project would not disrupt or overburden the provisioning of public services in Beverly Hills.</p>
<p>LU 3.1 Conservation. Conserve existing residential neighborhoods and non-residential areas where new development builds on and enhances the viability of existing business sectors that are the city’s strengths, promotes transit accessibility, is phased to coincide with infrastructure funding and construction, and designed to assure transitions and compatibility with adjoining residential neighborhoods.</p>	<p>No Conflict. See discussion under Policies LU 1.1 and LU 2.10. As discussed therein, the proposed project would provide for a transition between the higher density buildings located north of the project site along Wilshire Boulevard and the lower density buildings located on the southern half of the project site. Commercial uses would be developed in the northern portion of the project site, where existing commercial development is located, while primarily residential uses with small ground floor retail would be developed within the southern portion of the project site, adjacent to existing residential uses. The project site is in an area well-served by public transit, including bus lines and the Metro D Line Rodeo Station that is being constructed, and would enhance transit accessibility by implementing pedestrian environment improvements such as those described under Policies LU 2.2 and 2.8, above.</p>
<p>LU 5 Complete, Livable, and Quality Neighborhoods. Neighborhoods that in the aggregate provide a variety of housing types, densities, forms and designs and a mix of uses and services that support the needs of residents.</p>	<p>No Conflict. The proposed project would provide mixed-use, multi-family housing on the project site that would include amenities such as outdoor open space, a spa, resident-serving retail uses, restaurants, and parking. The proposed project would introduce high quality, amenitized residential units designed to cater to Beverly Hills residents as their housing needs change over time.</p>
<p>LU 5.5 Walkable Neighborhoods. Maintain sidewalks, parkways, street trees, and landscaping in residential neighborhoods to promote walking as</p>	<p>No Conflict. The proposed project would establish pedestrian-friendly circulation standards to ensure safe, comfortable and efficient access to the project site for pedestrians, including those walking from the residential neighborhoods to the south of the project site. The proposed project would locate</p>

Goal/Policy	Would the Project Conflict?
<p>an enjoyable and healthy activity and an alternative to automobile use.</p>	<p>pedestrian entrances on South Bedford Drive, South Peck Drive and Wilshire Boulevard, and the publicly-accessible “Via” and “Terrace” situated to the immediate south of the commercial buildings. The proposed project also calls for enhancements of pedestrian access through the addition of a continual sidewalk at the Wilshire Boulevard and South Peck Drive intersection, a wider sidewalk along South Peck Drive, as well as a reduced roadway width to promote safer pedestrian travel. In addition, enhanced pavement, streetlights, street trees, bike racks, and other enhancements would be added to the rights of way within the project site.</p>
<p>LU 5.6 Alleys. Maintain existing neighborhood alleys as alternative, safe and well-maintained access points to homes that also reduce curb cuts, driveways and associated pedestrian-automobile conflicts.</p>	<p>No Conflict. Vehicular access to the project site would be primarily provided by the Via, the existing alley south of 9570 Wilshire, and the proposed South Drive which would be constructed in the same location as the existing alleyways located along the southern boundary of the project site. This would reduce curb cuts, driveways, and the potential for pedestrian-automobile conflicts.</p>
<p>LU 5.7 Neighborhood Transitions. Regulate the setback, rear elevation design of buildings, and landscaping of backyards where neighborhoods of differing housing type and density abut to assure smooth transitions in scale, form, and character.</p>	<p>No Conflict. See discussion under Policy LU 1.1 and LU 2.1. As discussed therein, the scale and massing of the proposed project would be compatible with other urban development on Wilshire Boulevard, where buildings of similar scale are located. Additionally, the proposed project would provide for a unified and comprehensive development that would focus building massing and the tallest heights to the north of the project site, nearest to existing high-intensity development along Wilshire Boulevard and away from sensitive residential uses to the south of the project site.</p>
<p>LU 5.8 Encroachment of Incompatible Land Uses. Protect residential neighborhoods from the encroachment of incompatible nonresidential uses and disruptive traffic, to the extent possible. Zoning and design review should assure that compatibility issues are fully addressed when nonresidential development is proposed near or within residential areas.</p>	<p>No Conflict. The project includes elements to ensure compatibility between nonresidential development and surrounding residential areas. To ensure accountability, the Specific Plan incorporates a design review process that provides for operational and development parameters that would govern use and construction of improvements within the project site. These parameters would be detailed in the conceptual plans to be approved by the City, guaranteeing that future development aligns with the Specific Plan’s overall vision and objectives.</p> <p>In terms of physical layout, the project site would be divided into two distinct districts. The Wilshire Boulevard District, facing Wilshire Boulevard, would accommodate commercial uses, while the Neighborhood District to the south would act as a buffer zone between commercial and residential areas. This arrangement aims to create an appropriate transition and minimize conflicts stemming from incompatible land uses.</p>

Goal/Policy	Would the Project Conflict?
<p>LU 7 Multifamily Residential Neighborhoods. Multi-family residential neighborhoods providing ownership and rental units that are well-designed, exhibit architectural characteristics and qualities representative of the city and that provide amenities for their residents.</p> <p>LU7.1 Character and Design. Require that multi-family dwelling and properties be designed to reflect the high level of architectural and landscape quality that distinguishes existing neighborhoods. These may provide for:</p> <ul style="list-style-type: none"> (a) building facades and entrances that directly address the street, including the use of stoops, porches and recessed entries; (b) modulation of building volume and masses avoiding the effect of blank continuous walls; and (c) setback of the ground floor from the sidewalk and to leave room for landscaping while being open and contributing to a quality pedestrian environment. <p>LU 7.2 Amenities. Encourage new multi-family development to provide amenities for residents such as on-site recreational facilities, community meeting spaces, and require useable private open space, public open space, or both.</p>	<p>No Conflict. See discussion in Goal LU 2. As discussed therein, the Specific Plan would establish requirements for the architecture, lighting, and signage within the project site, including building materials, orientation, form, lighting intensity, and wayfinding signage. The proposed project would also provide pedestrian-oriented improvements as described under Goal LU 5 and Policy LU 5.5. On-site amenities of the proposed project include a spa, resident-serving retail uses, restaurants, outdoor open space areas, and parking. Publicly accessible open space on the Terrace, common open space amenities including a rooftop pool and deck on Parcel B for patrons, and common residential amenity space would be included. The residential buildings would also be equipped with private open space such as balconies, terraces, and rooftop decks.</p>
<p>LU 8 Supporting Uses in Residential Neighborhoods. Necessary ancillary uses in residential neighborhoods that are subordinate to and compatible with the function and quality of the living environment.</p>	<p>No Conflict. The proposed project would include small shop/boutique retail uses within the Neighborhood District, which would allow for neighborhood-serving uses easily accessible to local residents both within and in the vicinity of the project site. This would have the effect of improving the quality of life by adding compatible, active uses on the site of former surface parking lots serving commercial uses located along Wilshire Boulevard.</p>
<p>LU 9.3 Anchor Locations. It is also recommended that certain anchor locations be set aside to permit development of a higher intensity type of development which is not otherwise provided in the community. These areas</p>	<p>No Conflict. The project site is located on Wilshire Boulevard within the city’s major shopping area and meets the criteria for an anchor location. The proposed project would provide a mix of uses, including residences, retail, boutique hotel, restaurant, and office uses at an anchor location and at a higher intensity than is present. The proposed project would</p>

Goal/Policy	Would the Project Conflict?
<p>should be located so as to be accessible from the city's major shopping areas and close to the city's major streets. These anchor locations should include those large parcels that are located at the gateways to the city, such as the site at 9900 Wilshire Boulevard where additional building height is appropriate. A variety of land uses such as commercial, residential, and mixed use should be considered for the gateway locations. A change of use from commercial to residential or mixed use should be allowed only if such change provides an adequate transition to adjacent single-family neighborhoods.</p> <p>LU 9.4 Anchor Location Design Criteria. The anchor location should encourage unified development oriented towards and along Wilshire Boulevard planned to complement the scale and character of adjacent residential areas. In addition, development of the anchor locations should incorporate measures to enhance streets, sidewalks, and roadways in order to encourage pedestrian circulation between these areas and the Business Triangle.</p>	<p>result in a gradual transition in development intensity from the higher-density uses along Wilshire Boulevard to the lower-density residential areas south of the project site near existing residential land uses.</p> <p>The proposed project would create a unified development along Wilshire Boulevard while considering the scale and character of adjacent areas. To complement the surrounding development, the Specific Plan would establish requirements for density, land uses, building heights, architecture, lighting, signage, and building materials. These criteria would ensure that the proposed development harmonizes with the Saks Women's Building, residential uses to the south, and the overall aesthetic of the area.</p> <p>In addition to architectural considerations, the Specific Plan would emphasize the enhancement of streets, sidewalks, and roadways to promote pedestrian circulation between the Wilshire Boulevard District and Neighborhood District. This focus on pedestrian-friendly design would encourage walkability and connectivity within the community as well as to two of the city's major shopping areas – Wilshire Boulevard and the Business Triangle.</p> <p>Additionally, the project would incorporate publicly accessible open spaces, pedestrian enhancements, and landscaping improvements. The Terrace, a privately owned but publicly accessible open space, would serve as an entrance to adjacent small shop/boutique retail uses. It would offer amenities such as benches, tables, a fountain or monument, art installations, flower beds, and/or a community garden.</p>
<p>LU 9.5 Commercial/ Residential Mixed Uses. The feasibility of allowing mixed commercial/residential uses should be analyzed in order to expand the variety of housing types available and in certain areas, to improve commercial/residential transitions.</p>	<p>No Conflict. The Wilshire Boulevard District is currently zoned with a Mixed Use Overlay, which would be maintained at 9570 Wilshire under the proposed project. In addition, the proposed specific plan would be consistent with the intent of the Mixed Use Overlay as it would provide a mix of uses, including residences, hotel, retail, restaurants, and office. The project's integration of commercial and residential components would support smooth transitions between these land uses. By incorporating a mix of uses, the project would promote a diverse environment. Furthermore, the inclusion of retail, restaurants, and office spaces would foster a vibrant commercial environment, creating opportunities for economic growth and community engagement. This mixed-use approach would enhance the availability of multi-family housing and amenities and services, contributing to the vitality of the area.</p>
<p>LU 11 Well-Designed and Attractive District. Retail; and office districts that are well-designed and attractive, provide a positive experience for</p>	<p>No Conflict. As discussed under Goal LU 2 and Policies LU 2.2, 2.8 and 2.10, the proposed project would provide for a unified and comprehensive development with architecture that would complement the Saks Women's Building, former</p>

Goal/Policy	Would the Project Conflict?
<p>visitors and community residents and foster business activity.</p>	<p>Barney’s New York Building, and the surrounding development pattern along the Wilshire Boulevard corridor. The project would provide a positive experience for visitors and foster business activity by enhancing the pedestrian character, creating new publicly accessible outdoor open spaces, and a mix of new businesses including retail, restaurants, offices, a social club, and a boutique hotel.</p>
<p>LU 11.4 Parking in Pedestrian-Oriented Districts. Require that driveways be minimized in pedestrian oriented commercial districts to avoid interruptions in the continuity of the pedestrian shopping experience, prioritizing driveway locations to side streets and alleys wherever feasible.</p>	<p>No Conflict. As discussed under Goal LU 2 and Policies LU 2.2, 2.8 and 2.10, the proposed project would enhance the pedestrian character along the adjacent roadways through traffic calming measures such as bollards and landscape planters and streetscape improvements such as with new street trees, landscaping, and street furniture. Vehicular circulation would be provided through a valet service and alley and other off-street access to a subterranean parking garage, furthering the policies of limiting parking entries directly from the street and allowing the project’s architectural facades and fenestration to be visible from the street.</p> <p>Further, the project would be served by two subterranean parking structures: (1) the existing approximately 309-space subterranean parking structure on the 9570 Wilshire subarea, and (2) the newly proposed subterranean parking structure developed under the project site, portions of which may be located under the public rights-of-way. The Specific Plan would establish automobile parking requirements based on current BHMC regulations or parking rates derived by demand-based methodologies in order to ensure that parking is sufficient and efficiently arranged. The project would limit the number of driveways, with vehicular and loading access provided by the Via, South Drive, and the existing alley south of the 9750 Wilshire subarea, to minimize interruptions in the continuity of the pedestrian experience. The project would not introduce any new driveway curb cuts along the main Wilshire Boulevard frontage.</p>
<p>LU 11.5 Retail Streetscapes. Maintain and, where deficient, improve street trees, plantings, furniture, signage, public art, and other amenities that promote pedestrian activity.</p>	<p>No Conflict. The proposed project would enhance the pedestrian character along the adjacent roadways including Wilshire Boulevard, South Camden Drive, South Peck Drive, and South Bedford Drive. Pedestrian walkways would be shielded from vehicular traffic with the use of structures like bollards and landscaped planters, and the streetscape would be improved with new street trees, landscaping, and furniture.</p>
<p>LU 12 Business Districts Adjoining Residential Neighborhoods. Compatible relationships between commercial districts and corridors and adjoining residential neighborhoods,</p>	<p>No Conflict. The Specific Plan would enhance neighborhood transitions and connectivity by replacing surface parking lots and sparsely planted alleyways with a cohesive blend of commercial and residential uses as well as enhanced</p>

Goal/Policy	Would the Project Conflict?
<p>assuring that the integrity, character and quality of both commercial and residential areas are protected and public safety and quality of life are maintained.</p> <p>LU 12.1 Functional and Operational Compatibility. Require that retail, office, entertainment, and other businesses abutting residential neighborhoods be managed to assure that businesses do not create an unreasonable and detrimental impact on neighborhoods with respect to safety, privacy, noise, and quality of life by regulating hours of operation, truck deliveries, internal noise, staff parking and on-site loitering, trash storage and pick-up and other similar business activities.</p> <p>LU 12.2 Building, Parking Structure, and Site Design. Require that buildings, parking structures, and properties in commercial and office districts be designed to assure compatibility with abutting residential neighborhoods, incorporating such elements as setbacks, transitional building heights and bulk, architectural treatment of all elevations, landscape buffers, enclosure of storage facilities, air conditioning, and other utilities, walls and fences, and non-glare external lighting.</p>	<p>landscaping to create a transition between the project site and the existing residential neighborhood to the south.</p> <p>The proposed project design orients commercial vehicular entrances and loading areas toward the central portion of the project site, away from the residential neighborhood to the south. Additionally, the subterranean parking garage would include adequate parking spaces for staff, residents, and visitors to minimize impacts to the adjacent residential areas. The Specific Plan would also include operational requirements such as permitted hours of operation, loading hours, and noise and events restrictions.</p> <p>The Specific Plan would include design requirements such as permitted heights, density, architectural treatments, and landscaping to enhance compatibility with the surrounding land uses and ensure a well-designed and cohesive project site. Lighting and signage requirements would be established which provide safe roadway and sidewalk lighting, as well as architectural and landscaping lighting, from shielded fixtures with light directed down to the pavement to prevent light spillover onto adjacent properties, as well as clear signage for wayfinding. Additionally, storage facilities, heating, ventilation, and air conditioning equipment, and trash enclosures would be located within the underground garage or shielded from view by appropriate enclosures.</p>
<p>LU 14 Environmental Sustainability and Carbon Footprint. Land uses and built urban form that are environmentally sustainable by minimizing consumption of scarce resources, pollution, greenhouse gas emissions, wastes, and exposure of residents and visitors to toxics and hazards.</p>	<p>No Conflict. The proposed project involves mixed-use infill development in an urbanized area. As such, it is generally consistent with statewide goals related to reducing GHG emissions by minimizing VMT. The proposed project would be subject to the California Green Building Standards Code. It would also be designed so that all new structures incorporate green construction and design standards consistent with Leadership in Energy and Environmental Design (LEED) Silver standards, or equivalent. Additionally, the project would not expose residents or visitors to toxic or hazardous materials as discussed in the Initial Study Section 9, <i>Hazards and Hazardous Materials</i> (Appendix A). Sustainability features would include, but are not limited to, a gray water or recycled water landscape irrigation system (as feasible), and energy-efficient heating and cooling systems, lighting and appliances.</p>

Goal/Policy	Would the Project Conflict?
<p>LU 14.1 City Form. Accommodate a balanced mix of land uses and encourage development to be located and designed to enable residents access by walking, bicycling, or taking public transit to jobs, shopping, entertainment, services, and recreation, thereby reducing automobile use, energy consumption, air pollution, and greenhouse gases.</p>	<p>No Conflict. The proposed project is a mixed-use infill development on a site that is well served by transit and is within 0.2-mile of multiple bus stops on Wilshire Boulevard (such as the Wilshire Boulevard/Camden Drive bus stop) that service LA Metro Lines 20 and 720, which run along Wilshire Boulevard and have service intervals of 15 minutes or less during peak hours. The project site is also approximately 0.2 mile from the Metro D (Purple) Line Wilshire/Rodeo Station currently under construction and planned to be operational in 2025. These features would enable residents and visitors to access the site by walking, bicycling, or public transit.</p>
<p>LU 14.2 Site Development. Require that sites and buildings be planned and designed to meet applicable environmental sustainability objectives by: (a) facilitating pedestrian access between properties and access to public transit; (b) providing solar access; (c) assuring natural ventilation; (d) enabling capture and re-use of stormwater and gray water on-site while reducing discharge into the stormwater system; and (e) using techniques consistent with the City's sustainability programs such as the City's Green Building Ordinance.</p>	<p>No Conflict. The proposed project would be located in an area that is well-served by public transit and would comply with the California Green Building Standards Code and City's Green Building Ordinance, which requires solar access, natural ventilation, and stormwater capture. The proposed project would also include a gray water capture or recycled water system to provide irrigation for project landscaping, as feasible. In addition, the proposed project would facilitate pedestrian activity on-site by reducing the minimum width of the roadways in an effort to slow down vehicles and create a more pedestrian-oriented environment. The minimum 26-foot roadway width along South Peck Drive would allow for the continued maintenance and operation of the existing traffic pattern (one north-bound and one south-bound traffic lane) and would preserve emergency responder access. As part of this modified design, the sidewalks and street would be maintained at the same elevation while separating the pedestrian and vehicular environment with planters and/or bollards to designate pedestrian-safe areas. In addition, enhanced pavement, streetlights, street trees, and other enhancements would be added to the rights-of-way within the project site.</p>
<p>LU 14.4 New Construction of Private Buildings. Require that new and substantially renovated buildings be designed and constructed in accordance with the City's sustainability programs such as the City's Green Building Ordinance or comparable criteria to reduce energy, water, and natural resource consumption, minimize construction wastes, use recycled materials, and avoid the use of toxics and hazardous materials.</p> <p>LU 14.8 Private Development Landscaping Material and Irrigation. Require the use of landscaping</p>	<p>No Conflict. See the discussions under Goal LU 14 and Policy LU 14.2. As discussed therein, the proposed project would be designed to achieve LEED Silver, or equivalent. The proposed project would be subject to applicable water conservation requirements contained in the Water Efficient Landscape Ordinance (BHMC Title 9, Chapter 4, Article 4) and the latest California Green Building Standards Code. Landscaping water would be provided by a gray water or recycled water system, as feasible, further minimizing water use on the project site.</p>

Goal/Policy	Would the Project Conflict?
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materials and irrigation systems that minimize water use and runoff onto public streets and drainage systems.

LU 16.4 Public Places. Provide plazas, open spaces, and other outdoor improvements that are accessible to and used for public gatherings and activities, either through capital improvement or as a development requirement.

No Conflict. The Specific Plan would provide for a variety of publicly accessible open spaces, pedestrian enhancements, and landscaping improvements that would be accessible to patrons, site residents, and residents of the surrounding neighborhood. Open space would be provided in the Terrace, which is publicly accessible for residential and commercial occupants of the project site, as well as the local community. The Terrace would be activated by, and serve as an entrance for, adjacent small shop/boutique retail uses. It would include items such as benches, tables, a fountain or monument, art installation, flower bed, and/or a community garden. The Via and Terrace would be privately owned and maintained but would be publicly accessible.

LU 16.9 Healthy Buildings. Require that private and public buildings be designed to promote public health by prohibiting the use of toxic building materials and high-VOC paints, providing adequate ventilation and access to natural lighting, and using “green building” techniques as required by the City’s sustainability programs such as the Green Building Ordinance.

No Conflict. The proposed project would be subject to the California Green Building Standards Code. It would also be designed so that all new structures incorporate green construction and design standards consistent with LEED Silver standards, or equivalent. Additionally, the project would not expose residents or visitors to toxic or hazardous materials as discussed in the Initial Study Section 9, *Hazards and Hazardous Materials* (Appendix A).

Open Space Element	
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OS 2 Urban Forest. Management of the city’s urban forest as an environmental, economic, and aesthetic resource to maintain the unique character of the city and the quality of life of its residents.

No Conflict. As discussed under Policy OS 6.3, the proposed project would include a drought-tolerant planting palette including canopy trees, flower beds/planters, shrubs, and vines. Street trees added by the proposed project would be consistent with the City’s Street Tree Plan (City of Beverly Hills 1996), and trees would contribute to the urban forest while balancing the need for both clearance and viability.

OS 2.4 Viability of Commercial Corridors. Balance the desire for street trees along commercial corridors with the need for clearance and visibility, including selection of tree species with appropriate canopies.

OS 6 Visual Resource Preservation. Maintenance and protection of significant visual resources and aesthetics that define the city.

No Conflict. As discussed in the Initial Study (Appendix A), the proposed project would have less than significant impacts to visual resources within the city. The proposed project would be located on an infill site surrounded by existing development. The architectural characteristics of the proposed new buildings would incorporate the styles and aesthetics of the existing Saks Women’s Building to provide for a unified development that supports the Wilshire

Goal/Policy	Would the Project Conflict?
<p>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.</p> <p>OS 6.5 Standards for New Development. Seek to ensure that new development does not adversely impact the city's unique urban landscape.</p>	<p>Boulevard gateway. Furthermore, the proposed project would enhance the site's visual character by allowing for the comprehensive and coordinated development of the proposed structures.</p> <p>No Conflict. The proposed project would develop a portion of the site as landscaped open space available for the use and enjoyment of the public during permitted hours. The projects Conceptual Plan includes provides for publicly accessible open space on the Terrace (approximately 6,858 sf under the Conceptual Plan), common open space amenities including a rooftop pool and deck on Parcel B for patrons and common residential amenity space at the West Neighborhood building and East Neighborhood building (4,028 sf and 3,967 sf, respectively, under the Conceptual Plan). Landscaping would consist of a drought-tolerant planting palette including canopy trees, flower beds/planters, shrubs, and vines. Street trees along South Peck Drive would primarily consist of southern magnolia, while South Bedford Drive would be planted with London plane and champak trees and South Camden Drive would be planted with Chinese flame tree. Street trees added by the proposed project would be consistent with the City's Street Tree Plan (City of Beverly Hills 1996). Therefore, the proposed project would not adversely impact the city's unique urban landscape.</p>
Circulation Element	
<p>CIR 1 Circulation System. Provide a safe and efficient roadway circulation system within the city.</p>	<p>No Conflict. The Specific Plan would establish circulation, parking, and loading requirements to ensure safe and efficient access to the site for motorists, pedestrians, and bicyclists. Vehicular circulation would be provided by the proposed Via and South Drive, as well as the existing alley south of 9570 Wilshire, South Camden Drive, South Peck Drive, and South Bedford Drive. Wilshire Boulevard would be intended to function as the regional access corridor to and from the project site. In addition, the proposed project would locate pedestrian entrances on South Bedford Drive, South Peck Drive, Wilshire Boulevard, and the publicly accessible Via and Terrace situated to the immediate south of the commercial buildings.</p> <p>The project calls for enhancements of pedestrian and bike access through the addition of a continual sidewalk at the Wilshire Boulevard and South Peck Drive intersection, a widened sidewalk along South Peck Drive as well as a reduced roadway width to promote safer pedestrian environments. Portions of the sidewalks and street along South Peck Drive would separate the pedestrian and vehicular environment with structures like planters and/or bollards to designate pedestrian-safe areas. In addition, specialized pavement, streetlights, street trees, bike rakes and other enhancements would be added to the rights-of-way within the project site.</p>

Goal/Policy	Would the Project Conflict?
<p>CIR 1.1 Roadway Improvements. Study and implement opportunities for improving traffic flow on City roadways during Peak hours. Work collaboratively with regional agencies and adjacent jurisdictions to coordinate interface of adjacent roadways.</p>	<p>No Conflict. The project would include a mix of uses in an area well served by public transit, thereby reducing VMT and aligning with SCAG goals. The City regularly works with regional agencies and adjacent jurisdictions to coordinate interface of adjacent roadways. Particular to the proposed project, the City would coordinate with Metro to ensure public transit in the project vicinity continues to operate appropriately.</p>
<p>CIR 1.4 Level of service. Develop standards to address regional traffic growth through the city to promote transit ridership, biking, walking, thereby reducing auto travel, air pollution and energy consumption.</p> <p>CIR 1.4a. Strive to maintain vehicle flow on City roadways and intersections. Congestion may be accepted, provided that provisions are made to improve the overall system and/or promote non-motorized transportation, such as bicycling and walking, as part of a development or city-initiated project</p> <p>CIR 1.4c Strive to maintain operations on roadways and intersections within multimodal districts. Multimodal districts are characterized as areas within the city served by frequent transit service, enhanced pedestrian and bicycle service and areas that include a combination of uses (commercial, retail, office or residential). This shall include the Business Triangle, areas within half-mile walking distance of bus, subway and other major transit stops and stations, and designated commercial corridors.</p> <p>CIR 1.4d. The City recognizes that the above road condition may not be achieved on some roadway segments, and also many not be achieved at some intersections. On these roadways, the City shall ensure that improvements to construct the ultimate roadway system are completed, with the recognition that maintenance of desired road conditions may not be achievable.</p>	<p>No Conflict. As previously discussed, the project would provide bicycle parking spaces and pedestrian amenities and would be located in an area well served by a variety of local transit options including local and regional bus lines. The project site is also located approximately 0.2 mile from the Metro D Line Wilshire/Rodeo station currently under construction. The project would also support Policy CIR. 1.4c to maintain operations on roadways within multimodal districts through a valet service and alley (and other off-street) access to subterranean parking. Regarding level of service, as further discussed in the transportation section of this Draft EIR, SB 743 directed the Governor’s Office of Planning and Research (OPR) to develop revisions to the CEQA Guidelines to establish new criteria to determine the significance of impacts and define alternative metrics for traffic level of service under CEQA. These changes include elimination of auto-delay, LOS and other similar measures of vehicular capacity or traffic congestion as a basis for determining significant traffic impacts under CEQA for land use projects and plans in California. As such, LOS is not used as a metric for determining whether there is a significant traffic impact as a part of this EIR. However, the City of Beverly Hills developed local Transportation Assessment Guidelines (TAG) at the time it adopted its new VMT-focused transportation thresholds in October 2019. The City’s local TAG includes an analysis of site access and level of service, although such analysis is not provided for determining traffic impacts under CEQA.</p> <p>Based on the Local Transportation Assessment prepared for the proposed project, the majority of intersections within the project site vicinity would experience less than significant LOS impacts pursuant to the TAG (refer to Appendix G). However, all three project scenarios would result in a significant increase in delay at the intersection of Wilshire Boulevard and Peck Drive, ranging from an additional 24.0 seconds to 80.8 seconds of delay per vehicle. Nonetheless, as noted in Policy CIR 1.4d, the General Plan recognizes and allows for the fact that the levels of vehicle flow and intersection performance criteria referenced in the TAG may not be achieved on some roadway segments and intersections. Therefore, the fact that LOS criteria are not achieved under both existing and with</p>

Goal/Policy	Would the Project Conflict?
	<p>project conditions does not necessarily result in an inconsistency with the General Plan’s Circulation policies and TAG guidelines. In this case, the project has maintained consistency with these policies because of the following features among others: the project is located in a transit-rich environment within 0.2 mile of the Metro D line Wilshire/Rodeo Station currently under construction and local and regional bus lines. The project would promote multimodal transit opportunities and the project’s combination of uses (including commercial, retail, office, or residential uses). In addition, the project would cause the completion of the ultimate roadway system (with the revised roadway standards provided for by the Specific Plan, which promotes multimodal and pedestrian activity).</p>
<p>CIR 3.1 Neighborhood Traffic Control Measures. Incorporate traffic control measures in residential neighborhoods as a part of proposed roadway improvement or development projects to mitigate traffic impacts to residents and reduce the negative impacts of motor vehicle traffic on quality of life. Require development project to mitigate traffic impacts to residents and reduce the negative impacts of motor vehicle traffic on residential roadways.</p> <p>CIR 3.2 Design of Traffic Calming Devices. Ensure that selected traffic management devices are appropriately designed with consideration to accessibility, drainage, underground utilities, adequate visibility, landscaping and the needs of emergency, sanitation, and transit vehicles and that these devices do not result in unintended consequences such as increased travel times, sound or traffic diversions.</p>	<p>No Conflict. As discussed above under Goal CIR 1, the proposed project would include enhancements to pedestrian access through the addition of a continual sidewalk at the Wilshire Boulevard and South Peck Drive intersection, a wider sidewalk along South Peck drive, and a reduced roadway width to promote safer pedestrian travel. Bollards and planters would be added to further separate pedestrian areas from vehicles. In addition, enhanced pavement, streetlights, street trees, bike racks and street furniture would be added to the rights of way within the project site. Taken together, these improvements, along with the mixed uses of the project, would promoting alternatives to vehicle travel and create a visual separation between the high intensity traffic corridor along Wilshire Boulevard and the neighborhood streets to the south of the project site. As further discussed under Policy S-3.2, the proposed project would preserve emergency responder access to the project site, and the traffic calming features included in the proposed project would not conflict with the needs of emergency responders, sanitation, or public transit services.</p>
<p>CIR 6 Transportation Demand Management (TDM). A reduction in single-occupant motor vehicle travel in the City through Transportation Demand Management (TDM) that ensures efficiency of the existing transportation network and promotes the movement of people instead of personal automobiles.</p> <p>CIR 6.7 Multi-Modal Design. Require proposed development projects to implement site designs and on-site</p>	<p>No Conflict. The proposed project is a mixed-use infill development on a site that is well served by transit and is within a pedestrian-oriented environment. The project site is within 0.2-miles of multiple bus stops on Wilshire Boulevard (such as the Wilshire Boulevard/Camden Drive bus stop) that service LA Metro Lines 20 and 720, which run along Wilshire Boulevard and have service intervals of 15 minutes or less during peak hours. The project site is also approximately 0.2 mile from the Metro D (Purple) Line Wilshire/Rodeo Station currently under construction and planned to be operational in 2025. This stop meets the criteria for a major transit stop. The proposed project does not include a specific TDM program,</p>

Goal/Policy	Would the Project Conflict?
<p>amenities that support alternative modes of transportation and consider TDM programs with achievable trip reduction goals as partial mitigation for project traffic impacts.</p>	<p>but the project includes various pedestrian and bicycle facilities (see discussion under Goal CIR 7) and is located within a Transit Priority Area in close proximity to various transit facilities. These features would reduce VMT associated with the proposed project, as further discussed in Section 4.11, <i>Transportation</i>.</p>
<p>CIR 6.8 Transportation Management Associations. Encourage commercial, retail, and residential developments to participate in or create Transportation Management Associations.</p>	<p>No Conflict. The project Applicant is not proposing a Transportation Management Association (TMA) but would be expected to participate in any TMA that is formed. Also, see the discussion under Policy CIR 6.7.</p>
<p>CIR 7 Pedestrians. A safe and comfortable pedestrian environment that results in walking as a desirable travel choice, particularly for short trips, within the city.</p> <p>CIR 7.1 Pedestrian Safety. Design and maintain sidewalks, streets, and intersections to emphasize pedestrian safety and comfort through a variety of street design and traffic management solutions.</p> <p>CIR 7.7 Pedestrian Network—Private. Design access to new developments and buildings to encourage walking.</p>	<p>No Conflict. The proposed project would enhance the pedestrian character along the proposed Via, Wilshire Boulevard, Terrace, South Camden Drive, South Peck Drive, and South Bedford Drive. The Via would be designed to provide both vehicular and pedestrian access and circulation between South Bedford Drive and South Peck Drive, and the eastern portion of the Via would be designed to provide for the occasional closure to vehicles to serve as a common area that further enhances the pedestrian nature of the South Peck Drive streetscape environment.</p> <p>In addition, the proposed Specific Plan would allow and provide for modified street standards throughout the project site. These modifications include a reduced navigable width of a minimum of 26-feet in some areas of South Peck Drive, with the intention of creating a more pedestrian-oriented environment. As part of this modified design, the sidewalks and street would be maintained at the same elevation, in certain areas, while separating the pedestrian and vehicular environment with planters and/or bollards to designate pedestrian-safe areas. In addition, enhanced pavement, streetlights, street trees, and other enhancements would be added to the rights-of-way within the project site.</p> <p>The proposed project would include a mix of residential, boutique hotel, retail, office, and restaurant uses, which would allow residents and visitors to take advantage of on-site amenities rather than driving to offsite locations. In addition, the project site is within walking distance of existing commercial business and transit facilities, thereby encouraging active transportation.</p>
<p>CIR 8.5 Bikeway Amenities. Require that new development projects (e.g., employment centers, educational institutions, and commercial centers) provide bicycle racks, personal lockers, showers, and other bicycle support facilities.</p>	<p>No Conflict. The project would include a minimum number of short-term bicycle parking spaces equal to five percent of the number of vehicle parking spaces within the sidewalk zone and a minimum number of long-term and secured bicycle parking within the parking garage equal to five percent of the number of vehicle parking spaces. Additionally, the project would provide employee locker and shower facilities.</p>

Goal/Policy	Would the Project Conflict?
<p>CIR 10 Funding. Develop sufficient funding sources to construct and maintain the transportation facilities needed to achieve the City’s mobility goals.</p>	<p>No Conflict. The proposed project does not involve the development of transportation facility funding sources; however, the Applicant would pay applicable City transportation fees and costs associated with public right-of-way improvements adjacent to the project site.</p>
<p>CIR 10.3 Fair Share Costs. Assess fees on new development for all transportation modes and ensure that payment is collected for the fair share of the costs of new and enhanced facilities.</p>	<p>No Conflict. The project Applicant would pay applicable City transportation fees and complete or pay for right-of-way improvements associated with the project.</p>
Conservation Element	
<p>CON 1.6 Development Requirements— Water Service. Require new development to be served from an approved domestic water supply.</p>	<p>No Conflict. The proposed project would be served by the City of Beverly Hills and as discussed in Section 4.13, <i>Utilities and Service Systems</i>, sufficient water would be available to meet project demand under maximum build out of the Specific Plan (including, without limitation, the submitted Conceptual Plan).</p>
<p>CON 1.7 Development Requirements— Groundwater. Require engineering design and construction practices to ensure that existing and new development does not degrade the city’s groundwater supplies.</p>	<p>No Conflict. As further discussed in the initial study (Appendix A), the proposed project would not substantially alter the amount of impervious surface on site as compared to existing conditions. The Specific Plan includes landscaping requirements to provide pervious surfaces on the project site and which features are included in the proposed Conceptual Plan. Additionally, the proposed project would include excavation activity, but such activity would comply with appropriate engineering and construction practices and would not degrade groundwater supplies, as discussed in the project’s Initial Study (Appendix A).</p>
<p>CON 2 Water Conservation through System Improvements. Provision of a system that minimizes water consumption through conservation methods and other techniques.</p> <p>CON 2.4 Water Conservation Measures for Private Projects. Continue providing incentives, and where practical, require the installation of water conserving measures, devices and practices for new private construction projects and major alterations to existing private buildings, including requirements for using reclaimed water for construction watering and for pumping subterranean water back into the ground rather than into the storm drain system.</p>	<p>No Conflict. The proposed project would support Goal CON 2 by, as discussed in connection with Policies CON 2.4 and CON 2.5, integrating active and passive sustainability practices into the project site, including drought tolerant landscaping, high efficiency fixtures and/or grey water systems. The proposed project would be subject to applicable water conservation requirements contained in the Water Efficient Landscape Ordinance (City of Beverly Hills 2023b) and the most recent California Green Building Standards Code. As discussed under Goal CON 1, the Specific Plan would require installation of water sustainability features such as ultra-low or dual flush tank type toilets, ultra-low flow or waterless urinals and other water efficient appliances, and a gray water or other non-potable landscaping irrigation system to reduce water use, as feasible.</p>

Goal/Policy	Would the Project Conflict?
<p>CON 2.5 Water Efficient Landscaping. Where feasible, encourage installation of drought tolerant landscaping or water-efficient irrigation systems for all private and city landscaping and parkways. Identify and implement minimum design and installation efficiency criteria for landscape irrigation systems.</p>	<p>No Conflict. See discussion under Goals CON 1 and CON2 and Policy CON 2.4. As discussed therein, the project would include drought-tolerant landscaping watered with gray water, stormwater, rainwater, recycled water and/or other approved non-potable water supply, Additionally, water-conserving landscape technologies such as drip irrigation, moisture sensors, and watering zones would be implemented in connection with new construction.</p>
<p>CON 3 Water Conservation through Reduced Consumption. Conservation programs that limit water consumption through site design, the use of water conservation systems and other techniques.</p> <p>CON 3.5 Restrict Water Runoff. Restrict wasteful watering methods and control runoff.</p> <p>CON 3.8 Water Conservation Measures for Private Projects. Require the installation of water conserving measures, devices and practices that meet “green building” standards for new private construction projects and major alterations to existing private buildings.</p> <p>CON 3.9 Water-Efficient Landscaping. Encourage and promote drought-tolerant landscaping or water efficient irrigation systems for all private and city landscaping and parkways.</p> <p>CON 3.11 New Conservation Technology. Ensure all new private and City facility projects utilize conservation technologies.</p>	<p>No Conflict. See discussion under Goals CON 1 and 2 and Policies CON 2.4 and 2.5. As discussed therein, the proposed new buildings would be designed to achieve LEED Silver or equivalent certification, to the extent feasible under the Secretary of Interior Standards for Rehabilitation of Historic Properties and would be subject to applicable water conservation requirements contained in the Water Efficient Landscape Ordinance (City of Beverly Hills 2023b) and the most recent California Green Building Standards Code. The project would reduce potable water use and wasteful watering methods through water efficient irrigation systems, drought tolerant landscaping, and the use of a graywater system for irrigation.</p>
<p>CON 4 Water Supply Costs. A system where the costs of improvements to the water supply, transmission, distribution, storage and treatment systems are borne by those who benefit.</p> <p>CON 4.1 Developer Fees. Require the costs of improvements to the existing water supply, transmission, distribution, pumping, storage and treatment facilities necessitated by new development be borne by those benefiting from the improvements,</p>	<p>No Conflict. The project Applicant would be required to pay applicable development fees for water system improvements needed to serve the proposed development.</p>

Goal/Policy	Would the Project Conflict?
<p>either through the payment of fees, or by the actual construction of improvements.</p>	
<p>CON 6.1 Alleys. Develop aesthetic and functional criteria for repaving of alleys and explore whether materials are available that could increase the amount of permeable surfaces.</p> <p>CON 6.2 Stormwater. Require that grading plans be designed and implemented to reduce storm water runoff by capturing rainwater onsite and stored on a temporary, short-term basis to facilitate groundwater recharge rather than relying solely on community drainage facilities.</p>	<p>No Conflict. See discussion under Goals CON 1 and CON 1.7. On-site stormwater capture and reuse would avoid an increase in the amount of site runoff. Additionally, consistent with Policy CON 6.1 the proposed Specific Plan requires “South Drive” (the improved alley segments along the southern boundary of the site) to be bordered by landscaping which would include pervious area and promote groundwater recharge.</p>
<p>CON 7 Wastewater Treatment System. A wastewater collection and treatment system that supports existing and planned development.</p>	<p>No Conflict. As discussed in Section 4.13, <i>Utilities and Service Systems</i>, the proposed project would be adequately served by the existing wastewater collection system and accommodated by the existing treatment capacity at the Hyperion Water Reclamation Plant and would not adversely affect the wastewater system or otherwise conflict with this goal.</p>
<p>CON 7.2 Municipal Connections & Capacity. Require that development be connected to the municipal sewer system and ensure that adequate capacity is available for the treatment of generated wastewater flows and the safe disposal of generated sludge.</p>	<p>No Conflict. See discussion under Goal CON 7 above. Further, the proposed project would connect to the municipal sewer system. As discussed under Policy CON 4.1, the project Applicant would pay for sewer and water system improvements needed to serve the proposed development.</p>
<p>CON 7.3 Sewer Analysis for New Development. Require that new development and major renovation projects submit a sewer analysis outlining capacity and improvement needs to the satisfaction of the City prior to the issuance of building permits.</p>	<p>No Conflict. A Sewer Area Study has been prepared for all three scenarios of the proposed project which illustrates that it would be adequately served by the sewer system. Approval of the Sewer Area Study is required prior to issuance of building permits.</p>
<p>CON 7.4 Water Conservation. Require that wastewater flows be minimized in existing and future developments through water conservation and recycling efforts.</p>	<p>No Conflict. See discussion under Goals CON 1 and 2 and Policies CON 2.4 and 2.5. As discussed therein, the proposed project would minimize water use and associated wastewater flows through water efficiency features.</p>

Goal/Policy	Would the Project Conflict?
<p>CON 8.2 Waste Discharge Requirements. Continue to require that all industrial and business sewer discharges comply with the City’s waste discharge requirements and permits as outlined in the City Ordinance.</p> <p>CON 8.3 National Pollutant Discharge Elimination System (NPDES) and South Coast Air Quality Management District (SCAQMD) Regulations. Continue to implement, as appropriate, the requirements of the NPDES and SCAQMD regulations, including requiring the use of Best Management Practices by businesses in the city.</p>	<p>No Conflict. Wastewater flows for the proposed project would be typical for similar commercial and multifamily residential developments. Heavy industrial discharge into the wastewater system would not occur and business sewer discharge from the project would comply with applicable City ordinance. As discussed in the project’s Initial Study (Appendix A) the proposed project would also comply with applicable NPDES and SCAQMD permit requirements including the establishment of best management practices onsite.</p>
<p>CON 9.3 Annual Inspections for Food Establishments. Continue to annually inspect all restaurant, hotel, and catering establishments to ensure that proper disposal standards for fats, oils, and grease are followed.</p>	<p>No Conflict. Any restaurant or boutique hotel operating as part of the project would be subject to any applicable monitoring programs regarding waste disposal.</p>
<p>CON 10.3 Storm Runoff Impacts. Require new development to prepare hydrologic studies to assess storm runoff impacts on the local and sub-regional storm drainage systems, and, if warranted, require new development to provide adequate drainage facilities and mitigate increases in stormwater flows and/or cumulative increases in regional flows. Require final drainage plans be submitted for review and approval.</p>	<p>No Conflict. See discussion under Goals and Policies 6.2, 8, 8.2 and 8.3. The project Applicant would prepare the required hydrologic studies and design on-site facilities that comply with applicable local, State, and federal requirements as part of the final review and approval of project building plans.</p>
<p>CON 11 Storm Drainage System that Preserves Water Quality. Provision of a storm drainage system that does not degrade the quality of the City’s surface waters, groundwater system, and other sensitive environmental areas.</p>	<p>No Conflict. The proposed project would comply with applicable local, State, and federal requirements pertaining to surface runoff, both during construction and long-term project operation. As discussed in the Initial Study (Appendix A), the proposed project would not significantly affect surface water quality.</p>
<p>CON 11.1 Development Mitigation. Require that new development does not degrade surface waters or the groundwater system.</p>	<p>No Conflict. See the discussion under Goal CON 11. As discussed therein, the proposed project would comply with all applicable requirements pertaining to surface and groundwater quality during construction and operation and would have a less than significant impact on water quality.</p>
<p>CON 11.2 Pollution Loading. Reduce pollutant loading through passive treatment systems such as vegetated filter systems, grass swales, and</p>	<p>No Conflict. The proposed project would implement landscaping throughout the project site, including along public rights-of-way such as the proposed “South Drive” along</p>

Goal/Policy	Would the Project Conflict?
<p>infiltration/sedimentation areas in suitable open space areas, overland flow channels and landscaping adjacent to parking lots and streets.</p>	<p>the southern boundary of the site and adjacent to portions of South Peck, South Camden, and South Bedford Drives.</p>
<p>CON 11.3 NPDES Permit. Require developers to obtain and comply with a NPDES permit from the State Water Resources Control Board (SWRCB).</p>	<p>No Conflict. The proposed project would comply with NPDES General Construction Permit requirements, including by implementing a Stormwater Pollution Prevention Plan (SWPPP) for construction that would be carried out in compliance with SWRCB requirements, as discussed in the Initial Study (Appendix A).</p>
<p>CON 11.4 Drainage Technology. Require that new developments employ the most efficient drainage technology to control drainage and minimize damage to environmentally sensitive areas.</p>	<p>No Conflict. The proposed project would comply with NPDES requirements for stormwater drainage, as discussed in the Initial Study (Appendix A). The project site is in an urbanized area and is not adjacent to any environmentally sensitive areas.</p>
<p>CON 11.5. Pesticides. Require that individual project owners and operators handle, store, apply and dispose of all pest control, herbicide, insecticide, and other similar substances in compliance with all applicable Federal, State, and local regulations.</p>	<p>No Conflict. All activities involved in the handling, storage and disposal of pesticides used for landscaping within the project site would be required to occur in compliance with all applicable federal, State and local requirements regarding the handling and disposal of hazardous waste.</p>
<p>CON 12 Storm Drainage Toxicity. A system that minimizes the amount and toxicity of discharge into the storm drain system.</p>	<p>No Conflict. The proposed project would comply with applicable local, State, and Federal requirements pertaining to surface runoff, both during construction and long-term project operation.</p>
<p>CON 12.2 Permeable Surfaces. Require the use of landscaping and permeable service treatments in new developments as alternatives to nonpermeable surfaces and explore the feasibility of retrofitting existing large asphalt surfaces in the community such as alleys, parking lots, and driveways into more permeable alternatives.</p>	<p>No Conflict. The proposed project includes landscaping and open space to capture site runoff. As discussed in the Initial Study (Appendix A), implementation of the proposed project would not result in changes that would substantially alter absorption rates that would increase the amount of stormwater runoff from the site as compared to the existing setting. The proposed project would incorporate a series of rainwater management features, including collection, storage, treatment, and distribution of rainwater. In addition, on-site development would comply with all requirements of NPDES and the City’s Stormwater and Urban Runoff Management Ordinance (Article 5, Chapter 4, Title 9 of the BHMC).</p>
<p>CON 13 Solid Waste Collection and Disposal Operations and Costs. Solid waste services that operate in accordance with the California Integrated Waste Management Act of 1989 (AB 939) and are funded in a manner that reduces the cost of collection and disposal.</p>	<p>No Conflict. The project Applicant would participate in City solid waste recycling programs, which comply with AB 939 waste diversion requirements and SB 1383 organic waste recycling.</p>

Goal/Policy	Would the Project Conflict?
<p>CON 13.1 Waste Collection. Provide an adequate and orderly system for collection and disposal of solid waste for new and existing development in the City.</p> <p>CON 13.2 Waste Collection Services. Maintain adequate solid waste collection for commercial, industrial and residential development in accordance with State law.</p>	<p>No Conflict. The project would comply with applicable federal, State, and local management and reduction statutes and regulations related to solid waste. Solid waste bins would be provided on the project site and would comply with applicable BHMC requirements. Further, as discussed in Section 4.13, <i>Utilities and Service Systems</i>, landfills available to serve the project site have capacity to accommodate solid waste that would be generated by construction and operation of the proposed project.</p>
<p>CON 14. Conservation. A solid waste collection and disposal system that maximizes source reduction, recycling, and composting.</p> <p>Con 14-1. Enforcement of a Recycling Program. Continue to utilize the Materials Recovery Facility (MRF) as part of a comprehensive recycling program.</p>	<p>No Conflict. See discussion under Goal CON 13 and Policies CON 13.1 and 13.2. As discussed in Section 4.13, <i>Utilities and Service Systems</i>, the proposed project would be consistent with applicable regulations associated with solid waste. The proposed project would provide clearly marked, source-sorted receptacles to facilitate composting, and recyclables would be sorted at the MRF.</p>
<p>CON 16 Waste Reduction. An efficient and innovative waste management program that reduces the amount of waste material entering regional landfills.</p>	<p>No Conflict. The proposed project would comply with AB 939 waste diversion and SB 1383 organic waste recycling requirements and would participate in the City’s solid waste recycling programs.</p>
<p>CON 16.2 Recycling Areas. Require designated areas for collection and loading of recyclables in new and substantially renovated buildings and sites. The receptacles that collect recyclable materials shall be covered and completely screened from public view.</p>	<p>No Conflict. Newly constructed buildings within the project site and the rehabilitated Saks Women’s Building would have designated screened areas for the collection and disposal of solid waste, recyclables, and organic waste.</p>
<p>CON 16.5 Facilitate Recycling in Multi-family Structures. Require new or renovated multi-family residential structures to include separate chutes or other facilities to facilitate separation of recyclable materials.</p>	<p>No Conflict. Multi-family residential buildings within the project site would include facilities for the separation of recyclable materials.</p>
<p>CON 16.6 Recycled Building Materials. Encourage the use of recycled building materials wherever possible for new or renovated public and private development.</p>	<p>No Conflict. The proposed project would be built to LEED Silver or equivalent certification, to the extent feasible under the Secretary of Interior Standards for treatment of Historic Properties. This would include the use of recycled building materials as feasible.</p>
<p>CON 16.7 Demolition Waste. Require the recycling of demolition waste for new construction and renovation projects.</p>	<p>No Conflict. The project Applicant would comply with the City’s waste management plan and the LEED standards (or equivalent), which mandate reuse or recycling of construction waste.</p>

Goal/Policy	Would the Project Conflict?
<p>CON 17 Natural Gas System. Provision of an adequate, safe, and dependable supply of natural gas energy to support existing and future land uses within the City.</p>	<p>No Conflict. The proposed project does not involve the development of natural gas supplies. Adequate natural gas supplies, facilities and infrastructure would be available to serve the proposed project, as discussed in the Initial Study (Appendix A).</p>
<p>CON 17.1 New Development Requirements. Require that new development is approved contingent upon its ability to be served with adequate natural gas facilities and infrastructure.</p>	<p>No Conflict. See the discussion under Goal CON 17. As discussed in the Initial Study (Appendix A), adequate natural gas supplies would be available to the proposed project.</p>
<p>CON 17.2 Adequate Facilities. Coordinate with the Southern California Gas Company to ensure that adequate natural gas facilities are available to meet the demands of existing and future development, and to encourage conservation techniques.</p>	<p>No Conflict. See the discussion under Goal CON 17 and Policy 17.1. As discussed in Section 4.13, <i>Utilities and Service Systems</i>, the project would be adequately served with natural gas facilities and infrastructure and a will-serve letter was provided by Southern California Gas Company for the project.</p>
<p>CON 18 Electrical Energy System. Provision of an adequate, safe, and dependable supply of electrical energy to support existing and future land uses within the City.</p>	<p>No Conflict. The proposed project does not involve the development of electrical energy. As discussed in Section 4.4, <i>Energy</i>, and Section 4.13, <i>Utilities and Service Systems</i>, adequate, safe and dependable electrical energy capacity would be available to serve the proposed project by Southern California Edison or Clean Power Alliance.</p>
<p>CON 18.1 New Development Requirements. Require that new development is approved contingent upon the ability to be served with adequate electrical facilities and service.</p>	<p>No Conflict. As discussed in Section 4.4, <i>Energy</i>, and Section 4.13, <i>Utilities and Service Systems</i>, adequate electrical energy infrastructure and capacity would be available to the proposed project.</p>
<p>CON 18.2 Adequate Facilities. Work with Southern California Edison and the City’s Department of Public Works and Transportation to ensure that adequate electrical facilities are available to meet the demand of existing and future development, and to encourage conservation.</p>	<p>No Conflict. See the discussion under Goal CON 18 and Policy CON 18.1.</p>
<p>CON 18.3 Underground Utilities. Continue to provide for the undergrounding of new and existing electrical distribution lines unless it is determined not to be economically or practically feasible in a particular location as a result of significant environmental or other constraints. Explore innovative funding sources for undergrounding utilizes.</p>	<p>No Conflict. New electrical distribution lines within the project site would be underground, as feasible.</p>

Goal/Policy	Would the Project Conflict?
<p>CON 19 Conservation. Provision of affordable and reliable energy resources to residents and businesses that minimize energy consumption.</p> <p>CON 19.1 Energy Efficient Lighting. Install light emitting diodes (LED) for traffic, street, and other outdoor lighting.</p> <p>CON 19.3 Reduced Energy Consumption for Public and Private Facilities. Install energy efficient appliances and alternative energy infrastructure such as solar energy panels (photovoltaic panels) on all City facilities. Encourage installation of solar energy panels on private development. Development partnerships with residents to encourage use of solar energy panels and other solar energy technologies.</p>	<p>No Conflict. The proposed project would be served with electrical facilities and service from Southern California Edison. Consistent with the proposed Specific Plan, LEDs would be installed for street, pedestrian, architectural and other outdoor lighting within the project site. Further, the proposed project would incorporate green construction standards consistent with LEED Silver standards (or equivalent) to the extent feasible under the Secretary of the Interior Standards for treatment of Historic Properties and satisfy the Title 24 and LEED Silver solar ready requirements (or equivalent).</p>
<p>CON 20 Telecommunication System. The provision of an adequate, safe, and dependable telecommunication infrastructure to support existing and future land uses within the City.</p>	<p>No Conflict. Adequate, safe and dependable telecommunication system infrastructure (including for internet, cell phone, television, and land line services) is available to serve the proposed project, as discussed in Section 4.13, <i>Utilities and Service Systems</i>.</p>
<p>CON 20.1 Development Requirements. Require that all new construction intended to be used for professional offices be wired to link with cable, fiber optic systems, or other modern communication systems.</p>	<p>No Conflict. Modern communication systems are available to serve the proposed project.</p>
<p>CON 20.6 Undergrounding of Utilities. Continue to require that utilities be undergrounded in all new development and establish criteria or standards for undergrounding in rehabilitation projects.</p>	<p>No Conflict. Utilities for the proposed project would be undergrounded, as feasible.</p>
<p>CON 24 Prevent the creation of new hazards from unwise grading and drainage procedures.</p> <p>CON 24.1 Require all of the recommendations of geologists to be incorporated into the construction plans prior to issuance of a building permit.</p>	<p>No Conflict. The recommendations set forth in the final geotechnical report for the design-level plans associated with the project would be provided by the geologist of record and would be incorporated into the project design, as discussed in the Initial Study (Appendix A) and Section 4.5, <i>Geology and Soils</i>. Compliance with the recommendations of the final geotechnical report, as well as State and local requirements that address soils and seismic hazards, would ensure that the proposed project would not create new hazards from unwise grading and drainage procedures.</p>

Goal/Policy	Would the Project Conflict?
Noise Element	
<p>N 1 Land Use Conflicts. Minimize land use conflicts between various noise sources and other human activities.</p> <p>N 1.2 Noise between Adjacent Uses. Consider developing standards for new high-density residential development that adequately minimize noise between adjacent units within the development and between the development and adjacent buildings through the use of design features and building materials such as orientation, window insulation, common wall separation, common floor/ceilings separation.</p>	<p>No Conflict. As discussed in Section 4.9, <i>Noise and Vibration</i>, operation of the proposed project would not result in significant noise level increases at nearby sensitive receivers, including the residential buildings to the south and east of the project site. In addition, the proposed residences would be constructed in accordance with the California Building Code, which includes requirements for acoustical control to ensure that the interior noise environment does not exceed the State noise standard.</p>
<p>N 1.4 Limit Hours of Truck Deliveries. Limit the hours of truck deliveries to commercial uses abutting residential neighborhoods and other noise-sensitive receptors in order to minimize exposure to excessive noise, unless there is no feasible alternative or there are overriding transportation benefits by scheduling deliveries at other hours.</p>	<p>No Conflict. Commercial loading areas on the project site would be located off the Via and the existing public alley in the Wilshire Boulevard District and would be operated consistent with the existing hour range of Monday through Friday between 7:00 a.m. and 5:00 p.m. and weekends between 8:30 a.m. and 4:00 p.m. As discussed in Section 4.9, <i>Noise and Vibration</i>, operational noise associated with the proposed project, including due to loading and truck deliveries, would be less than significant.</p>
<p>N 2 Motor Vehicles. Minimized motor vehicle traffic noise impacts on sensitive noise receptors.</p>	<p>No Conflict. As discussed in Section 4.9, <i>Noise and Vibration</i>, traffic generated by construction and operation of the proposed project would not result in significant noise impacts on sensitive receivers in the vicinity of the project site.</p>
<p>N 2.1 Sensitive Land Uses Adjacent to Heavy Arterials. Require that the design of new residential or other new noise sensitive land uses within the 60 dBA and 65 dBA CNEL (and higher) roadway contours demonstrate that the project will meet interior and exterior noise standards. Require the use of interior noise insulation, double paned windows, or other noise mitigation measures, as appropriate, to achieve required standards.</p>	<p>No Conflict. The proposed project would be designed to locate sensitive receivers (e.g., residences) away from Wilshire Boulevard. In addition, the proposed residences would be constructed in accordance with the California Building Code, which includes requirements for acoustical control to ensure that the interior noise environment does not exceed the state noise standard.</p>
Safety Element	
<p>S 3 Existing and New Development and Redevelopment. All existing and new development and redevelopment</p>	<p>No Conflict. The proposed project would incorporate applicable code requirements pertaining to fire safety, including the California Health and Safety Code, California Fire Code (as codified in BHMC Title 9 Chapter 2), California</p>

Goal/Policy	Would the Project Conflict?
<p>address the provision of fire protection in a proactive and preventative manner.</p>	<p>Building Code (CBC; as codified in BHMC Title 9 Chapter 1), and BHFD standards. These include regulations for fire protection devices, such as smoke alarms and fire extinguishers, fire department access, fire hydrant requirements, construction specifications, and high-rise building fire safety standards. As discussed in the Initial Study (Appendix A), the proposed project would not create the need for new or expanded fire protection facilities.</p>
<p>S 3.2 Impacts of New Development. Assess the impacts of significant increases in development density and intensity, and subsequent impacts on traffic congestion, water infrastructure capacity, fire hazards, and emergency response times.</p>	<p>No Conflict. The proposed project would result in a net increase of approximately 348,892 sf (under the proposed Conceptual Plan) to 408,000 sf (under the proposed Specific Plan maximums) of new floor area across the project site and would generate new residents, visitors, and employees. As discussed in the Initial Study (Appendix A), while the proposed project would result in an incremental increase in demand for fire and police protection services within the city (a less than a one percent increase in service area population), the proposed project would not create the need for new or expanded fire or police protection facilities, or otherwise substantially or adversely affect fire protection or police protection service and would preserve emergency responder access to the project site. The proposed structures would be consistent with the massing and height of buildings in the surrounding area and would not require new or specialized fire equipment to service. Operation of the project would not include any unique or especially hazardous uses, such as industrial facilities, which use or generate large quantities of hazardous and/or toxic materials that could pose an extreme risk of serious accident or fire on the project site.</p>
<p>S 3.3 Fire Protection Services. Require that new development and re-development of structures provide adequate fire safety features and responder access so as not to cause a reduction of fire protection services below acceptable, safe levels.</p>	<p>No Conflict. See the discussions under Goal S 3 and Policy S 3.2. As discussed therein, the proposed project would comply with applicable code requirements for fire safety and would undergo Beverly Hills Fire Department (BHFD) review to ensure that the appropriate fire safety features are incorporated in the project design.</p>
<p>S 3.4 Fire Department Access. Design private and public access drives and roadways to preserve and maintain Fire Department access to properties.</p>	<p>No Conflict. As described in the Initial Study (Appendix A), the proposed project would not result in modifications to roadways or driveways that would adversely affect the BHFD's ability to provide adequate fire protection services to the project site and the rest of the city. Site access points would be maintained, and new access points would be added as part of the proposed project, as compared to existing conditions. Therefore, the project would maintain and enhance BFHD access throughout the project site.</p>
<p>S 3.5 Fire Protection for New and Existing Buildings. Require all new residential and commercial buildings, all</p>	<p>No Conflict. The proposed project would incorporate an automatic fire extinguishing system for all buildings exceeding 55-feet.</p>

Goal/Policy	Would the Project Conflict?
<p>substantial renovations, and all existing buildings having five-stories or exceeding a height of 55-feet, to be equipped with an automatic fire extinguishing system.</p>	
<p>S 4 Protection from Flood Hazards. To reduce the potential risk of flood hazards to human life and public and private property.</p>	<p>No Conflict. As discussed in the Initial Study (Appendix A), the project site is not subject to significant flood hazards. The proposed project would be subject to applicable local, State, and federal storm water runoff requirements, which limit runoff to pre-project levels during peak runoff events.</p>
<p>S 4.1 Flood Mitigation Design. Require that new development incorporate sufficient measures to mitigate flood hazards, including the design of on-site drainage systems linking with citywide storm drainage, gradation of the site so that runoff does not impact adjacent properties or structures on the site, and elevation of the structures above any flooding elevation.</p>	<p>No Conflict. See above discussion under Goal S 4. As discussed therein, the proposed project is not subject to flood hazard and would comply with all applicable requirements related to storm water runoff.</p>
<p>S 5 Protection from Geologic Hazards. To reduce the known level of risk to loss of life, personal injury, public and private property damage, economic and social dislocation, and disruption of vital community services that would result from earthquake damage or other geologic disturbance.</p> <p>S 5.1 Safety Standards. Require new development and redevelopment to be in compliance with seismic and geologic hazard safety standards, including design and construction standards that regulate land use in areas known to have or to potentially have, significant seismic and/or other geologic hazards.</p>	<p>No Conflict. As discussed in Section 4.5, <i>Geology and Soils</i>, a portion of the project site is within the Santa Monica Fault Zone, an Alquist-Priolo Fault Zone. Site-specific Fault Rupture Hazard Investigations were prepared for the proposed project, which were peer reviewed and accepted by the City in February and December 2021. As discussed in the Geotechnical Investigation, it was determined that the potential for the active SMFZ to result in fault rupture at the project site is low and the project would not directly or indirectly cause potential substantial adverse effects related to fault rupture. Additionally, prior to project approval and construction, the project must demonstrate compliance with the applicable seismic safety provisions of the Alquist-Priolo Earthquake Fault Zoning Act, Seismic Safety Act, Seismic Hazards Mapping Act, Uniform Building Code (UBC), CBC, and BHMC. In particular, the proposed project would be required to demonstrate compliance with BHMC, which incorporates current seismic design provisions of the current CBC to minimize seismic impacts. Also refer to the discussion under Goal CON 24 and Policy CON 24.1.</p>
<p>Public Services Element</p>	
<p>PS 1.6 Crime Prevention through Environmental Design. Encourage the use of Crime Prevention through Environmental Design Concepts (CPTED) to increase public safety and decrease the opportunity for crime and terrorist attacks.</p>	<p>No Conflict. The proposed project would include crime prevention measure such as secured parking and residential entryways, on-site security personnel, security cameras, and sufficient lighting throughout the project site to increase safety and visibility and well illuminated entryways, walkways, lobbies, and parking areas to minimize areas of concealment.</p>

Goal/Policy	Would the Project Conflict?
<p>PS 2.3 Adequate Infrastructure. Continue to assure that appropriate levels of water pressure are present throughout the City’s fire hydrant system, and implement appropriate upgrades as needed and feasible.</p>	<p>No Conflict. The proposed project would be coordinated with the BHFD and Public Works Department, as discussed in the project Initial Study (Appendix A), to ensure that adequate fire hydrants and water pressure are available to serve the project site, as well as the incorporation of the required fire safety design features.</p>
<p>Housing Element</p>	
<p>H1 Maintenance and Conservation. Maintain and enhance the quality and character of existing housing and residential neighborhood.</p>	<p>No Conflict. Refer to the discussions under Goals and Policies LU 2, 2.10, 3, 3.1, 5, 7, 7.1, and 8. The proposed project would provide multi-family units within the project site, which are permitted within the project site under existing land use designations. Further, the proposed project would enhance the existing residential neighborhood by replacing dated, asphalt parking lots and alleys with improved residential and pedestrian spaces. The project would include vehicular and pedestrian improvements along portions of South Peck, South Bedford, and South Camden Drives as well as the proposed new “South Drive” along the southern boundary of the project site. The project would also introduce new, activated spaces in the form of the “Via” and “Terrace” that would be available for use by new and existing residents in the project site vicinity.</p>
<p>H1.1 Neighborhood Character. Maintain the character and quality of residential neighborhoods.</p>	
<p>H1.4 Historic Preservation. Promote the preservation of historically and architecturally significant buildings and the quality of historic neighborhoods through land use, design, and housing policies.</p>	<p>No Conflict. The proposed project would provide for the rehabilitation of the existing Saks Women’s Building in accordance with the Secretary of the Interior Standards for treatment of Historic Properties. The rehabilitation would include a seismic retrofit of that historically significant structure, and the proposed project would require that adjacent structures complement the Saks Women’s Building in a manner consistent with the Secretary of Interior Standards for treatment of Historic Properties.</p>
<p>H2 Housing Supply and Diversity. Provide a variety of housing types and adequate affordable housing supply to meet the existing and future needs of the community.</p>	<p>No Conflict. The proposed project would further increase housing supply in the city, by allowing the development of up to 145 residential units (for comparison purposes the adequate site inventory included in the most recently adopted Housing Element identifies a total of 75 moderate income units across all APNs within the project site). The proposed project’s use of mixed commercial/residential uses would expand the variety of housing types available. Further, the proposed project would improve commercial/residential transitions in the area by creating residential and retail uses on the south side of Wilshire Boulevard.</p>
<p>H2.2 Inclusionary Housing. Continue to implement an inclusionary housing program to integrate affordable units within market rate developments, and increase the availability of affordable housing throughout the community.</p>	<p>No Conflict. The residential buildings would comply with the inclusionary housing requirements set forth in BHMC Section 10-3-4800 et seq.</p>

Goal/Policy	Would the Project Conflict?
<p>H2.5 Adaptive Reuse. Support innovative strategies for the adaptive reuse of residential and commercial structures to provide for a wide range of housing types.</p>	<p>No Conflict. See discussion of H1 and Goal H.2. The proposed Specific Plan allows for the conversion of up to 150,000 sf of commercial floor area to up to 75 residential units within the Wilshire Boulevard District of the project site. By permitting the adaptive reuse of existing and/or future commercial structures to provide for a mix of commercial and residential uses along Wilshire Boulevard, the Specific Plan aligns with the General Plan policy of providing for a wide range of housing types as community needs change over time.</p>
<p>H 2.7 Environmentally Sustainable Housing. Promote conservation of water and energy, use of sustainable building materials and drought resistant landscaping to reduce the operating costs and carbon emissions associated with housing.</p>	<p>No Conflict. The proposed project would be subject to applicable water conservation requirements contained in the Water Efficient Landscape Ordinance (City of Beverly Hills 2023b) and the latest California Green Building Standards Code. It would also be designed to meet LEED Silver V4.1, or equivalent, to the extent feasible under the Secretary of Interior Standards for treatment of Historic Properties, and would incorporate the sustainability features described in Section 2, <i>Project Description</i>.</p>
<p>H 2.8 Transit-Oriented Housing. Promote access, where feasible, from residential neighborhoods and new residential development to existing transit stops and to the anticipated subway stations.</p>	<p>No Conflict. The project site is located approximately 0.2 mile from the future Metro D (Purple Line) Wilshire/Rodeo Station and is adjacent to both local and regional bus lines. The proposed project would promote access to those nearby public transit options by enhancing the pedestrian environment, creating new access ways within and around the project site, and providing bicycle parking to help promote access to transit stops and alternate modes of transportation.</p>
<p>H 2.9 Jobs-Housing Balance. Promote programs seeking to provide housing opportunities for people who work in the City as a means of reducing long commutes, easing local traffic, improving air quality and helping to achieve a balanced regional jobs-housing distribution for the western portion of Los Angeles County.</p>	<p>No Conflict. See discussion under Policy H2.8. In addition, the project is a mixed-use Specific Plan that in addition to allowing up to 145 residential units, would also allow for up to 400,000 sf of commercial uses within the Wilshire Boulevard District and up to 15,000 sf of retail small shop/boutique retail use in the Neighborhood District, along with the development of retail, office, hospitality, social club, boutique hotel, open space, and related uses within the project site. Thus, the project would locate housing opportunities adjacent to work opportunities and mass transit.</p>

Sources: City of Beverly Hills 2010a, 2010b, 2010c, 2010d, 2021, and 2022

SCAG 2020-2045 RTP/SCS

The 2020-2045 RTP/SCS promotes growth in areas near destinations with existing public transit infrastructure in order to reduce VMT and associated GHG emissions (SCAG 2020). The proposed project would create new housing, employment, and retail opportunities on an infill site within close proximity to existing commercial destinations, residential uses, and public transit options. The project site is in a transit priority area, defined as an area within 0.5 mile of a major transit stop that is existing or planned (Public Resources Code [PRC]

Section 21099[a][7]).¹ The project is served by a variety of public transit options, with several Los Angeles County Metropolitan Transportation Authority transit bus stops along Wilshire Boulevard in the vicinity of the project site. The project is also located approximately 0.2 mile from the Metro D (Purple) Line Wilshire/Rodeo Station currently under construction. In addition, as discussed in Section 4.11, *Transportation*, the proposed project would have less than significant VMT impacts. These features are consistent with the overarching goals of the 2020-2045 RTP/SCS. Consistency with SCAG's 2020-2045 RTP/SCS is discussed in further detail in Section 4.6, *Greenhouse Gas Emissions*.

Beverly Hills Municipal Code

The majority of the Wilshire Boulevard District of the project site currently has a zoning designation of Commercial Zone (C-3) with a Commercial Retail Planned Development (C-R-PD) Overlay and Mixed Use Overlay. A small portion of the Wilshire Boulevard District that includes the existing 9570 Wilshire loading facility and proposed Terrace is zoned R-4-P. The majority of the Wilshire Boulevard District has a General Plan Land Use designation of Low Density General Commercial or Medium Density Retail, with a small portion that includes the existing 9570 Wilshire loading facility and proposed Terrace designated High Density Multi-Family Residential. Refer to Figures 2-4 and 2-5 of Section 2, *Project Description*, for zoning and land use designation maps of the project site. Uses permitted in the C-3 zone include a wide range of commercial uses such as restaurants, hotels, parking garages, offices, and retail. Uses permitted in the R-4-P zone include multi-family housing, ancillary retail uses (such as loading and storage), and ancillary parking facilities. The Mixed Use Overlay also permits residential units within the Wilshire Boulevard District. A floor area ratio (FAR) of 2.0:1 is authorized by the existing Commercial Zone (C-3). However, the Commercial Retail Planned Development (C-R-PD) Overlay, which is intended to facilitate existing opportunities to locate quality retail stores within this portion of the City of Beverly Hills, allows for a maximum floor area ratio (FAR) of 5.0:1 for retail department stores within the C-R-PD Zone, provided that no more than 134,600 square feet of retail department store in excess of the otherwise permissible density limits may be permitted. The C-R-PD Overlay Zone also allows a height of five stories (85 feet) for retail department stores.

The Neighborhood District of the project site is zoned Multiple Residential Zone (R-4), Multiple Residential Zone (R4-X2) and Residential Parking Zone (R-4-P). The Neighborhood District has a General Plan Land Use designation of High Density Multi-Family Residential. Uses permitted within the R-4 zone include single or multi-family housing, public library, small community care facilities, transitional and supportive housing, and housing for the elderly and handicapped. A density of one unit for every 900 sf of site area and a building height of five stories (55 feet) are currently permitted in the Neighborhood District. As proposed, the site area of the Neighborhood District would be 67,285 sf; therefore, the current zoning and land use designations would permit development of up to 75 residential units as proposed under all project Scenarios.

¹ The definition of a major transit stop includes sites containing 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 or a rail or bus rapid transit station (PRC Section 21064.3).

9600 Wilshire Boulevard Specific Plan

Under the Conceptual Plan, 261,722 sf of commercial uses would be developed within the Wilshire Boulevard District (excluding the 9570 Wilshire subarea which is not part of the Conceptual Plan). The proposed uses within the Wilshire Boulevard District under the Conceptual Plan (e.g., restaurant, boutique hotel, office, and retail), would be permitted or conditionally permitted under the current zoning and land use designations. The FAR across the Wilshire Boulevard District (excluding the 9570 Wilshire subarea) would be approximately 4.0:1, which exceeds the maximum permitted FAR of 2.0:1 of the C-3 base zone, conservatively not accounting for the additional FAR authorized by the C-R-PD Zone (discussed above) or density bonus provisions provided by State law. The (existing) Saks Rehabilitation and Parcel B buildings would be seven stories (97.5 feet) and the Parcel A building would be six stories (84.5 feet), exceeding the current height restrictions. In the Neighborhood District, a total of 68 residential units and 10,581 sf of ground floor small shop/boutique retail would be developed. The proposed buildings would be six-stories (approximately 73 to 75 feet) in height. The 68 residential units proposed would be permitted under the current zoning and land use designations, as would the small shop/boutique retail uses proposed on the West Residential subarea through approval of a Planned Development Application. However, the proposed small shop/boutique retail proposed in the Neighborhood District, as well as the proposed building heights, would not be permitted under the current zoning and land use designations.

Under Specific Plan Buildout Scenario 1 (No Residential Conversion), 400,000 sf of commercial floor area would be included within the Wilshire Boulevard District. The uses contemplated within the Wilshire Boulevard District under Specific Plan Buildout Scenario 1 (refer to Table 2-3 in Section 2, *Project Description*), would be permitted or conditionally permitted under the current zoning and land use designations. The total FAR across the Wilshire Boulevard District would be approximately 4.0:1, exceeding the currently permitted FAR of 2.0:1. The Saks Rehabilitation, 9570 Wilshire, Parcel A, and Parcel B subareas would allow seven stories (98 feet) in height, exceeding the current height restrictions. The existing 9570 Wilshire Building is not being modified under the proposed Conceptual Plan, as noted in Section 2, *Project Description*. In the Neighborhood District, 70 residential units and 15,000 sf of ground floor small shop/boutique retail would be developed. The proposed buildings would be six-stories (78 feet) in height. The 70 residential units proposed would be permitted under the current zoning and land use designations. However, the proposed small shop/boutique retail proposed in the Neighborhood District, as well as the proposed building heights, would not be permitted under the current zoning and land use designations.

Under Specific Plan Buildout Scenario 2 (Maximum Residential Conversion), 250,000 sf of commercial floor area and 75 residential conversion units (150,000 sf of floor area) would be included in the Wilshire Boulevard District. The uses contemplated within the Wilshire Boulevard District under Specific Plan Buildout Scenario 2 (Maximum Residential Conversion) (refer to Table 2-3 in Section 2, *Project Description*), would be permitted or conditionally permitted under the current zoning and land use designations. The total FAR across the Wilshire Boulevard District would be approximately 4.0:1, exceeding the currently permitted FAR of 2.0:1. The Saks Rehabilitation, 9570 Wilshire, Parcel A, and

Parcel B subareas would allow seven stories (98 feet) in height, exceeding the current height restrictions. The existing 9570 Wilshire Building is not being modified under the proposed Conceptual Plan as noted in Section 2, *Project Description*. The uses contemplated within the Wilshire Boulevard District under Specific Plan Buildout Scenario 2 (Maximum Residential Conversion) (refer to Table 2-3 in Section 2, *Project Description*), would be permitted or conditionally permitted under the current zoning and land use designations. In the Neighborhood District, 70 residential units and 15,000 sf of ground floor small shop/boutique retail would be developed. The buildings would be six-stories (78 feet) in height. The 70 residential units proposed would be permitted under the current zoning and land use designations. However, the proposed small shop/boutique retail proposed in the Neighborhood District, as well as the proposed building heights, would not be permitted under the current zoning and land use designations.

Although the proposed development under all three scenarios exceeds the current height limitations and FAR authorized by the base zones (conservatively not accounting for the additional FAR and height provided for by the applicable Overlay Zones discussed above and applicable State density bonus law), the project proposes the adoption of the 9600 Wilshire Boulevard Specific Plan, which would facilitate the orderly and efficient development of the project site by, among other things, establishing permitted uses and size, height, and density limits, amongst other requirements. Under the 9600 Wilshire Boulevard Specific Plan, up to a total of 400,000 sf of commercial use within the Wilshire Boulevard District (with the option to utilize a portion of the square footage for up to 75 residential conversion units) and 70 residential units and 15,000 sf of retail use within the Neighborhood District would be permitted. In addition, a total FAR of 3.7:1 would be permitted across the project site and building heights up to 98 feet and 78 feet would be permitted in the Wilshire Boulevard District and Neighborhood District, respectively. With adoption of the 9600 Wilshire Boulevard Specific Plan, the proposed development under all three buildout scenarios would be permitted. Furthermore, the project under all three buildout scenarios would be developed in accordance with the requirements of the Fire Code pertaining to fire safety, as set forth in BHMC Title 9, Chapter 2.

Vehicle parking spaces on the project site would be provided in the existing 309-space subterranean parking structure in the 9570 Wilshire subarea and a second proposed subterranean parking structure. The Specific Plan would establish parking requirements based on BHMC Sections 10-3-2730 and 10-3-2816 or, at the election of an Applicant, through a shared parking analysis, including derived parking rates, and parking management plan prepared at the Applicant's expense and approved by the City to ensure that parking is sufficient and efficiently arranged. Based on the BHMC standards, a total of 889 vehicle parking spaces should be provided in the Conceptual Plan (excluding the existing 309 parking spaces at the 9570 Wilshire subarea). The Conceptual Plan would include 937 parking spaces and would meet the proposed Specific Plan and BHMC standards. The vehicle parking space needs for Specific Plan Buildout Scenarios 1 (No Residential Conversion) and 2 (Maximum Residential Conversion) would be determined at the conceptual plan stage, in accordance with the standards of the BHMC or through a shared parking analysis. Any shared parking analysis would be required to account for the

9600 Wilshire Boulevard Specific Plan

array of potential uses and establish appropriate minimum parking requirements to address the potential of parking spillover onto public streets in the vicinity of the project site. Furthermore, pursuant to PRC Section 21099 (d)(1), the project's parking impacts shall not be considered a significant impact on the environment if (1) the project is a residential, mixed-use residential, or employment center project, and (2) the project is located on an infill site within a transit priority area, both of which conditions apply to the proposed project.

In summary, with approval of the requested discretionary actions outlined in Section 2, *Project Description*, including the establishment of the Specific Plan, the project would not conflict with the applicable provisions of the BHMC.

Mitigation Measures

The project's impact related to conflicts with land use plans were determined to be less than significant without mitigation. Therefore, no mitigation measures would be required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

4.8.4 Cumulative Impacts

Cumulative development would incrementally modify land use patterns and the general setting of the area. There are 29 planned and pending projects in the City of Beverly Hills within the vicinity of the project site. These developments include retail/commercial, multi-family dwelling units, office, restaurant, and hotel (refer to Table 3-1 and Figure 3-1 in Section 3, *Environmental Setting*). In particular, Cumulative Project Nos. 1, 15, 18, 19, and 20 are located in close proximity to the project site (within 0.25 mile).

Cumulative Project No. 1 includes a mix of retail and office space and is located at 370 North Beverly Drive, approximately 740 feet northeast of the project site. This would not conflict with the land use pattern or general setting of the area as it includes compatible infill development in a commercial area. Cumulative Project No. 15 is located at 124-129 South Linden Drive, approximately 1,000 feet west of the project site, and includes a mixed-use development of residential, hotel, and restaurant uses to be governed by a specific plan. Although Cumulative Project No. 15 would require a General Plan and zoning amendment to implement the specific plan, it would not conflict with the land use pattern of the area or result in a cumulative land use impact, as it would occur at an infill site in an area developed with commercial and higher-density multifamily residential uses. Cumulative Project No. 18 is located at 319 North Rodeo Drive, approximately 430 feet north of the project site, and includes retail use. This project would not substantially alter the character or uses in the immediate area, which consists of retail development. Cumulative Project No. 19 is located at 370 North Rodeo Drive, approximately 90 feet northeast of the project site, and consists of infill retail development in a retail area. Lastly, Cumulative Project No. 20 is located at 400-408 North Rodeo Drive, approximately 900 feet north of the project site, and consists of infill commercial development in a commercial area.

Like the proposed project, these cumulative projects would be infill development compatible with the surrounding uses and would generally be consistent with the setting and land use patterns of the project site vicinity. The cumulative projects would be required to comply with relevant land use policies and regulations through City review, and as applicable, CEQA review. Therefore, cumulative land use impacts would be less than significant. Moreover, because the proposed project's impacts related to land use compatibility and consistency with local plans, goals, and policies would be less than significant (as discussed above), the proposed project would not result in a cumulatively considerable contribution to the less than significant cumulative land use impacts.

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4.9 Noise

This section analyzes noise- and vibration- related impacts associated with the implementation of the proposed project, including temporary noise and vibration impacts from construction activity and long-term noise impacts from expected operation of development facilitated by the project. Other noise impacts analyzed under CEQA include potential impacts related to airport noise. This impact was found to be less than significant for the reasons set forth in the Initial Study (Appendix A) and is not discussed further in this section.

4.9.1 Regulatory Setting

State Regulations

California General Plan Guidelines

State law requires general plans to include a Noise Element under Government Code Section 65302(f). The California General Plan Guidelines, published by the Governor's Office of Planning and Research, indicate acceptable, specific land use types in areas with specific noise exposure. The guidelines also offer adjustment factors that may be used to arrive at noise acceptability standards that reflect the noise control goals of the community, the community's sensitivity to noise, and the community's assessment of the relative importance of noise pollution. These guidelines are advisory, and local jurisdictions have the authority to set specific noise standards based on local conditions.

California Building Code

California Code of Regulations Title 24, Building Standards Administrative Code, Part 2, Chapter 12, and the California Building Code codify the State noise insulation standards. These noise standards apply to new construction in California to control interior noise levels as they are affected by exterior noise sources and interior noise sources from separate areas. The regulations specify that interior noise levels shall not exceed 45 dB CNEL/L_{dn} in any habitable room, as well as specifying sound transmission class requirements for walls, floors, and ceilings around sleeping units.

California Green Building Code

California Green Building Standards Code 2022 (CALGreen) Section 5.507.4, Acoustical Control, regulates construction of non-residential uses within the 65 dBA CNEL/L_{dn} contour of an airport, freeway, expressway, railroad, industrial noise source, or other fixed source. According to Section 5.507.4.1.1, "buildings exposed to a noise level of 65 dB L_{eq}(1-hr) during any hour of operation shall employ sound-resistant assemblies as determined by a prescriptive method (CALGreen Section 5.507.4.1) or performance method (CALGreen Section 5.507.4.2)."

Projects may demonstrate compliance through the prescriptive method if wall and roof-ceiling assemblies exposed to the noise source meet a composite sound transmission class (STC) rating of at least 50 or a composite outdoor/indoor transmission class (OITC) rating of no less than 40, with exterior windows of a minimum STC of 40 or OITC of 30. Projects may demonstrate compliance through the performance method if wall and roof-ceiling assemblies exposed to the noise source are constructed to provide an interior noise environment that does not exceed 50 dB L_{eq-1Hr} in occupied areas during hours of operations.

Local Regulations

Beverly Hills General Plan

The City’s General Plan Noise Element (2010) contains noise policies that address unnecessary, excessive, and annoying noise levels and sources, such as vehicles, construction, special sources (e.g., radios, musical instrument, animals) and stationary sources (e.g., heating and cooling systems, mechanical rooms). Goals and policies of the Noise Element applicable to the proposed project are as follows:

Goal N 1: Land Use Conflicts. Minimize land use conflicts between various noise sources and other human activities.

- **Policy N 1.3: Limit Hours of Commercial and Entertainment Operations.** Limit hours of commercial and entertainment operations adjacent to residential neighborhoods and other noise-sensitive receptors in order to minimize exposure to excessive noise.
- **Policy N 1.4: Limit Hours of Truck Deliveries.** Limit the hours of truck deliveries to commercial uses abutting residential neighborhoods and other noise-sensitive receptors in order to minimize exposure to excessive noise, unless there is no feasible alternative or there are overriding transportation benefits by scheduling deliveries at other hours.
- **Policy N 1.5: Noise Mitigation Measures.** Require noise mitigation measures for noise-sensitive receptors when a significant noise impact is identified. A significant noise impact occurs when there is an increase in CNEL, as shown in Table 4.9-1.

Table 4.9-1 Significance of Changes in Ambient Noise Levels

Existing Noise Exposure (dBA CNEL)	Significant Noise Increase (dBA)
55	3
60	2
65	1
70	1
Over 75	1

CNEL = Community Noise Exposure Level; dBA = A-weighted decibel

Source: City of Beverly Hills 2010

- **Policy N 1.6: Construction.** In Beverly Hills, it is against the law to operate equipment or perform any outside construction or repair work on any building, structure, pneumatic hammer, derrick, steam or electric hoist, or other construction type devices, between the hours of 6:00 p.m. of one day and 8:00 a.m. of the next day, or at any time on any public holiday so as to cause discomfort or annoyance in a residential zone, unless beforehand a permit therefore has been obtained.

Goal N 2: Motor Vehicles. Minimize motor vehicle traffic noise impacts on sensitive noise receptors.

- **Policy N 2.1: Sensitive Land Uses Adjacent to Heavy Arterials.** Require that the design of new residential or other new noise sensitive land uses within the 60 dBA and 65 dBA CNEL (and higher) roadway contours demonstrate that the project will meet interior and exterior noise standards. Require the use of interior noise insulation, double paned windows, or other noise mitigation measures, as appropriate, to achieve required standards.

Goal N 3: Non-Transportation Noise. Minimize non-transportation related noise impacts on sensitive noise receptors.

- **Policy N 3.1: Protection from Stationary Noise Sources.** Continue to enforce interior and exterior noise standards to ensure that sensitive noise receptors are not exposed to excessive noise levels from stationary noise sources such as machinery, equipment, fans, and air conditioning equipment.
- **Policy N 3.2: Regulation of Sound-amplifying Equipment.** Continue to regulate the use of sound-amplifying equipment.

Goal N 4: Construction Noise. Minimize excessive construction-related noise.

- **Policy N 4.1: Enforce Hours of Construction Activity.** Continue to enforce restrictions on hours of construction activity to minimize the impact of noise and vibration from trucks, heavy drilling equipment, and other heavy machinery on adjacent noise-sensitive receptors, particularly in and near residential areas.

The General Plan includes noise/land use compatibility guidelines for various land use categories in the city, as shown in Table 4.9-2.

Table 4.9-2 Land Use Noise Compatibility Matrix

Land Use Categories	Exterior Noise Levels - Community Noise Equivalent Level (CNEL)			
	Normally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable
Residential (Low-Density, Single-Family, Duplex, Mobile Homes)	50-60	55-70	70-75	75-85
Residential (Multiple-Family)	50-65	60-70	70-75	70-85
Transient Lodging (Hotel, Motel)	50-65	60-70	70-80	80-85
Schools, Libraries, Churches, Hospitals, Nursing Homes	50-70	60-70	70-80	80-85
Auditoriums, Concert Halls, Amphitheaters	N/A	50-70	N/A	65-85
Sports Arenas, Outdoor Spectator Sports	N/A	50-75	N/A	70-85
Playgrounds, Neighborhood Parks	50-70	N/A	67.5-75	72.5-85
Golf Courses, Riding Stables, Water Recreation, Cemeteries	50-70	N/A	70-80	80-85
Office Buildings, Business Commercial and Professional	50-75	67.5-77.5	75-85	N/A
Industrial, Manufacturing, Utilities, Agriculture	50-75	70-80	75-85	N/A

N/A = Not Applicable

Source: City of Beverly Hills 2010

Beverly Hills Municipal Code

The City’s Noise Ordinance (Beverly Hills Municipal Code [BHMC] Sections 5-1-101 through 5-1-210) includes noise standards and regulations. Title 5, Chapter 1, *Noise Regulations*, of the BHMC contains the following that would apply to the project:

5-1-201: Sound Amplifying Equipment

It shall be unlawful for any person within any residential zone of the city to use or operate any sound amplifying equipment between the hours of 10:00 p.m. and 8:00 a.m. of the following day in such a manner as to be distinctly audible at or beyond the property line of the property on which the equipment is located (Ord. 11-O-2613, eff. 10-31-2011).

5-1-202: Machinery, Equipment, Fans, and Air Conditioning

It shall be unlawful for any person to operate any machinery, equipment, pump, fan, air conditioning apparatus, or similar mechanical device in any manner so as to create any

noise which would cause the noise level at the property line of any property to exceed the ambient noise level by more than five decibels based on a reference sound pressure of 0.0002 microbars, as measured in any octave band center frequency, in cycles per second, as follows: 63, 125, 250, 500, 1,000, 2,000, 4,000, and 8,000 and for the combined frequency bands (all pass) (Ord. 11-O-2613, eff. 10-31-2011).

5-1-205: Restrictions on Construction Activity

A. No person shall engage in construction, maintenance or repair work which requires a city permit between the hours of 6:00 p.m. and 8:00 a.m. of any day, or at any time on a Sunday or holiday set forth below unless such person has been issued an after-hours construction permit issued pursuant to subsection C of this section. In addition, no person shall engage in such work within a residential zone, or within 500 feet of a residential zone, at any time on a Saturday unless such person has been issued an after-hours construction permit issued pursuant to subsection C of this section. For the purpose of this section, "holiday" shall mean:

1. New Year's Day
2. Martin Luther King Jr. Day
3. Presidents Day
4. Memorial Day
5. Independence Day
6. Labor Day
7. Yom Kippur
8. Veterans Day
9. Thanksgiving Day
10. The Friday following Thanksgiving Day
11. Christmas Day

Nothing in this section shall restrict the performance of "emergency work" as that term is defined in section 5-1-102 of this chapter.

- B. No person employed for the purposes of construction, maintenance, or repair work which requires a City permit shall enter a site on which such work will be done prior to 8:00 a.m. Any violation of this subsection shall be deemed to be an infraction.
- C. The City building official, after consultation with appropriate City officials, may issue an after-hours construction permit authorizing work and/or entrance to a work site otherwise prohibited by this section if the City building official determines that the public interest will be served by such a permit. Situations in which the public interest may be served by the issuance of such an after-hours construction permit includes, but are not limited to, construction near school grounds, and construction that may interfere with vehicular or pedestrian traffic in heavily traveled public rights-of-way.

- D. Applications for an after-hours construction permit issued pursuant to subsection C of this section shall be in writing and shall set forth how the public interest will be served by issuing the permit. An after-hours construction permit may be revoked or suspended by the city building official if the city building official determines that activity conducted pursuant to the permit detrimentally affects the public health, safety or welfare (Ord. 11-O-2613, eff. 10-31-2011).

5-1-209: Portable Gasoline Engine Powered Blowers

It shall be unlawful for any person within the City to use or operate any portable machine powered with a gasoline engine used to blow leaves, dirt, and other debris off sidewalks, driveways, lawns, or other surfaces.

4.9.2 Environmental Setting

a. Overview of Environmental Noise

Sound is a vibratory disturbance created by a moving or vibrating source, which is capable of being detected by the hearing organs (e.g., the human ear). Noise is defined as sound that is loud, unpleasant, unexpected, or undesired and may therefore be classified as a more specific group of sounds. The effects of noise on people can include general annoyance, interference with speech communication, sleep disturbance, and, in the extreme, hearing impairment (California Department of Transportation [Caltrans] 2013).

Noise levels are commonly measured in decibels (dB) using the A-weighted sound pressure level (dBA). The A-weighting scale is an adjustment to the actual sound pressure levels so that they are consistent with the human hearing response, which is most sensitive to frequencies around 4,000 Hertz and less sensitive to frequencies around and below 100 Hertz (Crocker 2007). Decibels are measured on a logarithmic scale that quantifies sound intensity in a manner similar to the Richter scale used to measure earthquake magnitudes. A doubling of the energy of a noise source, such as a doubling of traffic volume, would increase the noise level by 3 dB; similarly, dividing the energy in half would result in a decrease of 3 dB (Crocker 2007).

Human perception of noise has no simple correlation with sound energy: the perception of sound is not linear in terms of dBA or in terms of sound energy. Two sources do not “sound twice as loud” as one source. It is widely accepted that the average healthy ear can barely perceive an increase (or decrease) of up to 3 dBA in noise levels (i.e., twice [or half] the sound energy); that a change of 5 dBA is readily perceptible; and that an increase (or decrease) of 10 dBA sounds twice (or half) as loud (Crocker 2007).

Sound changes in both level and frequency spectrum as it travels from the source to the receiver. The most obvious change is the decrease in sound level as the distance from the source increases. The manner by which noise reduces with distance depends on factors such as the type of sources (e.g., point or line), the path the sound will travel, site conditions, and obstructions. Noise levels from a point source (e.g., construction, industrial machinery, ventilation units) typically attenuate, or drop off, at a rate of 6 dBA per doubling

of distance. Noise from a line source (e.g., roadway, pipeline, railroad) typically attenuates at about 3 dBA per doubling of distance (Caltrans 2013). The propagation of noise is also affected by the intervening ground, known as ground absorption. A hard site, such as a parking lot or smooth body of water, receives no additional ground attenuation and the changes in noise levels with distance (i.e., the drop-off rate) result simply from the geometric spreading of the source. An additional ground attenuation value of 1.5 dBA per doubling of distance applies to a soft site (e.g., soft dirt, grass, or scattered bushes and trees) (Caltrans 2013). Noise levels may also be reduced by intervening structures; the amount of attenuation provided by this “shielding” depends on the size of the object and the frequencies of the noise levels. Natural terrain features, such as hills and dense woods, and man-made features, such as buildings and walls, can significantly alter noise levels. Generally, any large structure blocking the line of sight will provide at least a 5-dBA reduction in source noise levels at the receiver (Federal Highway Administration [FHWA] 2011). Structures can substantially reduce occupants’ exposure to noise as well. The FHWA’s guidelines indicate that modern building construction generally provides an exterior-to-interior noise level reduction of 20 to 35 dBA with closed windows.

The impact of noise is not a function of sound level alone. The time of day when noise occurs and the duration of the noise are also important. Most noise that lasts for more than a few seconds is variable in its intensity. Consequently, a variety of noise descriptors have been developed. One of the most frequently used noise metrics is the equivalent noise level (L_{eq}); it considers both duration and sound power level. The L_{eq} is defined as the single steady A-weighted level equivalent to the same amount of energy as that contained in the actual fluctuating levels over a period of time. Typically, the L_{eq} is summed over a one-hour period. The L_{max} is the highest root mean squared (RMS) sound pressure level within the sampling period, and the L_{min} is the lowest RMS sound pressure level within the measuring period (Crocker 2007). Normal conversational levels are in the 60 to 65 dBA L_{eq} range; ambient noise levels greater than 65 dBA L_{eq} can interrupt conversations (Federal Transit Administration [FTA] 2018). Figure 4.9-1 provides examples of A-weighted noise levels from common sounds.

Noise that occurs at night tends to be more disturbing than that occurring during the day. Community noise is usually measured using Day-Night Average Level (DNL), which is the 24-hour average noise level with a +10 dBA penalty for noise occurring during nighttime hours (10:00 p.m. to 7:00 a.m.). Community noise can also be measured using Community Noise Equivalent Level (CNEL), which is the 24-hour average noise level with a +5 dBA penalty for noise occurring from 7:00 p.m. to 10:00 p.m. and a +10 dBA penalty for noise occurring from 10:00 p.m. to 7:00 a.m. (Caltrans 2013). Noise levels described by DNL and CNEL usually differ by about 1 dBA. Quiet suburban areas typically have CNEL noise levels in the range of 40 to 50 CNEL, while areas near arterial streets are in the 50 to 70+ CNEL range. There is no precise way to convert a peak hour L_{eq} to DNL or CNEL - the relationship between the peak hour L_{eq} value and the DNL/CNEL value depends on the distribution of traffic volumes during the day, evening, and night.

b. Overview of Groundborne Vibration

Groundborne vibration of concern in environmental analysis consists of the oscillatory waves that move from a source through the ground to adjacent structures. The number of cycles per second of oscillation makes up the vibration frequency, described in terms of Hertz. The frequency of a vibrating object describes how rapidly it oscillates. The normal frequency range of most groundborne vibration that can be felt by the human body is from a low of less than 1 Hertz up to a high of about 200 Hertz (Crocker 2007). Typically, groundborne vibration generated by human activities attenuates rapidly with distance from the source of the vibration.

While people have varying sensitivities to vibrations at different frequencies, in general they are most sensitive to low-frequency vibration. Vibration in buildings, such as from nearby construction activities, may cause windows, items on shelves, and pictures on walls to rattle. Vibration of building components can also take the form of an audible low-frequency rumbling noise, referred to as groundborne noise. Groundborne noise is usually only a problem when the originating vibration spectrum is dominated by frequencies in the upper end of the range (60 to 200 Hertz), or when foundations or utilities, such as sewer and water pipes, physically connect the structure and the vibration source (FTA 2018). Although groundborne vibration is sometimes noticeable in outdoor environments, it is almost never annoying to people who are outdoors. The primary concern from vibration is that it can be intrusive and annoying to building occupants and vibration-sensitive land uses.

Vibration energy spreads out as it travels through the ground, causing the vibration level to diminish with distance away from the source. High-frequency vibrations diminish much more rapidly than low frequencies, so low frequencies tend to dominate the spectrum at large distances from the source. Discontinuities in the soil strata can also cause diffractions or channeling effects that affect the propagation of vibration over long distances (Caltrans 2020). When a building is impacted by vibration, a ground-to-foundation coupling loss will usually reduce the overall vibration level. However, under rare circumstances, the ground-to-foundation coupling may actually amplify the vibration level due to structural resonances of the floors and walls.

Figure 4.9-1 A-Weighted Decibel Scale

Common Outdoor Activities	Noise Level (dBA)	Common Indoor Activities
	—110—	Rock Band
Jet Fly-over at 100 feet		
	—100—	
Gas Lawnmower at 3 feet		
	—90—	
		Food Blender at 3 feet
Diesel Truck going 50 mph at 50 feet	—80—	Garbage Disposal at 3 feet
Noisy Urban Area During Daytime		
Gas Lawnmower at 100 feet	—70—	Vacuum Cleaner at 10 feet
Commercial Area		Normal Speech at 3 feet
Heavy Traffic at 300 feet	—60—	
		Large Business Office
Quiet Urban Area During Daytime	—50—	Dishwasher in Next Room
Quiet Urban Area During Nighttime	—40—	Theater, Large Conference Room (background)
Quiet Suburban Area During Nighttime		
	—30—	Library
Quiet Rural Area During Nighttime		Bedroom at Night, Concert Hall (background)
	—20—	
		Broadcast/Recording Studio
	—10—	
Threshold of Human Hearing	—0—	Threshold of Human Hearing

Source: City of Beverly Hills 2010

Vibration amplitudes are usually expressed in peak particle velocity (PPV). The PPV is normally described in inches per second (in/sec). PPV is defined as the maximum instantaneous positive or negative peak of a vibration signal. PPV is often used in monitoring of blasting vibration and other construction activity because it is related to the stresses that are experienced by buildings (Caltrans 2020). Table 4.9-3 summarizes the vibration damage criteria recommended by the FTA for evaluating the potential for architectural damage to buildings.

Table 4.9-3 Criteria for Vibration Damage Potential

Building Category	PPV (in/sec)
I. Reinforced concrete, steel, or timber (no plaster)	0.5
II. Engineered concrete and masonry (no plaster)	0.3
III. Nonengineered timber and masonry buildings	0.2
IV. Buildings extremely susceptible to vibration damage	0.12

in/sec = inches per second; PPV = peak particle velocity

Source: FTA 2018

Sensitive Receivers

Noise exposure goals for various types of land uses reflect the varying noise sensitivities associated with those uses. The Beverly Hills General Plan Noise Element identifies noise-sensitive land uses as those uses that have associated human activities that may be subject to stress or significant interference from noise, such as residences (including residences for the elderly), schools, churches, and libraries (City of Beverly Hills 2010). The closest noise-sensitive receivers are multi-family residences located adjacent to the project's southern boundary along Bedford Drive, South Peck Drive, and South Camden Drive and multi-family residences located adjacent to the project's eastern boundary along South Camden Drive. In addition, the Good Shepard Catholic School is located approximately 750 southwest of the project site.

Vibration-sensitive receivers, which are similar to noise-sensitive receivers, include residences and institutional uses, such as schools, churches, and hospitals. However, vibration-sensitive receivers also include fragile/historic-era buildings and buildings where vibrations may interfere with vibration-sensitive equipment that is affected by vibration levels that may be well below those associated with human annoyance (e.g., recording studios or medical facilities with sensitive equipment). The nearest vibration-sensitive receivers include the noise-sensitive receivers discussed above in addition to the on-site Saks Rehabilitation Building.

Existing Noise Environment

The dominant noise source in the project area is traffic on Wilshire Boulevard. Secondary noise sources include commercial noises such as delivery trucks and residential noises such as voices and property maintenance. To characterize ambient noise levels in the project

vicinity, the following three short-term (15--minute; ST) and three long-term (24-hour; LT) noise level measurements were conducted on May 30 and May 31, 2023:

- ST-1 - conducted at the northern project boundary, in front of the existing Saks building, to capture ambient noise levels attributable to Wilshire Boulevard
- ST-2 - conducted in front of the residences east of the project site along South Camden Drive to capture ambient noise levels at these residences
- ST-3 - conducted in front of the residences adjacent to the southwest of the project site, along Bedford Drive, to capture ambient noise levels at these residences
- LT-1 - conducted at the northern project boundary in front of the existing Saks building to capture ambient noise levels attributable to Wilshire Boulevard
- LT-2 - conducted at the alleyway separating the proposed Neighborhood West from the residences to the south along Bedford Drive and South Peck Drive to capture ambient noise in the vicinity of these residences
- LT-3 - conducted at the southern property line adjacent to the proposed Neighborhood East subarea to capture ambient noise level in the vicinity of the existing residences south of the project site

The sound level meters were equipped with a windscreen during measurements. The sound level meters used for noise monitoring (Extech 407780A) satisfy the American National Standards Institute (ANSI) standard for Type 2 instrumentation. The sound level meters were set to “slow” response and “A” weighting (dBA). The meters were calibrated before and after the monitoring period. All measurements were at least five feet above the ground and away from reflective surfaces. Table 4.9-4 summarizes the results of the short-term measurements, and Table 4.9-5, Table 4.9-6, and Table 4.9-7 summarize the results of the long-term measurements. The noise measurement locations are shown in Figure 4.9-2.

Table 4.9-4 Short-Term Noise Measurement Results

Measurement Location	Measurement Location	Sample Times	Approximate Distance to Primary Noise Source	L _{eq} (dBA)	L _{min} (dBA)	L _{max} (dBA)
ST-1	Northern project boundary, in front of the existing Saks building	9:02 – 9:17 p.m.	Approximately 35 feet to Wilshire Boulevard centerline	70	57	83
ST-2	Residences to the east, along South Camden Drive	9:22 – 9:37 a.m.	Approximately 25 feet to South Camden Drive centerline	59	46	70
ST-3	Residences to the southwest, along Bedford Drive	9:41 – 9:56 p.m.	Approximately 30 feet to Bedford Drive centerline	61	44	79

dBA = A-weighted decibels; L_{eq} = equivalent noise level; L_{min} = minimum noise level, L_{max} = maximum noise level
 See Figure 4.9-2 for approximate noise measurement locations and Appendix F for full noise measurement details.

Table 4.9-5 LT-1 24-hour Noise Measurement Results (May 30-31, 2023)

Sample Time	dBA L_{eq}	Sample Time	dBA L_{eq}
8:48 a.m.	73	8:48 p.m.	71
9:48 a.m.	74	9:48 p.m.	68
10:48 a.m.	73	10:48 p.m.	71
11:48 a.m.	76	11:48 p.m.	67
12:48 p.m.	76	12:48 a.m.	63
1:48 p.m.	72	1:48 a.m.	60
2:48 p.m.	77	2:48 a.m.	62
3:48 p.m.	74	3:48 a.m.	68
4:48 p.m.	73	4:48 a.m.	72
5:48 p.m.	74	5:48 a.m.	73
6:48 p.m.	72	6:48 a.m.	76
7:48 p.m.	71	7:48 a.m.	73
24-hour Noise Level (dBA CNEL)			77

dBA = A-weighted decibels; L_{eq} = equivalent noise level; CNEL = community equivalent noise level

See Figure 4.9-2 for approximate noise measurement locations and Appendix F for full noise measurement details.

Table 4.9-6 LT-2 24-hour Noise Measurement Results (May 30-31, 2023)

Sample Time	dBA L_{eq}	Sample Time	dBA L_{eq}
9:58 a.m.	53	9:58 p.m.	46
10:58 a.m.	52	10:58 p.m.	46
11:58 a.m.	52	11:58 p.m.	44
12:58 p.m.	53	12:58 a.m.	43
1:58 p.m.	57	1:58 a.m.	41
2:58 p.m.	53	2:58 a.m.	44
3:58 p.m.	55	3:58 a.m.	44
4:58 p.m.	56	4:58 a.m.	45
5:58 p.m.	55	5:58 a.m.	48
6:58 p.m.	54	6:58 a.m.	53
7:58 p.m.	48	7:58 a.m.	52
8:58 p.m.	45	8:58 a.m.	51
24-hour Noise Level (dBA CNEL)			55

dBA = A-weighted decibels; L_{eq} = equivalent noise level; CNEL = community equivalent noise level

See Figure 4.9-2 for approximate noise measurement locations and Appendix F for full noise measurement details.

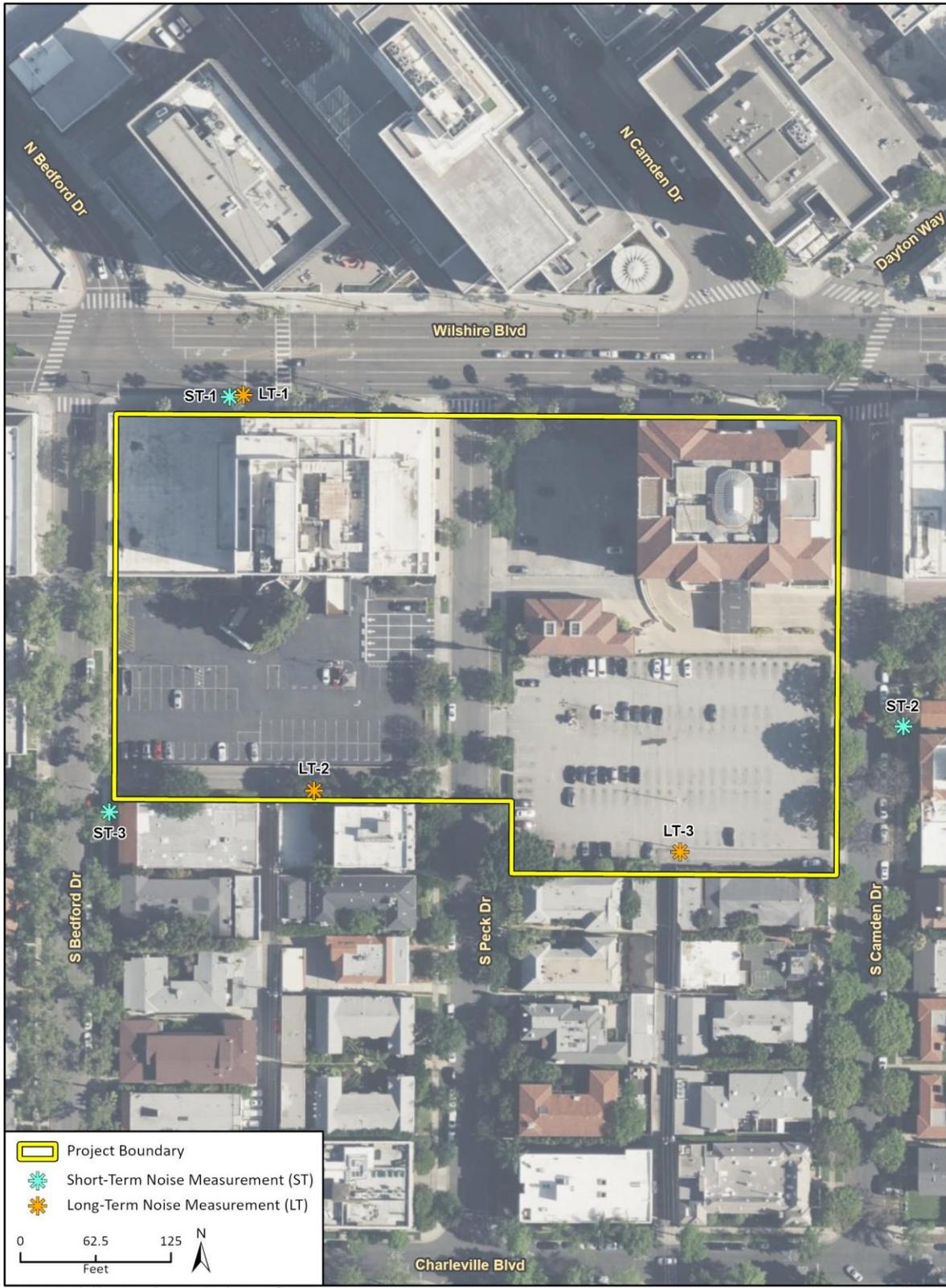
Table 4.9-7 LT-3 24-hour Noise Measurement Results (May 30-31, 2023)

Sample Time	dBA L_{eq}	Sample Time	dBA L_{eq}
8:29 a.m.	60	8:29 p.m.	50
9:29 a.m.	53	9:29 p.m.	61
10:29 a.m.	55	10:29 p.m.	51
11:29 a.m.	52	11:29 p.m.	47
12:29 p.m.	55	12:29 a.m.	48
1:29 p.m.	55	1:29 a.m.	50
2:29 p.m.	57	2:29 a.m.	46
3:29 p.m.	55	3:29 a.m.	47
4:29 p.m.	52	4:29 a.m.	54
5:29 p.m.	53	5:29 a.m.	50
6:29 p.m.	55	6:29 a.m.	54
7:29 p.m.	54	7:29 a.m.	56
24-hour Noise Level (dBA CNEL)			59

dBA = A-weighted decibels; L_{eq} = equivalent noise level; CNEL = community equivalent noise level

See Figure 4.9-2 for approximate noise measurement locations and Appendix F for full noise measurement details.

Figure 4.9-2 Noise Measurement Locations



4.9.3 Impact Analysis

a. Significance Thresholds and Methodology

Significance Thresholds

The proposed project would have a potentially significant impact if it were to result in one or more of the following:

- 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, expose people residing or working in the project area to excessive noise levels.

As described in the Initial Study for the proposed project, the proposed project would have a less than significant impact related to airport noise (Threshold c). Therefore, this issue is not addressed further in the EIR.

Construction Noise

Per BHMC Section 5-1-205, construction activities are limited to the hours of 8:00 a.m. and 6:00 p.m., Monday through Friday (excluding public holidays) within 500 feet of a residential zone unless the City has issued an after-hours construction permit for the project. Consistent with the approach of previous environmental documentation, construction noise would be significant if construction activities occurring on the project site result in a noise increase of five dBA or more outside the hours permitted by the City's noise ordinance at the project site (i.e., between 6:00 p.m. and 8:00 a.m. on weekdays, or at any time on Saturday, Sunday, or a public holiday) or would increase noise by five dBA or more during daytime hours at a school, hospital, church, or institute of learning.

Because haul truck trips generated by buildout of the project would be on the local street network (i.e., Bedford Drive, Camden Drive, and Wilshire Boulevard), noise from haul truck trips are measured against the same significance thresholds as project-generated operational traffic. Therefore, haul trip noise along Bedford Drive, Camden Drive, and Wilshire Boulevard would be significant if it would cause a noise increase equal to or exceeding the levels described in Policy N 1.5 of the City's General Plan Noise Element, which are summarized in Table 4.9-1. As shown in Table 4.9-5, Table 4.9-6, and Table 4.9-7, existing 24-hour traffic noise levels on Wilshire Boulevard, Bedford Drive, and Camden Drive are approximately 77 dBA CNEL, 55 dBA CNEL and 59 dBA CNEL, respectively. Therefore, based on the thresholds in Table 4.9-1 and existing ambient noise levels of greater than 75 CNEL in the vicinity of Wilshire Boulevard, project operation would generate a significant impact if noise levels at the property line of nearest sensitive receivers in the vicinity of

Wilshire Boulevard increase by more than 1 dBA CNEL. Based on thresholds in Table 4.9-1 and existing ambient noise levels of 55 dBA to 59 dBA CNEL in the vicinity of Bedford Drive and Camden Drive, project operation would generate a significant impact if noise levels at the property line of nearest sensitive receivers in the vicinity of Bedford Drive and Camden Drive increase by more than 3 dBA CNEL.

On-site Operational and Off-Site Traffic Noise

Consistent with the approach of previous environmental documentation, operational noise generated by the proposed project would be significant if it would exceed the noise level limits specified in Policy N 1.5 of the City's current General Plan Noise Element (see Table 4.9-1). As shown in Table 4.9-5, Table 4.9-6, and Table 4.9-7, existing 24-hour traffic noise levels on Wilshire Boulevard, Bedford Drive, and Camden Drive are approximately 77 dBA CNEL, 55 dBA CNEL and 59 dBA CNEL, respectively. Therefore, based on the thresholds in Table 4.9-1 and existing ambient noise levels of greater than 75 CNEL in the vicinity of Wilshire Boulevard, project operation would generate a significant impact if noise levels at the property line of nearest sensitive receivers in the vicinity of Wilshire Boulevard increase by more than 1 dBA CNEL. Based on thresholds in Table 4.9-1 and existing ambient noise levels of 55 dBA to 59 dBA CNEL in the vicinity of Bedford Drive and Camden Drive, project operation would generate a significant impact if noise levels at the property line of nearest sensitive receivers in the vicinity of Bedford Drive and Camden Drive increase by more than 3 dBA CNEL.

Groundborne Vibration

The City has not adopted a significance threshold to assess vibration impacts during construction and operation. Therefore, the *Transit Noise and Vibration Impact Assessment Manual* (FTA 2018) was used to evaluate potential construction vibration impacts related to potential building damage. Construction vibration impacts from development facilitated by the project would be significant if vibration levels exceed the FTA criteria shown in Table 4.9-3. For example, impacts would normally be significant if vibration levels exceed 0.2 in/sec PPV for residential structures and 0.3 in/sec PPV for commercial structures. This is the limit where minor cosmetic (i.e., non-structural) damage may occur to these buildings. However, groundborne vibration would also have the potential to impact structures near a site with historic significance at lower levels. Therefore, for a conservative analysis to these buildings, construction vibration impacts would be significant if vibration levels exceed 0.12 in/sec PPV for extremely fragile historic buildings, as shown in Table 4.9-3.

Methodology

As described in Section 2, *Project Description*, this EIR analyzes the environmental effects of buildout of the Specific Plan at a programmatic level including with and without the Residential Conversion Units. This EIR also performs a project level review of the proposed Conceptual Plan. The proposed Conceptual Plan and the two Specific Plan build-out scenarios are summarized below:

- **Conceptual Plan Buildout:** Consistent with the description provided under Section 2.5.2, *Conceptual Plan*, the Wilshire Boulevard District would consist of approximately 261,722 square feet (sf) of commercial space, in addition to the continued commercial use of the existing 107,000 sf at 9570 Wilshire. Additionally, the Neighborhood District would have 68 residential units and 10,581 sf of ground floor Small Shop/Boutique Retail.
- **Specific Plan Buildout Scenario 1, Maximum Buildout of the Specific Plan with No Residential Conversion:** Consistent with the description provided under Section 2.5.1.1, *Floor Area*, in addition to approximately 107,000 sf of commercial uses at 9570 Wilshire, the Wilshire Boulevard District would contain 293,000 sf of commercial uses of which 166,000 sf would be net new floor area. The Neighborhood District would contain 70 residential units and 15,000 sf of ground floor Small Shop/Boutique Retail.
- **Specific Plan Buildout Scenario 2, Maximum Buildout of the Specific Plan with Maximum Residential Conversion:** 250,000 sf of commercial floor area (which includes approximately 107,000 sf of existing floor area at 9570 Wilshire) would be included in the Wilshire Boulevard District, of which 16,000 sf would be net new floor area. As contemplated in the Specific Plan, 75 Residential Conversion Units consisting of 150,000 sf of floor area located above the ground floor would be developed across the Saks Rehabilitation and Parcel B subareas. In addition (and consistent with Specific Plan Buildout Scenario 1), 70 residential units and 15,000 sf of ground floor Small Shop/Boutique Retail would be developed in the Neighborhood District. This scenario assumes that no Residential Conversion Units would be developed on the 9570 Wilshire subarea, because while permissible in concept pursuant to the proposed Specific Plan, express findings under a conditional use permit, which the Applicant is not seeking at this time, and additional environmental review and clearance would be required in order to authorize any such conversion to be made. A total of 265,000 sf of commercial uses and 145 residential units would be developed across the site.

The same types of land uses and sustainability features would be included in all three buildout scenarios and the three scenarios share the same footprint of development, general construction characteristics, such as construction timeline, disturbance area, equipment list, and excavation quantities. Therefore, on-site construction noise (Threshold a.) and vibration impacts (Threshold b.) would be consistent across the three scenarios, and these impacts are addressed for the project as a whole. Due to the slightly differing vendor trips during construction across the three scenarios, off-site construction noise is quantified for each scenario separately and the significance finding is made based on the scenario with the greatest potential for impacts (Threshold a.). On-site operational noise sources would also be consistent across the three scenarios, and the potential for on-site operational noise to result in impacts is addressed for the project as a whole (Threshold a.). Due to the differing amounts and types of land uses, vehicle trips would vary across the three scenarios, and off-site traffic noise is analyzed separately for each scenario, with the significance finding based on the scenario with the greatest potential for impacts (Threshold a.). The methodology for the construction noise and vibration and operational noise analyses are further described below.

Construction Noise

Construction noise was estimated using the FHWA Roadway Construction Noise Model (RCNM) (FHWA 2006). RCNM predicts construction noise levels for a variety of construction operations based on empirical data and the application of acoustical propagation formulas. Using RCNM, construction noise levels were estimated at noise sensitive receptors near the project site. RCNM provides reference noise levels for standard construction equipment, with an attenuation rate of 6 dBA per doubling of distance for stationary equipment.

Variation in power imposes additional complexity in characterizing the noise source level from construction equipment. Power variation is accounted for by describing the noise at a reference distance from the equipment operating at full power and adjusting it based on the duty cycle of the activity to determine the L_{eq} of the operation (FHWA 2006). Each phase of construction has a specific equipment mix, depending on the work to be accomplished during that phase. Each phase also has its own noise characteristics; some have higher continuous noise levels than others, and some have high impact (i.e., instantaneous) noise levels.

Construction activity would generate temporary noise in the project site vicinity, exposing surrounding nearby receptors to increased noise levels. Construction noise would typically be higher during the heavier periods of initial construction (i.e., utility relocation, demolition, and excavation) and would be lower during the later construction phases (i.e., paving and architectural coating). Typical heavy construction equipment could include dozers, loaders, and excavators. It is assumed diesel engines would power all construction equipment. Construction equipment would not all operate at the same time or location. In addition, construction equipment would not be in constant use during the ten-hour operating day. Noise levels from each phase of construction were modeled in RCNM based on the equipment list provided by the project applicant. Construction activities would occur primarily between the hours of 8:00 a.m. and 6:00 p.m. on Mondays through Fridays as required by BPMC Section 5-1-205, with the exception of continuous foundation pours, which could occur between the hours of 6:00 p.m. and 8:00 a.m. and on weekends with issuance of an after-hours construction permit.

Construction of above grade structures would be located as close as 20 feet to the nearest sensitive receptors located south of the property but would typically be located at an average distance further away from these receptors due to the dynamic nature of construction, although construction of subterranean parking and underground utilities and improvements to South Drive would extend to the southern property boundary line. Construction equipment is typically dispersed in various areas of the site, with only a limited amount of equipment operating near a given location at a particular time. Page 177 of the FTA 2018 *Transit Noise and Vibration Impact Assessment* document recommends evaluating construction noise impacts from the center of the construction site, stating that the distance variable in its recommended construction noise calculation “assumes that all equipment operates at the center of the project.” Therefore, it is common, industry-standard practice to analyze average construction noise from the center of the site because this is the approximate center of where noise would be generated as equipment moves

around the site throughout the workday. In accordance with FTA recommendations, construction noise from utility relocation, demolition, and site preparation was analyzed from the center of the site, as construction equipment for these phases would be moving throughout the site and this work is consistent with the types of construction for which the FTA recommendations were issued. To provide a more conservative site-specific analysis, construction noise from building construction, paving, and architectural coating were analyzed based upon the closest proposed building to the sensitive receptors, as buildings are proposed at different locations throughout the project site. The closest sensitive receptors to the project site are the residences south of the Neighborhood West and Neighborhood East subareas and residences to the east of Neighborhood East subarea.

Demolition, grading, and building construction activities would also require the use of hauling and vendor trucks, which would intermittently generate noise along roadways surrounding the project site. As discussed in Section 4.1, *Air Quality*, the proposed project would include demolition of approximately 116,445 square feet of existing structures and export of approximately 198,950 cubic yards of soil material and 2,939 cubic yards of demolition debris via haul trucks with a 14-cubic-yard capacity, according to details provided by the applicant. Table 4.9-8 summarizes the daily trip estimates for heavy-duty construction traffic for demolition debris hauling, soil hauling, and vendor deliveries for the Conceptual Plan Buildout, Specific Plan Buildout Scenario 1 (No Residential Conversion) and Specific Plan Buildout Scenario 2 (Maximum Residential Conversion).

Table 4.9-8 Heavy-Duty Construction Traffic

Trips	Conceptual Plan	Specific Plan Buildout Scenario 1 (No Residential Conversion)	Specific Plan Buildout Scenario 2 (Maximum Residential Conversion)
	One-Way Trips Per Day	One-Way Trips Per Day	One-Way Trips Per Day
Demolition Debris Haul Trips ¹	10	10	10
Soil Haul Trips ²	240	240	240
Vendor Trips (Building Construction) ¹	112	114	103

¹ Based on estimates from the California Emissions Estimator Model (see Appendix B).

² Based on haul truck capacity of 14 cubic yards.

On-Site Operational Noise

The noise sources on the project site after completion of construction are anticipated to be those that would be typical of commercial and residential developments, such as heating, ventilation, and air conditioning (HVAC) units, recreational, residential and community activities, landscaping and maintenance activities, and truck loading/unloading at the loading docks. In addition, proposed recreational and community activities such as farmers’

markets and special events at the Social Club and/or Boutique Hotel could be a source of project operational noise.

A typical HVAC system generates noise levels ranging up to 72 dBA at a distance of 3 feet. HVAC noise levels are estimated at a distance of approximately 55 feet to residences south of the project site and at a distance of approximately 100 feet to residences to the east of the project site. HVAC noise levels are reduced by 5 dBA to account for shielding from the rooftop mechanical screens that have been incorporated as an integral part of the project design. A typical loading dock generates average noise levels ranging up to 40 dBA at a distance of 50 feet (City of Industry 2012). Operation of the loading docks would be between 7:00 a.m. and 5:00 p.m. on Monday through Friday and 8:30 a.m. to 4:00 p.m. on the weekends. Loading dock noise levels are estimated at a distance of approximately 30 feet to residences south of the project site and at a distance of approximately 145 feet to residences to the east of the project site. Loading dock noise at residences to the east is reduced by 10 dBA to account for shielding from the proposed building. Recreational and community activity noise is estimated based on the anticipated number of people, whether music or speech could be amplified, and the distance to nearby residences.

Off-Site Traffic Noise

Noise affecting the project site is primarily from traffic on Wilshire Boulevard. As discussed in the Transportation Impact Report, the project would generate 4,558 daily vehicle trips under the Conceptual Plan, 9,326 daily vehicle trips under Specific Plan Buildout Scenario 1 (No Residential Conversion), and 8,106 total vehicle trips under Specific Plan Buildout Scenario 2 (Maximum Residential Conversion). Project traffic noise increases were estimated using the average daily traffic (ADT) data provided by Fehr & Peers for the project (Fehr & Peers 2023; refer to Appendix G). Roadway noise was modeled under baseline, baseline plus project, future, and future plus project conditions along Bedford Drive from north of Wilshire Boulevard to Gregory Way, Peck Drive from the project site to Gregory Way, Camden Drive from north of Wilshire Boulevard to Gregory Way, Wilshire Boulevard from Linden Drive to Beverly Drive, and Dayton Way north of Wilshire Boulevard, for all buildout scenarios with the Via modeled as open and the Via modeled as closed. These roadways were selected for modeling because they would be the most affected by project-generated traffic and capture potential roadway noise impacts to sensitive receivers.

The Via is a privately-owned, east-west accessway with public access that would provide vehicular access to the subterranean parking and loading areas within the project site. The off-site traffic noise analysis includes traffic noise increases when the Via is open to vehicular access and when the Via is closed to vehicular access. The eastern portion of the Via would be designed to be closed to vehicles during designated periods (such as for farmer's markets or other events), and to allow for the deployment of seating, tables, furnishings, tents, and other removable elements.

Groundborne Vibration

The project would not include substantial sources of vibration associated with operation because the project envisions commercial and residential development. Therefore, construction activities have the greatest potential to generate groundborne vibration affecting nearby receptors, especially during grading, excavation, and paving.

Because groundborne vibration could cause physical damage to structures and is measured in an instantaneous period, vibration impacts are typically modeled based on the distance from the location of vibration-intensive construction activities, which is conservatively assumed to be the edge of a project site, to the edge of the nearest off-site structures.

Impact of the Environment on the Project

As a result of the Supreme Court decision regarding the assessment of the environment's impacts on projects (California Building Industry Association (CBIA) v. Bay Area Air Quality Management District (BAAQMD), 62 Cal. 4th 369 (No. S 213478) issued December 17, 2015), it is not considered the purview of the CEQA process to evaluate the impact of existing environmental conditions on a proposed project. Therefore, this environmental analysis does not consider the potential impacts of the environment (i.e., existing noise) on the project.

b. Project Design Features

No project design features related to noise and vibration are included in the project.

c. Project Impacts and Mitigation Measures

Threshold 4.9a: 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?

Impact NOI-1 CONSTRUCTION OF THE PROJECT DURING THE CITY'S ALLOWED CONSTRUCTION HOURS (8:00 A.M. TO 6:00 P.M., EXCLUDING WEEKENDS AND PUBLIC HOLIDAYS) WOULD NOT GENERATE A SUBSTANTIAL TEMPORARY INCREASE IN AMBIENT NOISE LEVELS IN EXCESS OF STANDARDS ESTABLISHED IN THE LOCAL GENERAL PLAN OR NOISE ORDINANCE, OR APPLICABLE STANDARDS OF OTHER AGENCIES. CONSTRUCTION ACTIVITIES THAT OCCUR OUTSIDE THE CITY'S ALLOWED CONSTRUCTION HOURS DURING CONTINUOUS POURS WOULD RESULT IN AN INCREASE OF AT LEAST 5 dBA ABOVE AMBIENT NOISE LEVELS. IMPLEMENTATION OF MITIGATION MEASURE NOI-1 WOULD REDUCE NOISE FROM CONSTRUCTION ACTIVITIES THAT OCCUR OUTSIDE THE CITY'S ALLOWED CONSTRUCTION HOURS; HOWEVER, NOISE LEVELS WOULD STILL BE MORE THAN 5 dBA ABOVE AMBIENT NOISE LEVELS. THEREFORE, CONSTRUCTION NOISE IMPACTS WOULD BE SIGNIFICANT AND UNAVOIDABLE. PROJECT OPERATION WOULD NOT GENERATE A SUBSTANTIAL PERMANENT INCREASE IN AMBIENT NOISE LEVELS IN EXCESS OF STANDARDS ESTABLISHED IN THE CITY'S GENERAL PLAN, AND OPERATIONAL NOISE IMPACTS WOULD BE LESS THAN SIGNIFICANT.

d. Construction Impacts

On-Site Construction Noise

Under all three analysis scenarios, the footprint of development would be identical, on-site construction and grading activities would be the same, the same construction equipment would be used, and the same types of land uses would be developed as a whole. Therefore, this on-site construction noise analysis applies to three buildout scenarios.

The closest sensitive receptors to the project site are the multi-family residences to the south of the Neighborhood West subarea along Bedford Drive and South Peck Drive, multi-family residences to the south of the Neighborhood East subarea along South Peck Drive and South Camden Drive, and multi-family residences to the east of the Neighborhood East subarea along South Camden Drive. In addition, the Good Shepard Catholic School is located approximately 750 feet southwest of the project site. Over the course of a typical construction day, construction equipment would be located as close as 20 feet to the nearest sensitive receptors for above-grade construction but would typically be located at an average distance further away due to the dynamic nature of construction where equipment is mobile throughout the day. Table 4.9-9 identifies the estimated noise levels for construction at the closest sensitive receptors. Construction noise was measured from the center of project development closest to the sensitive receptors and conservatively assumed combined use of all construction equipment during each phase of construction.

Table 4.9-9 Construction Noise Levels at Sensitive Receptors

Construction Phase	Estimated Noise Levels (dBA L_{eq})		
	Residences to the South of Neighborhood West	Residences to the South of Neighborhood East	Residences to the East of Neighborhood East
Distance in feet	175	205	195
Utility Relocation	78	77	77
Demolition	77	76	76
Excavation	77	76	76
Distance in feet	95	95	195
Building Construction	81	81	75
Continuous Foundation Pour	78	78	72
Paving	80	80	74
Architectural Coating	70	70	64

dBA = A-weighted sound-pressure level. L_{eq} = equivalent noise level

Source: Roadway Construction Noise Model (RCNM). See Appendix F for modeling outputs.

Project construction would result in a significant noise impact if construction activities generate a noise level increase of 5 dBA outside the hours permitted by the City's Noise Ordinance (BHMC Section 5-1-205) or increase ambient noise levels by 5 dBA or more during daytime hours within 500 feet of a school, hospital, church, or institute of learning. As discussed above, the Good Shepard Catholic School is located 750 feet from project construction, and would not be within the 500-foot zone outlined in the City's Noise Ordinance. As shown in Table 4.9-9, construction noise levels at the nearest sensitive receptors (the residences located south of the Neighborhood West and Neighborhood East subareas and east of the Neighborhood East subarea) could be as high as 81 dBA L_{eq} during building construction. There are no schools, hospitals, churches, or institutes of learning within 500 feet of the project site. Accordingly, project construction undertaken during weekday hours between 8:00 a.m. and 6:00 p.m. would comply with the standards established in the Noise Ordinance and would result in a less than significant noise impact at the residences to the south and east.

However, certain construction activities, such as continuous foundation pours during building construction, may occur before 8:00 a.m. or after 6:00 p.m. or on weekends or holidays, which would be outside the hours permitted by the City's Noise Ordinance. It is anticipated that nighttime construction could occur for up to 27 days. As shown in Table 4.9-6 and Table 4.9-7, the lowest hourly L_{eq} between the hours of 6:00 p.m. and 8:00 a.m. at the long-term noise measurements taken near these sensitive receptors are 41 dBA L_{eq} at LT-2 and 46 dBA L_{eq} at LT-3. Construction noise generated outside of the City's permitted hours would be significant at the residences south of the Neighborhood West subarea if noise levels exceed 46 dBA L_{eq} and would be significant at the residences to the south and east of the Neighborhood East subarea if noise levels exceed 51 dBA L_{eq} (existing ambient plus 5 dBA). As shown in Table 4.9-9, construction noise levels during building construction, when continuous foundation pours would occur, would be up to 78 dBA L_{eq} at the residences south of the Neighborhood West and Neighborhood East subareas and up to 72 dBA L_{eq} at the residences east of the Neighborhood East subarea. Therefore, construction activities for the project occurring before 8:00 a.m. or after 6:00 p.m. would generate noise levels in excess of 5 dBA above ambient noise levels outside the hours permitted by the City's Noise Ordinance at the nearby residences, as shown in Table 4.9-10. Construction noise impacts during the hours of 6:00 p.m. to 8:00 a.m. would be potentially significant.

Table 4.9-10 Nighttime Construction Noise Levels at Sensitive Receptors

Construction Phase	Residences to the South of Neighborhood West (dBA Leq)¹	Residences to the South of Neighborhood East (dBA Leq)¹	Residences to the East of Neighborhood East (dBA Leq)²
Continuous Foundation Pour	78	78	72
Existing + Nighttime Construction Noise			
Existing Noise Level (Leq) ³	41	41	46
Existing Noise Level + Nighttime Construction Noise (Leq)	78	78	72
Project-Related Noise Level Increase	37	37	26
Threshold of Significance	5	5	5
Threshold Exceeded?	Yes	Yes	Yes

dBA = A-weighted sound-pressure level; Leq = Equivalent Continuous Noise Level

¹ Construction noise levels estimated at an average distance of 95 feet

² Construction noise levels estimated at an average distance of 195 feet

³ See Table 4.9-6 and Table 4.9-7 for existing ambient noise levels

See Appendix F for noise modeling outputs

Off-Site Construction Noise

Conceptual Plan

Demolition, grading, and building construction activities would also require the use of hauling and vendor trucks, which would intermittently generate noise along roadways surrounding the project site. As shown in Table 4.9-8 under Section 4.9.3a., *Significance Thresholds and Methodology*, the Conceptual Plan would require approximately 10 one-way haul trips per day during demolition, approximately 240 one-way haul trips per day during grading, and approximately 112 one-way vendor trips during building construction. Due to the configuration of the project site and potential for multiple access points, this analysis assumes that trucks would use Wilshire Boulevard, Bedford Drive, and Camden Drive to access and leave the project site. Based on ADT volumes from the Local Transportation Assessment prepared for the project by Fehr & Peers (Appendix G), for the arterial roadway segments bounding the project site (where the most haul truck trips would occur), Wilshire Boulevard (between Bedford Drive and Peck Drive) carries an ADT volume of 26,650 vehicles, Bedford Drive (between the project site and Charleville Boulevard) carries an ADT volume of 3,030 vehicles, and Camden Drive (between the project site and Charleville Boulevard) carries an ADT volume of 2,201 vehicles).

Construction activities under the Conceptual Plan would generate at most 362 daily one-way haul truck and vendor truck trips for soil export during the demolition, grading, and building construction phases (10 + 240 + 112). Construction traffic-generated noise levels along Wilshire Boulevard, Bedford Drive, and Camden Drive were estimated by adding 362

daily one-way truck trips to baseline ADT volumes along segments bounding the project site. This is a conservative approach since not all construction traffic would travel on each roadway study segment. The maximum increase to baseline noise levels with the addition of 362 daily one-way haul truck trips would be 0.7 dBA CNEL along Camden Drive between the project site and Charleville Boulevard. Therefore, haul trips from construction of the Conceptual Plan would not exceed the threshold of 3 dBA CNEL increase over ambient noise levels for sensitive receptors in the vicinity of Camden Drive. Off-site construction noise impacts from truck trips associated with the Conceptual Plan would be less than significant.

Specific Plan Buildout Scenario 1 (No Residential Conversion)

Demolition, grading, and building construction activities would also require the use of hauling and vendor trucks, which would intermittently generate noise along roadways surrounding the project site. As shown in Table 4.9-8 under Section 4.9.3a., *Significance Thresholds and Methodology*, the Specific Plan Buildout Scenario 1 (No Residential Conversion) would require approximately 10 one-way haul trips per day during demolition, approximately 240 one-way haul trips per day during grading, and approximately 114 one-way vendor trips during building construction. Due to the configuration of the project site and potential for multiple access points, this analysis assumes that trucks would use Wilshire Boulevard, Bedford Drive, and Camden Drive to access and leave the project site.

Construction activities under the Specific Plan Buildout Scenario 1 (No Residential Conversion) would generate at most 364 daily one-way haul truck and vendor truck trips for soil export during the demolition, grading, and building construction phases (10 + 240 + 114). Construction traffic-generated noise levels along Wilshire Boulevard, Bedford Drive, and Camden Drive were estimated by adding 364 daily one-way truck trips to baseline ADT volumes along segments bounding the project site, as detailed above under Conceptual Plan. The maximum increase to baseline noise levels with the addition of 364 daily one-way haul truck trips would be 0.7 dBA CNEL along Camden Drive between the project site and Charleville Boulevard. Therefore, haul trips from construction of the Specific Plan Buildout Scenario 1 (No Residential Conversion) would not exceed the threshold of 3 dBA CNEL increase over ambient noise levels for sensitive receptors in the vicinity of Camden Drive. Off-site construction noise impacts from truck trips associated with the Specific Plan Buildout Scenario 1 (No Residential Conversion) would be less than significant.

The Specific Plan Buildout Scenario 2 (Maximum Residential Conversion) demolition, grading, and building construction activities would also require the use of hauling and vendor trucks, which would intermittently generate noise along roadways surrounding the project site. As shown in Table 4.9-8 under Section 4.9.3a., *Significance Thresholds and Methodology*, the Specific Plan Buildout Scenario 2 (Maximum Residential Conversion) would require approximately 10 one-way haul trips per day during demolition, approximately 240 one-way haul trips per day during grading, and approximately 103 one-way vendor trips during building construction. Due to the configuration of the project site and potential for multiple access points, this analysis assumes that trucks would use Wilshire Boulevard, Bedford Drive, and Camden Drive to access and leave the project site.

Construction activities under the Specific Plan Buildout Scenario 2 (Maximum Residential Conversion) would generate at most 353 daily one-way haul truck and vendor truck trips for soil export during the demolition, grading, and building construction phases (10 + 240 + 103). Construction traffic-generated noise levels along Wilshire Boulevard, Bedford Drive, and Camden Drive were estimated by adding 353 daily one-way truck trips to baseline ADT volumes along segments bounding the project site, as detailed above under Conceptual Plan. The maximum increase to baseline noise levels with the addition of 353 daily one-way haul truck trips would be 0.6 dBA CNEL along Camden Drive between the project site and Charleville Boulevard. Therefore, haul trips from construction of the Specific Plan Buildout Scenario 2 (Maximum Residential Conversion) would not exceed the threshold of 3 dBA CNEL increase over ambient noise levels for sensitive receptors in the vicinity of Camden Drive. Off-site construction noise impacts from truck trips associated with the Specific Plan Buildout Scenario 2 (Maximum Residential Conversion) would be less than significant.

Operational Impacts

On-Site Operational Noise

Under all three analysis scenarios, the footprint of development would be identical, and the same types of land uses would be developed as a whole. The location of the primary on-site operational noise sources, the HVAC equipment and the loading dock, would be in the same location under all three scenarios. Therefore, the on-site operational noise analysis below applies to all three buildout scenarios. Commercial loading docks within the Specific Plan Area would be operated consistent with the existing hour range of Monday through Friday between 7:00 a.m. and 5:00 p.m. and weekends between 8:30 a.m. and 4:00 p.m.

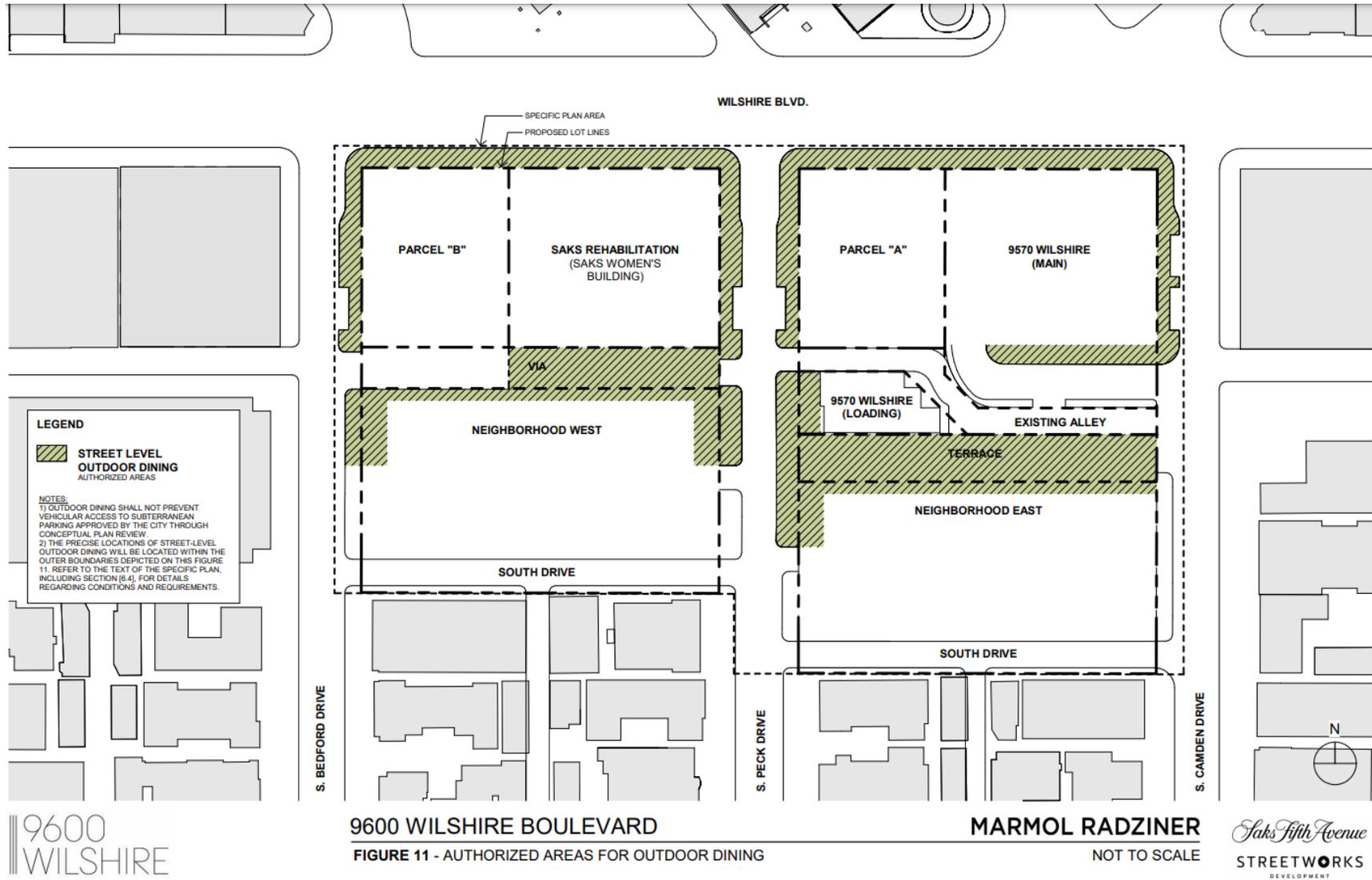
The project would also include outdoor dining areas, as shown in Figure 4.9-3. Outdoor dining is proposed between 6:00 a.m. and 10:00 p.m. Sunday through Thursday, and 6:00 a.m. through 12:00 a.m. Friday and Saturday. Low-level amplified music could occur but would not be expected to overpower diner's voices. Consistent with BHMC Title 5, Chapter 1, Article 1 and Article 2, Section 5-1-202 and the proposed Specific Plan, amplified sound would only be permitted between the hours of 11:00 a.m. and 10:00 p.m. Typically, a raised voice at a distance of 24 feet is 48 dBA (Engineering ToolBox 2005). Noise impacts from outdoor dining are evaluated based on a scenario of 40 people dining and talking with raised voices from a distance of 90 feet (i.e., the approximate center of the proposed dining area on the western boundary of Neighborhood East) and with direct line-of-sight to the residences on South Peck Drive to the southwest. The estimated hourly noise level at the closest residences on Peck Drive would be up to 52.5 dBA L_{eq} . Assuming that this activity would occur from 6:00 a.m. to 12:00 a.m., this would equate to a CNEL of 56 dBA from outdoor dining.

Table 4.9-11 shows the combined noise levels from daily operation of project HVAC, loading dock, and outdoor dining activity at the nearest sensitive receptors. As shown therein, noise generated by daily operation of project would reach up to 57 dBA CNEL at the residences to the south of the Neighborhood West subarea and would result in a noise level increase of 2

dBA CNEL, which would not exceed the operational noise threshold of 3 dBA CNEL for receptors south of the Neighborhood West subarea. Noise generated by operation of the project would reach up to 57 dBA CNEL at the residences south of the Neighborhood East subarea and would result in a noise level increase of less than 1 dBA CNEL, which would not exceed the operational noise threshold of 3 dBA CNEL for receptors south of the Neighborhood East subarea. Noise generated by operation of project would reach up to 56 dBA CNEL at the residences east of the Neighborhood East subarea and would result in a noise level increase of less than 1 dBA CNEL, which would not exceed the operational noise threshold of 3 dBA CNEL for receptors east of the Neighborhood East subarea. As such, daily on-site operational noise sources generated by the project would not generate a substantial permanent increase in ambient noise levels at the nearest sensitive receptors.

In addition, proposed recreational and community activities such as farmers' markets and special events at the Social Club and/or Boutique Hotel could be a source of project operational noise. The eastern portion of the Via would be designed to be closed to vehicles during designated periods (such as for farmer's markets or other events), and to allow for the deployment of seating, tables, furnishings, tents, and other removable elements. Unlike some special events, farmers' markets would not include amplified speech or music. Therefore, farmers' markets and smaller unamplified events would not significantly increase ambient noise levels and impacts would be less than significant. A rooftop pool is proposed on Parcel B. As required by the Specific Plan, rooftop barriers of at least six feet in height would be included around the outdoor pool deck. Since the pool would be located over 200 feet from the nearest residences to the south and there would be substantial shielding from the proposed rooftop barrier and Neighborhood West building, pool noise would be less than significant.

Figure 4.9-3 Outdoor Dining Areas



As described in Chapter 2, *Project Description*, no more than 52 Social Club and/or Boutique Hotel special events would occur per year, and these events would be open by reservation to no more than 150 attendees who would be Boutique Hotel guests, Social Club members or their respective guests. A maximum of six Social Club and/or Boutique Hotel special events per year that exceed 150 attendees, open by reservation to no more than 250 attendees who shall be Boutique Hotel guests, Social Club members or their respective guests, would occur. These special events would occur inside and are not anticipated to result in a significant ambient noise increase.

In addition, Wilshire Boulevard District buildings including Parcel B, the Saks Rehabilitation Building, Parcel A, and the existing 9570 building rooftop terrace spaces may also be used for events no more than ten times per year in each space, with attendees limited to 150. Amplified entertainment including live music and karaoke, conducted outdoors as an ancillary use, would be subject to the hours of operation noted in the Specific Plan, consistent with BHMC Title 5, Chapter 1, Article 1 and Article 2, Section 5-1-202 in which outdoor amplified entertainment is only permitted between the hours of 11:00 a.m. and 10:00 p.m. in the Wilshire Boulevard District.

The main noise source associated with the use of the proposed terraces would be speech from conversations and music during special events. Typically, a raised voice at a distance of 24 feet is 48 dBA (Engineering ToolBox 2005). During an event with 150 people, this would result in a noise level of approximately 70 dBA L_{eq} at 24 feet. The closest area to sensitive receivers would be along the eastern portion of the existing 9570 building (potential special event gathering), and would be approximately 100 feet or more from residences to the southeast on South Camden Drive. At this distance, this would equate to approximately 57 dBA L_{eq} at 100 feet from voices.¹ Assuming that the music would be approximately 10 dBA higher than voices, special events at terraces would result in noise levels of up to 67 dBA L_{eq} at 100 feet. The proposed six-foot rooftop barriers would reduce noise levels by at least 5 dBA, bringing rooftop terrace special event noise down to approximately 62 dBA L_{eq} at the nearest residences to the southeast. According to the project applicant, the maximum estimated duration for a special event is five hours. Assuming that the hourly noise level was 62 dBA L_{eq} during the hours of 5:00 p.m. to 10:00 p.m. at the residences to the southeast, this would equate to a CNEL noise level of 60 dBA CNEL on top of the background existing ambient. Noise levels would be less at residences to the south located at a distance of over 250 feet and with substantial shielding from the proposed East Residential Building. The terrace special event noise is estimated to increase the existing ambient noise level at nearby residences by approximately 1 dBA CNEL, which would not exceed the threshold of 3 dBA CNEL where existing ambient noise levels are 59 dBA CNEL at the closest residences to the southeast.

¹ Using the distance attenuation formula of $L_2 = L_1 - 20 \times \text{LOG}(D_2/D_1)$ where L_x = noise level and D_x = distance.

Table 4.9-11 Estimated Operational Noise Levels

Noise Source	Noise Level at Residences to the South of Neighborhood West (dBA)¹	Noise Level at Residences to the South of Neighborhood East (dBA)²	Noise Level at Residences to the East of Neighborhood East (dBA)³
On-site Noise Sources			
HVAC Unit (CNEL) ⁴	48	48	43
Loading Dock (CNEL) ⁵	41	41	17
Outdoor Dining (CNEL) ⁶	56	56	56
Overall Noise Level (CNEL)	57	57	56
Existing Noise Level (CNEL) ⁷	55	59	59
Project-Related Noise Level Increase	2	< 1	< 1
Threshold of Significance ⁸	3	3	3
Threshold Exceeded?	No	No	No

dBA = A-weighted sound-pressure level; CNEL = Community Noise Level.

¹ HVAC noise levels estimated at an average distance of 55 feet; loading dock noise levels estimated at an average distance of 30 feet.

² HVAC noise levels estimated at an average distance of 55 feet; loading dock noise levels estimated at an average distance of 30 feet.

³ HVAC noise levels estimated at an average distance of 100 feet; loading dock noise levels estimated at an average distance of 145 feet.

⁴ Noise generated by the HVAC equipment includes a 5-dBA reduction to account for the rooftop mechanical screen.

⁵ Noise generated by the loading dock at the residences to the east of Neighborhood East includes a 10-dBA reduction to account for shielding effects from the building.

⁶ Estimated noise level at closest residences on S. Peck Drive is conservatively applied at all nearby residences.

⁷ See Table 4.9-6 and Table 4.9-7 for existing ambient noise levels.

⁸ Based on Table 4.9-1, with an existing ambient noise level of 55 dBA CNEL and 59 dBA CNEL, project operation would generate a significant impact if noise levels at the property line of nearest sensitive receptors increase by more than 3 dBA.

See Appendix F for operational noise modeling.

Off-Site Traffic Noise

Conceptual Plan

VIA OPEN

Project and future traffic noise increases based on ADT volumes for the Conceptual Plan with the Via open are summarized in Table 4.9-12. As shown in Table 4.9-12, the maximum increase in traffic noise would be 0.6 dBA CNEL under plus project conditions along Camden Drive from the project site to Charleville Boulevard. This traffic noise increase would not exceed the most stringent threshold of 1 dBA CNEL over ambient noise levels. Therefore, increases in traffic noise under the Conceptual Plan with the Via open would be less than significant.

Table 4.9-12 Conceptual Plan Via Open - Project and Future Traffic Noise Increases

Roadway Segment	Roadway Segment Volumes (ADT)				dBA (CNEL)		
	Baseline ADT	Baseline + Project ADT	Future ADT	Future + Project ADT	Project Noise Increase	Cumulative Increase	Project Cumulative Contribution
Bedford Drive - Project Site to Charleville Boulevard	3,030	3,161	3,122	3,253	0.2	0.3	0.2
Bedford Drive - Charleville Boulevard to Gregory Way	1,997	2,106	2,058	2,167	0.2	0.4	0.2
Peck Drive - Project Site to Charleville Boulevard	2,563	2,879	2,641	2,957	0.5	0.6	0.5
Peck Drive - Charleville Boulevard to Gregory Way	1,995	1,994	2,056	2,055	0.0	0.1	0.0
Camden Drive - Project Site to Charleville Boulevard	2,201	2,502	2,268	2,569	0.6	0.7	0.5
Camden Drive - Charleville Boulevard to Gregory Way	1,928	1,993	1,987	2,052	0.1	0.3	0.1
Wilshire Boulevard - Linden Drive to Brighton Way/Roxbury Drive	25,513	26,875	32,100	33,463	0.2	1.2	0.2
Wilshire Boulevard - Bedford to Peck Drive	26,650	27,188	33,113	33,650	0.1	1.0	0.1
Wilshire Boulevard – Rodeo Drive to Beverly Drive	21,013	22,488	27,450	28,925	0.3	1.4	0.2
Bedford Drive - North of Wilshire Boulevard	8,500	8,563	8,763	8,825	0.0	0.2	0.0
Dayton Way - North of Wilshire Boulevard	4,688	4,738	4,838	4,888	0.0	0.2	0.0

City of Beverly Hills
9600 Wilshire Boulevard Specific Plan

Roadway Segment	Roadway Segment Volumes (ADT)				dBA (CNEL)		
	Baseline ADT	Baseline + Project ADT	Future ADT	Future + Project ADT	Project Noise Increase	Cumulative Increase	Project Cumulative Contribution
Camden Drive - North of Wilshire Boulevard	3,938	3,938	4,050	4,050	0.0	0.1	0.0

ADT = average daily traffic; dBA = A-weighted decibels; CNEL = community equivalent noise level
 Source: Fehr & Peers 2023

VIA CLOSED

Project and future traffic noise increases based on ADT volumes for the Conceptual Plan with the Via closed are summarized in Table 4.9-13. As shown in Table 4.9-13, the maximum increase in traffic noise would be 0.6 dBA CNEL under plus project conditions along Camden Drive from the project site to Charleville Boulevard. This traffic noise increase would not exceed the most stringent threshold of 1 dBA CNEL over ambient noise levels. Therefore, increases in traffic noise under the Conceptual Plan with the Via closed would be less than significant.

Table 4.9-13 Conceptual Plan, Via Closed - Project and Future Traffic Noise Increases

Roadway Segment	Roadway Segment Volumes (ADT)				dBA (CNEL)		
	Baseline ADT	Baseline + Project ADT	Future ADT	Future + Project ADT	Project Noise Increase	Cumulative Increase	Project Cumulative Contribution
Bedford Drive - Project Site to Charleville Boulevard	3,030	3,409	3,122	3,501	0.5	0.6	0.5
Bedford Drive - Charleville Boulevard to Gregory Way	1,997	2,106	2,058	2,167	0.2	0.4	0.2
Peck Drive - Project Site to Charleville Boulevard	2,563	2,631	2,641	2,709	0.1	0.2	0.1
Peck Drive - Charleville Boulevard to Gregory Way	1,995	1,994	2,056	2,055	0.0	0.1	0.0
Camden Drive - Project Site to Charleville Boulevard	2,201	2,502	2,268	2,569	0.6	0.7	0.5

Roadway Segment	Roadway Segment Volumes (ADT)				dBA (CNEL)		
	Baseline ADT	Baseline + Project ADT	Future ADT	Future + Project ADT	Project Noise Increase	Cumulative Increase	Project Cumulative Contribution
Camden Drive - Charleville Boulevard to Gregory Way	1,928	1,993	1,987	2,052	0.1	0.3	0.1
Wilshire Boulevard - Linden Drive to Brighton Way/Roxbury Drive	25,513	26,875	32,100	33,463	0.2	1.2	0.2
Wilshire Boulevard - Bedford to Peck Drive	26,650	27,788	33,113	34,250	0.2	1.1	0.1
Wilshire Boulevard – Rodeo Drive to Beverly Drive	21,013	22,488	27,450	28,925	0.3	1.4	0.2
Bedford Drive - North of Wilshire Boulevard	8,500	8,563	8,763	8,825	0.0	0.2	0.0
Dayton Way - North of Wilshire Boulevard	4,688	4,738	4,838	4,888	0.0	0.2	0.0
Camden Drive - North of Wilshire Boulevard	3,938	3,938	4,050	4,050	0.0	0.1	0.0

ADT = average daily traffic; dBA = A-weighted decibels; CNEL = community equivalent noise level

Source: Fehr & Peers 2023

SPECIFIC PLAN BUILDOUT SCENARIO 1 (NO RESIDENTIAL CONVERSION) - VIA OPEN

Project and future traffic noise increases based on ADT volumes for the Specific Plan Buildout Scenario 1 (No Residential Conversion) with the Via open are summarized in Table 4.9-14. As shown in Table 4.9-14, the maximum increase in traffic noise would be 1.2 dBA CNEL under plus project conditions along Camden Drive from the project site to Charleville Boulevard. This would not exceed the threshold of 3 dBA CNEL increase over ambient noise levels for sensitive receptors in the vicinity of Camden Drive. Traffic noise increases would be 1.0 dBA CNEL or less on all other roadway segments, which would not exceed the most stringent threshold of 1.0 dBA CNEL. Therefore, increases in traffic noise under the Specific Plan Buildout Scenario 1 (No Residential Conversion) with the Via open would be less than significant.

**Table 4.9-14 Specific Plan Buildout Scenario 1 (No Residential Conversion),
Via Open - Project and Future Traffic Noise Increases**

Roadway Segment	Roadway Segment Volumes (ADT)				dBA (CNEL)		
	Baseline ADT	Baseline + Project ADT	Future ADT	Future + Project ADT	Project Noise Increase	Cumulative Increase	Project Cumulative Contribution
Bedford Drive - Project Site to Charleville Boulevard	3,030	3,403	3,122	3,495	0.5	0.6	0.5
Bedford Drive - Charleville Boulevard to Gregory Way	1,997	2,218	2,058	2,279	0.5	0.6	0.4
Peck Drive - Project Site to Charleville Boulevard	2,563	3,190	2,641	3,268	1.0	1.1	0.9
Peck Drive - Charleville Boulevard to Gregory Way	1,995	2,031	2,056	2,092	0.1	0.2	0.1
Camden Drive - Project Site to Charleville Boulevard	2,201	2,907	2,268	2,974	1.2	1.3	1.2
Camden Drive - Charleville Boulevard to Gregory Way	1,928	2,084	1,987	2,143	0.3	0.5	0.3
Wilshire Boulevard - Linden Drive to Brighton Way/Roxbury Drive	25,513	28,338	32,100	34,925	0.5	1.4	0.4
Wilshire Boulevard - Bedford to Peck Drive	26,650	28,650	33,113	35,113	0.3	1.2	0.3
Wilshire Boulevard – Rodeo Drive to Beverly Drive	21,013	24,225	27,450	30,663	0.6	1.6	0.5
Bedford Drive - North of Wilshire Boulevard	8,500	8,738	8,763	9,000	0.1	0.2	0.1
Dayton Way - North of Wilshire Boulevard	4,688	4,775	4,838	4,925	0.1	0.2	0.1

Roadway Segment	Roadway Segment Volumes (ADT)				dBA (CNEL)		
	Baseline ADT	Baseline + Project ADT	Future ADT	Future + Project ADT	Project Noise Increase	Cumulative Increase	Project Cumulative Contribution
Camden Drive - North of Wilshire Boulevard	3,938	3,963	4,050	4,075	0.0	0.1	0.0

ADT = average daily traffic; dBA = A-weighted decibels; CNEL = community equivalent noise level
Source: Fehr & Peers 2023

VIA CLOSED

Project and future traffic noise increases based on ADT volumes for the Specific Plan Buildout Scenario 1 (No Residential Conversion) with the Via closed are summarized in Table 4.9-15. As shown in Table 4.9-15, the maximum increase in traffic noise would be 1.2 dBA CNEL under plus project conditions along Camden Drive from the project site to Charleville Boulevard. This would not exceed the threshold of 3 dBA CNEL increase over ambient noise levels for sensitive receptors in the vicinity of Camden Drive. Therefore, increases in traffic noise under the Specific Plan Buildout Scenario 1 (No Residential Conversion) with the Via closed would be less than significant.

Table 4.9-15 Specific Plan Buildout Scenario 1 (No Residential Conversion), Via Closed - Project and Future Traffic Noise Increases

Roadway Segment	Roadway Segment Volumes (ADT)				dBA (CNEL)		
	Baseline ADT	Baseline + Project ADT	Future ADT	Future + Project ADT	Project Noise Increase	Cumulative Increase	Project Cumulative Contribution
Bedford Drive - Project Site to Charleville Boulevard	3,030	3,907	3,122	3,999	1.1	1.2	1.1
Bedford Drive - Charleville Boulevard to Gregory Way	1,997	2,218	2,058	2,279	0.5	0.6	0.4
Peck Drive - Project Site to Charleville Boulevard	2,563	2,686	2,641	2,764	0.2	0.3	0.2
Peck Drive - Charleville Boulevard to Gregory Way	1,995	2,031	2,056	2,092	0.1	0.2	0.1
Camden Drive - Project Site to Charleville Boulevard	2,201	2,907	2,268	2,974	1.2	1.3	1.2

City of Beverly Hills
9600 Wilshire Boulevard Specific Plan

Roadway Segment	Roadway Segment Volumes (ADT)				dBA (CNEL)		
	Baseline ADT	Baseline + Project ADT	Future ADT	Future + Project ADT	Project Noise Increase	Cumulative Increase	Project Cumulative Contribution
Camden Drive - Charleville Boulevard to Gregory Way	1,928	2,084	1,987	2,143	0.3	0.5	0.3
Wilshire Boulevard - Linden Drive to Brighton Way/Roxbury Drive	25,513	28,338	32,100	34,925	0.5	1.4	0.4
Wilshire Boulevard - Bedford to Peck Drive	26,650	29,475	33,113	35,938	0.4	1.3	0.4
Wilshire Boulevard – Rodeo Drive to Beverly Drive	21,013	24,225	27,450	30,663	0.6	1.6	0.5
Bedford Drive - North of Wilshire Boulevard	8,500	8,738	8,763	9,000	0.1	0.2	0.1
Dayton Way - North of Wilshire Boulevard	4,688	4,775	4,838	4,925	0.1	0.2	0.1
Camden Drive - North of Wilshire Boulevard	3,938	3,963	4,050	4,075	0.0	0.1	0.0

ADT = average daily traffic; dBA = A-weighted decibels; CNEL = community equivalent noise level
 Source: Fehr & Peers 2023

SPECIFIC PLAN BUILDOUT SCENARIO 2 (MAXIMUM RESIDENTIAL CONVERSION) VIA OPEN

Project and future traffic noise increases based on ADT volumes for the Specific Plan Buildout Scenario 2 (Maximum Residential Conversion) with the Via open are summarized in Table 4.9-16. As shown in Table 4.9-16, the maximum increase in traffic noise would be 1.2 dBA CNEL under plus project conditions along Camden Drive from the project site to Charleville Boulevard. This would not exceed the threshold of 3 dBA CNEL increase over ambient noise levels for sensitive receptors in the vicinity of Camden Drive. Traffic noise increases would be less than 1.0 dBA CNEL on all other roadway segments, which would not exceed the most stringent threshold of 1.0 dBA CNEL. Therefore, increases in traffic noise under the Specific Plan Buildout Scenario 2 (Maximum Residential Conversion) with the Via open would be less than significant.

Table 4.9-16 Specific Plan Buildout Scenario 2 (Maximum Residential Conversion), Via Open - Project and Future Traffic Noise Increases

Roadway Segment	Roadway Segment Volumes (ADT)				dBA (CNEL)		
	Baseline ADT	Baseline + Project ADT	Future ADT	Future + Project ADT	Project Noise Increase	Cumulative Increase	Project Cumulative Contribution
Bedford Drive - Project Site to Charleville Boulevard	3,030	3,309	3,122	3,401	0.4	0.5	0.4
Bedford Drive - Charleville Boulevard to Gregory Way	1,997	2,174	2,058	2,235	0.4	0.5	0.4
Peck Drive - Project Site to Charleville Boulevard	2,563	3,053	2,641	3,131	0.8	0.9	0.7
Peck Drive - Charleville Boulevard to Gregory Way	1,995	2,015	2,056	2,076	0.0	0.2	0.0
Camden Drive - Project Site to Charleville Boulevard	2,201	2,896	2,268	2,963	1.2	1.3	1.2
Camden Drive - Charleville Boulevard to Gregory Way	1,928	2,084	1,987	2,143	0.3	0.5	0.3
Wilshire Boulevard - Linden Drive to Brighton Way/Roxbury Drive	25,513	27,825	32,100	34,413	0.4	1.3	0.3
Wilshire Boulevard - Bedford to Peck Drive	26,650	28,338	33,113	34,800	0.3	1.2	0.2
Wilshire Boulevard - Rodeo Drive to Beverly Drive	21,013	23,600	27,450	30,038	0.5	1.6	0.4

City of Beverly Hills
9600 Wilshire Boulevard Specific Plan

Roadway Segment	Roadway Segment Volumes (ADT)				dBA (CNEL)		
	Baseline ADT	Baseline + Project ADT	Future ADT	Future + Project ADT	Project Noise Increase	Cumulative Increase	Project Cumulative Contribution
Bedford Drive - North of Wilshire Boulevard	8,500	8,725	8,763	8,988	0.1	0.2	0.1
Dayton Way - North of Wilshire Boulevard	4,688	4,725	4,838	4,875	0.0	0.2	0.0
Camden Drive - North of Wilshire Boulevard	3,938	3,938	4,050	4,050	0.0	0.1	0.0

ADT = average daily traffic; dBA = A-weighted decibels; CNEL = community equivalent noise level
 Source: Fehr & Peers 2023

VIA CLOSED

Project and future traffic noise increases based on ADT volumes for the Specific Plan Buildout Scenario 2 (Maximum Residential Conversion) with the Via closed are summarized in Table 4.9-17. As shown in Table 4.9-17, the maximum increase in traffic noise would be 1.2 dBA CNEL under plus project conditions along Camden Drive from the project site to Charleville Boulevard. This would not exceed the threshold of 3 dBA CNEL increase over ambient noise levels for sensitive receptors in the vicinity of Camden Drive. Traffic noise increases would be less than 1.0 dBA CNEL on all other roadway segments, which would not exceed the most stringent threshold of 1.0 dBA CNEL. Therefore, increases in traffic noise under the Specific Plan Buildout Scenario 2 (Maximum Residential Conversion) with the Via closed would be less than significant.

Table 4.9-17 Specific Plan Buildout Scenario 2 (Maximum Residential Conversion), Via Closed - Project and Cumulative Traffic Noise Increases

Roadway Segment	Roadway Segment Volumes (ADT)				dBA (CNEL)		
	Baseline ADT	Baseline + Project ADT	Future ADT	Future + Project ADT	Project Noise Increase	Cumulative Increase	Project Cumulative Contribution
Bedford Drive - Project Site to Charleville Boulevard	3,030	3,713	3,122	3,805	0.9	1.0	0.9
Bedford Drive - Charleville Boulevard to Gregory Way	1,997	2,174	2,058	2,235	0.4	0.5	0.4
Peck Drive - Project Site to Charleville Boulevard	2,563	2,649	2,641	2,727	0.1	0.3	0.1
Peck Drive - Charleville Boulevard to Gregory Way	1,995	2,015	2,056	2,076	0.0	0.2	0.0
Camden Drive - Project Site to Charleville Boulevard	2,201	2,896	2,268	2,963	1.2	1.3	1.2
Camden Drive - Charleville Boulevard to Gregory Way	1,928	2,084	1,987	2,143	0.3	0.5	0.3
Wilshire Boulevard - Linden Drive to Brighton Way/Roxbury Drive	25,513	27,825	32,100	34,413	0.4	1.3	0.3
Wilshire Boulevard - Bedford to Peck Drive	26,650	28,788	33,113	35,250	0.3	1.2	0.3
Wilshire Boulevard – Rodeo Drive to Beverly Drive	21,013	23,600	27,450	30,038	0.5	1.6	0.4
Bedford Drive - North of Wilshire Boulevard	8,500	8,725	8,763	8,988	0.1	0.2	0.1
Dayton Way - North of Wilshire Boulevard	4,688	4,725	4,838	4,875	0.0	0.2	0.0

Roadway Segment	Roadway Segment Volumes (ADT)				dBA (CNEL)		
	Baseline ADT	Baseline + Project ADT	Future ADT	Future + Project ADT	Project Noise Increase	Cumulative Increase	Project Cumulative Contribution
Camden Drive - North of Wilshire Boulevard	3,938	3,938	4,050	4,050	0.0	0.1	0.0

ADT = average daily traffic; dBA = A-weighted decibels; CNEL = community equivalent noise level
 Source: Fehr & Peers 2023

Mitigation Measures

NOI-1 Construction Management Plan

Prior to issuance of grading permits, the Developer shall include the following in the Construction Management Plan:

- Prior to the initiation of nighttime construction activities at the project site, the applicant shall install temporary noise barriers/blankets along the southern construction site boundaries near residential receivers. The temporary barriers/blankets shall have a minimum height of 20 feet to block the line of sight between the construction source and the adjacent multi-story residential receptors to the south and to the east. Barriers shall be constructed with a solid material that has a density of at least 1 pound per square foot with no gaps from the ground to the top of the barrier and be lined on the construction side with acoustical blanket, curtain or equivalent absorptive material rated STC 32 or higher. The approximate noise barrier locations are shown in Figure 4.9 4.
- Prior to the start of construction, the project applicant shall retain a qualified acoustical consultant to conduct construction noise monitoring during the nighttime construction periods at select locations in the surrounding neighborhood consistent with the monitoring locations identified in this analysis. Additional monitoring positions may be determined by City staff in consultation with the acoustical consultant. All sound level meters used during monitoring shall satisfy the American National Standards Institute (ANSI) standard of Type 2 instrumentation or higher. All measurements shall be at least five feet above the ground and away from reflective surfaces. The noise monitoring data and results shall be submitted in a memorandum to the City on a weekly basis during the nighttime construction periods requiring monitoring, along with comparison to the 46 dBA L_{eq} nighttime construction noise limit at residences to the south and to the 51 dBA L_{eq} nighttime construction noise limit at residences to the east. If exceedances of the construction noise limit are found, the applicant’s construction contractor shall modify construction techniques and equipment to reduce the construction noise below the limits, to the degree feasible.

Figure 4.9 4 Temporary Noise Barrier Locations



9600 Wilshire Boulevard Specific Plan

- At least 10 days prior to the start of nighttime construction activities, a sign shall be posted at each construction site entrance, or other conspicuous location, that includes a 24-hour telephone number for project information, and a procedure in which a construction manager will respond to and investigate noise complaints and take corrective action, if necessary, in a timely manner. The sign shall conform to the City's construction sign standards for commercial and residential districts (BHMC sections 10-4-504 and 10-4-612) and have a minimum dimension of 48 inches wide by 24 inches high with a one-inch minimum font height and shall also include contact information for Community Development Department staff. The sign shall be placed five feet above ground level.
- At least 21 days prior to the start of construction activities, all off-site businesses and residents within 500 feet of the project site shall be notified of the planned construction activities. The notification shall include a brief description of the project, the activities that would occur, the hours when construction would occur, and the construction period's overall duration. The notification shall include the telephone numbers of the City's and contractor's authorized representatives that are assigned to respond in the event of a noise complaint.
- If a construction noise complaint is registered and if City code enforcement is not available to make noise measurements, the Applicant, if and as directed by the City, shall retain a City-approved noise consultant to conduct noise measurements at the properties that registered the complaint. The noise measurements shall be conducted for a minimum of one hour. The consultant shall prepare a letter report for code enforcement summarizing the measurements, calculation data used in determining impacts, and potential measures to reduce noise levels to the maximum extent feasible.
- Prior to the start of and for the duration of construction, the contractor shall properly maintain and tune all construction equipment in accordance with the manufacturer's recommendations to minimize noise emissions.
- Prior to use of any construction equipment, the contractor shall fit all equipment with properly operating mufflers, air intake silencers, and engine shrouds no less effective than as originally equipped by the manufacturer.
- Staging and delivery areas shall be located as far as feasible from existing residences.
- Material hauling and deliveries shall be coordinated by the construction contractor to reduce the potential of trucks waiting to unload for protracted periods of time.
- To the extent feasible, hydraulic equipment shall be used instead of pneumatic impact tools, and electric-powered equipment shall be used instead of diesel-powered equipment.
- Stationary noise sources (e.g., generators) shall be located as far from sensitive receptors as practicable, and they shall be muffled and enclosed within temporary sheds, or insulation barriers with a minimum STC rating of 32.
- The use of bells, whistles, alarms, and horns shall be restricted to safety warning purposes only.

- Signs shall be posted at the job site entrance(s), within the on-site construction zones, and along queueing lanes (if any) to reinforce the prohibition of unnecessary engine idling. All other equipment shall be turned off if not in use for more than five minutes. The construction manager shall be responsible for enforcing this.

Significance After Mitigation

Implementation of Mitigation Measure NOI-1, including the use of temporary noise barriers, would reduce construction noise levels from continuous foundation pours, which could occur outside of the City's allowed construction hours (weekdays, excluding public holidays, 8:00 a.m. to 6:00 p.m.), by up to 20 dBA (Bies, Hansen, and Howard 2018; Harris and Cyril 1991). However, the greatest reduction would be at ground-floor receptors, and they may not be as effective for residences with multiple stories. Implementation of Mitigation Measure NOI-1 would result in mitigated construction noise levels of 58 dBA Leq at the residences south of the Neighborhood West and Neighborhood East subareas and 52 dBA Leq at the residences east of the Neighborhood East subarea. Noise levels would be higher than the 58 dBA Leq and 52 dBA Leq respectively at third story residences since the 20-foot temporary noise barrier would not completely shield residences at this level. However, depending on the precise location of equipment use at any given time the 20-foot temporary noise barrier would provide some mitigation compared to the maximum 20dBA exceedance noted above. Nighttime construction noise monitoring would be conducted during nighttime construction periods. If exceedances of the established thresholds are found, the construction contractor would modify construction techniques to reduce nighttime construction noise levels to the degree feasible. Even with mitigation, construction noise occurring outside of the City's allowed construction hours would exceed the threshold of 46 dBA Leq for the residences south of Neighborhood West and the threshold of 51 dBA Leq for the residences to the south and east of Neighborhood East. Therefore, construction noise impacts would be significant and unavoidable.

Threshold 4.9b: Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

Impact NOI-2 PROJECT CONSTRUCTION WOULD INTERMITTENTLY GENERATE GROUND BORNE VIBRATION ON-SITE, WHICH MAY AFFECT NEARBY SENSITIVE RECEPTORS THAT COULD CAUSE ARCHITECTURAL DAMAGE IF UNMITIGATED. CONSTRUCTION IMPACTS WOULD BE POTENTIALLY SIGNIFICANT. HOWEVER, IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH IMPLEMENTATION OF MITIGATION MEASURE NOI-2. OPERATION WOULD NOT INCLUDE SUBSTANTIAL SOURCES OF VIBRATION, AND IMPACTS WOULD BE LESS THAN SIGNIFICANT.

A. Construction Impacts

Under all three analysis scenarios, the footprint of development would be identical, construction and grading activities would be the same, the same construction equipment would be used, and the same types of land uses would be developed as a whole. Therefore, this analysis applies to all three buildout scenarios.

Nearby vibration-sensitive receptors include the Saks Rehabilitation Building, the existing building at 9570 Wilshire Boulevard, and residences to the south of the Neighborhood West and Neighborhood East subareas.

Based on FTA recommendations, limiting vibration levels to below 0.12 in/sec PPV for extremely fragile historic buildings, below 0.2 in/sec PPV at nonengineered timber and masonry buildings, and below 0.3 in/sec PPV for engineered and masonry buildings would prevent architectural damage (FTA 2018). Due to the age of the Saks Rehabilitation Building and the residences to the south, these structures could be considered historical resources and would be subject to the 0.12 in/sec PPV threshold.

Construction activities known to generate excessive groundborne vibration, such as pile driving or vibratory piles, are not allowed within the city. The greatest anticipated source of vibration during project construction would be from a large bulldozer and a drill rig, which would be used during excavation. As shown in Table 4.9-18, vibration levels from a large bulldozer would exceed the significance threshold of 0.12 in/sec PPV at the residences to the south of the Neighborhood West subarea and the Neighborhood East subarea. In addition, vibration levels from a large bulldozer and drill rig would exceed the significance threshold of 0.12 in/sec PPV at the Saks Rehabilitation Building and 0.3 in/sec PPV at the existing 9570 Wilshire Boulevard building. Therefore, construction vibration impacts would be potentially significant.

Table 4.9-18 Vibration Levels at Sensitive Receptors

Equipment	Estimated PPV (in/sec)			
	Saks Rehabilitation Building ¹	9570 Wilshire Boulevard ²	Residences to the South of Neighborhood West ³	Residences to the South of Neighborhood East ³
Large Bulldozer	0.995	0.995	0.352	0.352
Drill Rig	0.995	0.995	0.068	0.068
Threshold for Structural Damage	0.12	0.3	0.12	0.12
Threshold Exceeded?	Yes	Yes	Yes	Yes

PPV = peak particle velocity; in/sec = inches per second

¹ Vibration levels estimated at a distance of 5 feet.

² Vibration levels estimated at a distance of 5 feet.

³ Vibration levels estimated at a distance of 30 feet for the drill rig and 10 feet for the dozer.

Operational Impacts

Operation of the project does not include substantial vibration sources associated with operation. Therefore, operation would not generate excessive groundborne vibration or groundborne noise levels. No impact would occur.

Mitigation Measures

NOI-2 Construction Vibration Monitoring Program

Prior to any project-related construction activities, the applicant shall prepare a construction vibration monitoring program. Since the Saks Rehabilitation Building is eligible for listing as a historical resource, the program shall be prepared and implemented by a structural engineer with a minimum of five years of experience in the rehabilitation and restoration of historic buildings and a historic preservation architect meeting the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation, Professional Qualifications Standards. The program shall include the following:

- Prepare an existing conditions study to establish the baseline condition of the vibration sensitive resources identified herein (e.g. the Saks Rehabilitation Building, residential structures adjacent to the south, and the 9570 Wilshire Boulevard building) in the form of written descriptions with a photo survey, elevation survey, and crack-monitoring survey for the vibration-sensitive building or structure to the extent written permission is granted by the owner. The photo survey shall include internal and external crack monitoring in the structure, settlement, and distress, and document the condition of the foundation, walls and other structural elements in the interior and exterior of the building or structure. Where receptors are historic resources, the study shall describe the physical characteristics of the resources that convey their historic significance.
- Determine the number, type, and location of vibration sensors and establish a vibration velocity limit (as determined based on a detailed review of the sensitive building), for monitoring vibrations during construction, monitoring schedule, and method for alerting responsible persons who have the authority to halt construction should limits be exceeded or damaged observed. Construction contingencies shall be identified for when vibration levels approach the limits. If vibration levels approach or exceed limits, suspend construction and implement contingencies to either lower vibration levels or secure the affected structure.
- Perform monitoring surveys prior to, in regular intervals during, and after completion of all vibration-generating activities and report any changes to existing conditions, including, but not limited to, expansion of existing cracks, new spalls, other exterior deterioration, or any problems with character-defining features of a historic resource are discovered. The City shall establish the frequency of monitoring and reporting, based upon the recommendations of the qualified acoustical consultant or structural engineer or, for historic buildings, the historic architect and structural engineer. Monitoring reports shall be submitted to the City and the construction manager.
- Report substantial adverse impacts to vibration sensitive buildings including historic resources related to construction activities that are found during construction to the City and construction manager. The construction contractor shall adhere to the monitoring team's recommendations for corrective measures, including halting construction or using different methods, in situations where construction activities would imminently endanger historic resources. The City and construction manager would respond to any claims of damage by inspecting the affected property promptly,

but in no case more than five working days after the claim was filed and received. Any new cracks or other damage to any of the identified properties shall be compared to pre-construction conditions and a determination would be made as to whether the proposed project could have caused such damage. In the event that the project is demonstrated to have caused any damage, such damage would be repaired to the pre-existing condition at the expense of the project Applicant. Site visit reports and documents associated with claims processing would be provided to the City as necessary.

- Prepare a construction vibration monitoring report that summarizes the results of all vibration monitoring and submit the report after the completion of each phase identified in the project construction schedule. The vibration monitoring report shall include a description of measurement methods, equipment used, calibration certificates, and graphics as required to clearly identify vibration-monitoring locations. An explanation of all events that exceeded vibration limits shall be included together with proper documentation supporting any such claims. The construction vibration monitoring report shall be submitted to the City within two weeks upon completion of each phase identified in the project construction schedule.

Significance After Mitigation

Implementation of Mitigation Measure NOI-2 would instate a plan to monitor construction vibration levels and, if necessary, ensure vibration-generating activities are suspended until vibration levels can be reduced to acceptable levels through the modification of construction techniques and/or functional contingencies are implemented to secure the façades and structures. Therefore, impacts would be less than significant with implementation of mitigation measures.

4.9.4 Cumulative Impacts

a. Cumulative Impact NOI-1

Construction noise generated by the project, in combination with construction activities for other cumulative projects that may be constructed simultaneously could, without mitigation, substantially increase noise levels in the vicinity of future projects. The closest cumulative project is the 319 North Rodeo Drive commercial project located within approximately 250 feet of the project. Mitigation measures have been identified to help reduce noise during construction occurring outside of the City's allowed construction hours. Therefore, unless construction of cumulative projects occur in close proximity to each other and simultaneously, noise from individual construction projects have a small chance of combining to create significant cumulative impacts. Although this scenario is unlikely, and mitigation measures would be implemented to the extent feasible, the potential remains for a cumulatively considerable increase in construction noise. Therefore, the cumulative impact related to construction noise would be significant and unavoidable.

The project would introduce new stationary noise sources to the ambient noise environment within its vicinity including new mechanical equipment and loading docks. In addition, up to ten rooftop special events would occur per year. These sources may combine with other nearby cumulative projects to result in higher noise levels. However, operational noise from these sources is localized and rapidly attenuates within an urbanized setting because of intervening structures and topography that block the line of sight and other noise sources closer to receptors that obscure project-related noise. Implementation of City noise standards would ensure that noise from new stationary sources as part of the cumulative projects would be within acceptable levels. Therefore, the cumulative impact related to operational stationary noise would be less than significant.

Under cumulative conditions, traffic noise would generate a maximum increase above the allowable thresholds of 1 dBA increase over ambient for sensitive receptors in the vicinity of Wilshire Boulevard. However, the project contribution would be less than a 1 dBA increase. Cumulative traffic noise increases along Bedford Drive and Camden Drive would be below the significance threshold of a 3 dBA increase at receptors in those areas. Therefore, the project's contribution to a cumulative traffic noise impact would be less than significant.

Mitigation Measures

NOI-3 Cumulative Construction Noise Reduction

Prior to the start of construction and during construction, the applicant shall coordinate with the 319 North Rodeo Drive commercial project applicant regarding the following:

- All temporary roadway closures shall be coordinated to limit overlap of roadway closures; and
- All major deliveries for the projects shall be coordinated to limit the occurrence of simultaneous deliveries. The project applicants shall ensure that deliveries of items such as concrete and other high-volume items will not be done simultaneously.

Significance After Mitigation

Implementation of Mitigation Measure NOI-3 would reduce cumulative construction noise impacts. Nevertheless, the project's contribution to cumulative construction noise impacts with other planned projects would be cumulatively considerable and significant and unavoidable.

B. Cumulative Impact NOI-2

Although there could be other cumulative projects simultaneously under construction near the project site, the potential for construction groundborne vibration and noise impacts is within relatively close distances (e.g., within approximately 21 feet for earthwork and drilling). Since no two construction cumulative projects would both be within 21 feet of a given sensitive structure, cumulative groundborne vibration and noise impacts would be less than significant.

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4.10 Population and Housing

This section analyzes the potential effects of the project’s contribution to population, housing, and employment growth within Beverly Hills in relation to growth forecasts adopted by the Southern California Association of Governments (SCAG), and to relevant policies and programs regarding population, housing and employment set forth in adopted land use plans. Related information regarding the effects of the new development on the relationship between land uses and resulting land use patterns is further addressed in Section 4.8, *Land Use and Planning*. Potential growth-inducing impacts of the project are further addressed in Chapter 5, *Other CEQA Considerations*.

4.10.1 Regulatory Setting

a. State Regulations

Housing Element Law

Section 65583 of the California Government Code requires cities and counties to prepare a housing element, as one of the seven state-mandated elements of the General Plan, with specific direction on its content. Pursuant to California Government Code Section 65584(a)(1), the California Department of Housing and Community Development is responsible for determining the regional housing needs assessment (RHNA) segmented by income levels for each region’s planning body or “council of governments” (COG)—SCAG being the COG serving the Southern California area. The California Department of Housing and Community Development prepares an initial housing needs assessment and then coordinates with each COG to arrive at the final RHNA. To date, there have been five previous housing element update “cycles.” California is now in its sixth “housing-element update cycle.” The SCAG RHNA and the City’s General Plan Housing Element are discussed further below.

The Sustainable Communities and Climate Protection Act of 2008

Senate Bill (SB) 375 focuses on aligning transportation, housing, and other land uses to achieve regional greenhouse gas (GHG) emission reduction targets established under the California Global Warming Solutions Act, also known as Assembly Bill (AB) 32. SB 375 requires Metropolitan Planning Organizations (MPOs) to develop a Sustainable Communities Strategy (SCS) as part of the Regional Transportation Plan (RTP), with the purpose of identifying policies and strategies to reduce per capita passenger vehicle-generated GHG emissions. As set forth in SB 375, the SCS must: (1) identify the general location of land uses, residential densities, and building intensities within the region; (2) identify areas within the region sufficient to house all the population of the region, including all economic segments of the population, over the course of the planning period; (3) identify areas within the region sufficient to house an eight-year projection of the regional housing need; (4) identify a transportation network to service the regional transportation needs; (5) gather and consider the best practically available scientific

9600 Wilshire Boulevard Specific Plan

information regarding resource areas and farmland in the region; (6) consider the state housing goals; (7) establish the land use development pattern for the region that, when integrated with the transportation network and other transportation measures and policies, will reduce GHG emissions from automobiles and light-duty trucks to achieve GHG emission reduction targets set by the California Air Resources Board (CARB), if there is a feasible way to do so; and (8) comply with air quality requirements established under the Clean Air Act.

The City of Beverly Hills is located within the jurisdiction of SCAG, a Joint Powers Authority established under California Government Code Section 6502 et seq. Pursuant to federal and State law, SCAG serves as a COG, a Regional Transportation Planning Agency, and the MPO for Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial Counties. SCAG is responsible for preparing the RTP/SCS and RHNA in coordination with other State and local agencies. These documents include population, employment, and housing projections for the region and its 15 subregions.

Existing law requires local governments to adopt a housing element as part of their general plan and update the housing element every four to eight years. SB 375 requires the RHNA to allocate housing units within the region in a manner consistent with the development pattern adopted by the SCS.

On September 3, 2020, SCAG adopted its Connect SoCal: The 2020-2045 RTP/SCS, which is an update to the previous 2016 RTP/SCS (SCAG 2020a). Using growth forecasts and economic trends, the RTP/SCS provides a vision for transportation throughout the region for the next 25 years that achieves the statewide reduction targets and in so doing identifies the amount and location of growth expected to occur within the region.

Housing Crisis Act of 2019

The Housing Crisis Act of 2019 (SB 330) seeks to speed up housing production in the next half decade by eliminating some of the most common entitlement impediments to the creation of new housing, including delays in the local permitting process and cities enacting new requirements after an application is complete and undergoing local review—both of which can exacerbate the cost and uncertainty that sponsors of housing projects face. In addition to speeding up the timeline to obtain building permits, the bill prohibits local governments from reducing the number of homes that can be built through down-planning or down-zoning or the introduction of new discretionary design guidelines. The bill is in effect as of January 1, 2020, and expires on January 1, 2030.

Fair Employment and Housing Act

The Fair Employment and Housing Act of 1959 (Government Code Section 12900 et seq.) prohibits housing discrimination on the basis of race, color, religion, sexual orientation, marital status, national origin, ancestry, familial status, disability, or source of income.

The Unruh Civil Rights Act

The Unruh Civil Rights Act of 1959 (Civ. Code Section 51) prohibits discrimination in “all business establishments of every kind whatsoever.” The provision has been interpreted to include businesses and persons engaged in the sale or rental of housing accommodations.

b. Regional

Southern California Association of Governments

Beverly Hills is located within the jurisdiction of SCAG, a Joint Powers Agency established under California Government Code Section 6502 et seq. Pursuant to federal and State law, as discussed above, SCAG serves as a COG, a Regional Transportation Planning Agency, and the Metropolitan MPO for Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial Counties. SCAG’s mandated responsibilities include developing plans and policies with respect to the region’s population growth, transportation programs, air quality, housing, and economic development. Specifically, SCAG is responsible for preparing the RTP/SCS and RHNA, in coordination with other State and local agencies. These documents include population, employment, and housing projections for the region and its 15 subregions. Beverly Hills is located within the Los Angeles Subregion.

SCAG is tasked with providing demographic projections for use by local agencies and public service and utility agencies in determining future service demands. Projections in the SCAG RTP/SCS serve as the basis for demographic estimates in the analysis provided below of project consistency with growth projections.

SCAG data is periodically updated to reflect changes in development activity and actions of local jurisdictions (e.g., zoning changes). Through these updates, public agencies have advance information regarding changes in growth that must be addressed in planning for their provision of services. Changes in the growth rates are reflected in the new projections for service and utilities planning over the long-term time horizon.

Regional Housing Needs Assessment

The RHNA is a State-mandated process that determines the amount of additional housing cities and counties must plan for. The RHNA allocation process seeks to ensure that each jurisdiction accepts responsibility for the housing needs of not only its current population, but also for the jurisdiction’s projected share of regional housing growth among all income categories. California’s Housing Element law requires that a local jurisdiction accommodate a share of the region’s projected housing needs for the planning period. Compliance with this requirement is measured by the jurisdiction’s ability to provide adequate land to accommodate the RHNA. SCAG, as the regional planning agency, is responsible for allocating the RHNA to individual jurisdictions within the six-county region: Los Angeles, Orange, Riverside, San Bernardino, Ventura, and Imperial. For the 2021-2029 Housing Element, the RHNA will cover the planning period October 2021 through October 2029. The RHNA is distributed by income category. For the City’s 2021-2029 Housing Element update, Beverly Hills is allocated a RHNA of 3,104 units, as shown in Table 4.10-1 (SCAG 2021).

Table 4.10-1 Beverly Hills 2021-2029 Regional Housing Needs Assessment

Income Group	RHNA Allocation (units)	Percent of Total
Very Low	1,008	32%
Low	680	22%
Moderate	602	19%
Above Moderate	814	26%
Total	3,104	100%

Source: SCAG 2021

Regional Transportation Plan/Sustainable Communities Strategy

SCAG’s RTP/SCS is a long-range regional transportation and land use network plan that looks ahead over 25 years and provides a vision of the region’s future mobility and housing needs with economic, environmental, and public health goals. The RTP identifies major challenges as well as potential opportunities associated with growth, transportation finances, the future of airports in the region, and impending transportation system deficiencies that could result from growth that is anticipated in the region. SCAG adopted its current RTP/SCS on September 3, 2020 (SCAG 2020a).

c. Local Regulations

Beverly Hills 2021-2029 Housing Element

The goal of the Housing Element is to achieve the necessary supply of safe, affordable housing for all Beverly Hills community members. A key component of the Housing Element is the analysis of potential sites for residential development and the establishment of housing programs to accommodate the City’s share of future housing needs for all income groups as identified through the RHNA planning process. The Housing Element identifies strategies and programs for housing maintenance and conservation, housing supply and diversity, fair housing and special needs residents, and removing governmental constraints (City of Beverly Hills 2023).

4.10.2 Environmental Setting

a. Existing Site Conditions

As shown described in Section 2, *Project Description*, the project site is currently developed with the 145,039-square foot (sf) Saks Rehabilitation and Shoe buildings, the 107,000-sf former Barneys New York Building, and surface and underground parking spaces. The Saks Rehabilitation and Shoe buildings are currently operated as a Saks Fifth Avenue department store. The former Barneys New York Building has been vacant since 2020 and has since been undergoing renovations to relocate the Saks Fifth Avenue retail operations to that building. No residential uses or associated existing population reside on the project site under existing conditions. Existing uses on the project site employ approximately 264 people, as shown in Table 4.10-4 under Section 4.10.3, *Impact Analysis*.

b. Citywide Population, Household, and Employment Estimates

Current and future projected population, households, and employment estimates for Beverly Hills are based on data prepared by the California Department of Finance (DOF) and SCAG. The DOF prepares estimates of current population and housing by jurisdiction based on the administrative records of federal, state, and local government departments and agencies (DOF 2023). The 2020–2045 RTP/SCS prepares growth projections for populations, housing, and employment for regional, county, and local jurisdictional areas. The 2020–2045 RTP/SCS reports the demographic data for years 2016 and 2045. The 2020–2045 RTP/SCS forecasts represent the likely growth scenario for the Southern California region in the future, considering recent and past trends, reasonable key technical assumptions, and local or regional growth policies (SCAG 2020b).

Table 4.10-2 shows the projected population, households, and employees in Beverly Hills for the project baseline year (2023) and anticipated project buildout year (2027). Beverly Hills’ current (2023) estimated population is 31,658 persons and is expected to increase by 10.9 percent to 35,118 by 2027 (DOF 2023; SCAG 2020b). There are currently an estimated 14,501 households in Beverly Hills, with a 4.4 percent increase to 15,142 households anticipated by 2027 (DOF 2023; SCAG 2020b). The average number of persons per household in the city in 2023 is estimated at 2.17 (DOF 2023). Also, there are an estimated 78,798 employees in Beverly Hills, which is expected to grow by approximately 3.0 percent to 81,196 workers in 2027.¹

Table 4.10-2 Beverly Hills Population, Households, and Employment Projections

	Project Baseline (2023)	Project Buildout Year (2027)⁴	Total Increase	Percent Increase
Population	31,658 ¹	35,118	3,460	10.9
Households	14,501 ²	15,142	641	4.4
Employment ³	78,798	81,196	2,398	3.0

¹ Total population (DOF 2023)

² Occupied housing units (DOF 2023)

³ Interpolated from the 2021 jobs reported by SCAG (SCAG 2022) and 2045 projection from the 2020-2045 RTP/SCS (SCAG 2020b)

⁴ Interpolated from the project baseline data and 2045 projections from the 2020—2045 RTP/SCS (SCAG 2020b)

The 2020—2045 RTP/SCS projections for households and population do not account for the latest RHNA allocation for Beverly Hills, which establishes a requirement of 3,104 new housing units in Beverly Hills by 2030 (SCAG 2021).²

¹ Based on a linear interpolation from the 2021 jobs reported by SCAG (SCAG 2022) and 2045 projection from the 2020-2045 RTP/SCS (SCAG 2020b).

² The 2020-2045 RTP/SCS was adopted in 2020 prior to the city’s latest RHNA allocations being adopted (2021) and does not account for the latest RHNA allocation.

4.10.3 Impact Analysis

a. Significance Thresholds and Methodology

Significance Thresholds

The proposed project would have a potentially significant impact if it were to result in one or more of the following:

- a. Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure).
- b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

As described in the Initial Study for the proposed project, the proposed project would have no impact related to displacement of existing people or housing (Threshold b). Therefore, this issue is not discussed further in the EIR. This section below discusses Threshold a.

Methodology

The analysis of population and housing impacts evaluates whether the project's contribution to population, housing, and employment growth are consistent with the future growth projections and related policies outlined above in order to assess the potential for impacts on the physical environment. The analysis of the anticipated population growth for the proposed project considers direct population, housing, and employment growth, as well as the potential for the project to result in indirect population, housing, and employment growth through the creation or expansion of infrastructure. The anticipated growth generated by the project is then compared to the growth projections to determine whether there is the potential for significant impacts.

As described in Section 2, *Project Description*, three representative development scenarios are considered in this Draft EIR in order to analyze and discuss the range of impacts that would occur through a programmatic analysis of the build-out of the Specific Plan and project level analysis of construction of the proposed Conceptual Plan. These include the following:

- Conceptual Plan Buildout: Consistent with the description provided under Section 2.5.2, *Conceptual Plan*, the Wilshire Boulevard District would consist of approximately 261,722 sf of commercial space, in addition to the continued commercial use of the existing 107,000 sf at 9570 Wilshire. Additionally, the Neighborhood District would have 68 residential units and 10,581 sf of ground floor Small Shop/Boutique Retail.
- Specific Plan Buildout Scenario 1, Maximum Buildout of the Specific Plan with No Residential Conversion: Consistent with the description provided under Section 2.5.1.1, Floor Area, in addition to approximately 107,000 sf of commercial uses at 9570 Wilshire, the Wilshire Boulevard District would contain 293,000 sf of commercial uses of which

166,000 sf would be net new floor area. The Neighborhood District would contain 70 residential units and 15,000 sf of ground floor Small Shop/Boutique Retail.

- Specific Plan Buildout Scenario 2, Maximum Buildout of the Specific Plan with Residential Conversion: 250,000 sf of commercial floor area (which includes approximately 107,000 sf of existing floor area at 9570 Wilshire) would be included in the Wilshire Boulevard District, of which 16,000 sf would be net new floor area. As contemplated in the Specific Plan, 75 Residential Conversion Units consisting of 150,000 sf of floor area located above the ground floor would be developed across the Saks Rehabilitation and Parcel B subareas. In addition (and consistent with Specific Plan Buildout Scenario 1), 70 residential units and 15,000 sf of ground floor Small Shop/Boutique Retail would be developed in the Neighborhood District. This scenario assumes that no Residential Conversion Units would be developed on the 9570 Wilshire subarea, because while permissible in concept pursuant to the proposed Specific Plan, express findings under a conditional use permit, which the Applicant is not seeking at this time, and additional environmental review and clearance would be required in order to authorize any such conversion to be made. A total of 265,000 sf of commercial uses and 145 residential units would be developed across the site.

For each buildout scenario, the estimated population and household growth was calculated based on the number of residential units proposed and the average number of persons per household (2.17 persons per household) according to the DOF estimate (DOF 2023). The number of residential units for each buildout scenario are shown in Table 4.10-3.

Employment growth was calculated based on square footage and types of non-residential land uses proposed. The Conceptual Plan includes specific square footage and types of non-residential uses, including hotel, social club, retail, and restaurant uses, as shown in Table 4.10-3. The estimated employment growth associated with Specific Plan Buildout Scenarios 1 and 2 was assessed using the square footage and land use type assumptions included in the Transportation Impact Report prepared for the project, which were selected to represent the most intensive potential uses (Fehr & Peers 2023). This information was used to estimate the employment growth for each scenario using default occupancy counts provided by the U.S. Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) rating system (USGBC 2016). The default occupancy counts do not include “social club” or “spa” categories. The social club would include a bar and restaurant for use by private members and would include occasional events as outlined in Section 2.5.4, *Construction and Operation*. The most similar use category to the social club in the default occupancy counts would be “restaurant”, as the majority of the time, the social club would function largely as a restaurant/lounge. For the spa, the default occupancy counts include a “retail or service” category which covers service-based retail establishments in general. This occupancy category would be most applicable to a spa, which is a service-based form of retail. Therefore, the occupancy count for restaurant uses was applied to the social club and the default occupancy count for retail or service was used for the spa use.

Table 4.10-3 Land Use and Population/Employment Assumptions for Project Scenarios

Land Use	Population/Employee Generation Factor	Development Summary ¹		
		Conceptual Plan	Specific Plan Buildout Scenario 1	Specific Plan Buildout Scenario 2
Residential	2.17 per unit	68 units	70 units	145 units
Restaurant/Social Club	1 per 435 sf	29,668 sf	100,000 sf	84,000 sf
Office	1 per 250 sf	125,904 sf	115,000 sf	40,000 sf
Boutique Hotel	1 per 1,500 sf	41,356 sf	55,000 sf	0 sf
Spa	1 per 600 sf	17,215 sf	23,000 sf	19,000 sf
Retail	1 per 550 sf	39,579 sf	15,000 sf	15,000 sf

¹ In addition to continued commercial use of approximately 107,000 sf at 9570 Wilshire

Sources: USGBC 2016, Fehr & Peers 2023

The project’s contributions to population, housing, and employment were then compared to the SCAG projections for Beverly Hills, to determine whether growth associated with the proposed project would result in impacts on the environment due to unplanned growth or conflicts with applicable City and regional goals, objectives and policies.

Changes in population and housing, in and of themselves, are social and economic effects and under CEQA are not physical effects on the environment. CEQA provides that economic or social effects are not considered significant effects on the environments unless the social or economic effects are connected to physical environmental effects. A social or economic change related to a physical change may serve as a linkage between the project and the physical environmental effect or may be considered in determining whether the physical change is significant as provided CEQA Guidelines Section 15382 and 15131(a) which provides that:

economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain or cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on physical changes.

b. Project Design Features

No specific project design features are proposed with regard to population and housing.

c. Project Impacts and Mitigation Measures

Threshold 4.10a: 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)?

Impact POP-1 POPULATION AND HOUSEHOLD GROWTH GENERATED BY THE RESIDENTIAL UNITS PROPOSED BY THE PROJECT WOULD NOT EXCEED THE SCAG 2020-2045 RTP/SCS PROJECTIONS AND THE 2021-2029 RHNA. SIMILARLY, EMPLOYMENT GENERATED BY THE PROPOSED PROJECT WOULD NOT EXCEED SCAG PROJECTIONS FOR THE CITY. THE PROJECT WOULD ALSO NOT INCLUDE NEW INFRASTRUCTURE OR INCREASE THE CAPACITY OF EXISTING INFRASTRUCTURE THAT COULD RESULT IN INDIRECT POPULATION GROWTH. THEREFORE, THE PROJECT WOULD NOT INDUCE SUBSTANTIAL UNPLANNED GROWTH DIRECTLY OR INDIRECTLY, AND IMPACTS WOULD BE LESS THAN SIGNIFICANT.

The project would accommodate anticipated future growth through a compact urban form that seeks to make efficient use of existing infrastructure and public services on an infill development site. As described under Section 4.10.3a., *Significance Thresholds and Methodology*, the Conceptual Plan would include 68 residential units, Specific Plan Buildout Scenario 1 would include 70 residential units, and Specific Plan Buildout Scenario 2 would include 145 residential units. Based on the DOF estimate of 2.17 persons per household in Beverly Hills, the project would generate up to a maximum of 145 households with 315 residents (DOF 2023). SCAG forecasts that Beverly Hills will reach approximately 15,142 households and 35,118 residents by 2027, an increase of 641 households and 3,460 residents from the city's estimated 2023 baseline (SCAG 2020; DOF 2023). The addition of up to 145 households and 315 residents facilitated by the proposed project would account for approximately 23 percent of the growth in households and 9 percent of the population growth projected for 2027 and is within SCAG's population forecast. This estimate is conservative in that it assumes all project residents would be new residents to Beverly Hills, and because the current SCAG projections do not account for the latest RHNA results for Beverly Hills, which establish a requirement of 3,104 new housing units in Beverly Hills by 2030 (SCAG 2021). The 145 residential units proposed under Specific Plan Buildout Scenario 2 would account for approximately 5 percent of the housing units identified in the RHNA. The proposed project would assist the City in meeting its housing needs allocation and would not result in population or housing growth that exceeds the SCAG and RHNA projections. Therefore, the project would not directly result in substantial unplanned housing or residential population growth.

The proposed project would also create new employment opportunities on the project site through expanded commercial uses.³ Table 4.10-4 illustrates the anticipated employment generation for each development scenario. As shown therein, Specific Plan Buildout Scenario 1 would generate the greatest potential number of employees, with a net increase of 530 employees on the project site. According to SCAG forecasts, Beverly Hills is

³ The potential for construction activities to create new employment opportunities and associated indirect population growth was screened out from further analysis in the project's Initial Study (Appendix A).

anticipated to have 81,196 jobs by the year 2037, an increase of 2,398 jobs (SCAG 2020b). The approximately 530 net new employment opportunities generated by the proposed project would account for roughly 22 percent of the anticipated job growth in Beverly Hills through 2037. Therefore, the proposed project would not directly result in substantial unplanned employment growth.

Table 4.10-4 Employment Generation for Project Scenarios¹

Land Use	Employment Density	Conceptual Plan		Specific Plan Buildout Scenario 1		Specific Plan Buildout Scenario 2	
		Amount (sf)	Employees	Amount (sf)	Employees	Amount (sf)	Employees
Restaurant/ Social Club	1 per 435 sf	29,668	69	100,000	230	84,000	194
Office	1 per 250 sf	125,904	503	115,000	460	40,000	160
Boutique Hotel	1 per 1,500 sf	41,356	28	55,000	37	0	0
Spa	1 per 600 sf	17,215	29	23,000	39	19,000	32
Retail	1 per 550 sf	39,579	72	15,000	28	15,000	28
Total Employees	–	–	701	–	794	–	414
<i>Existing Saks Fifth Avenue</i>	<i>1 per 550 sf</i>	<i>145,039</i>	<i>264</i>	<i>145,039</i>	<i>264</i>	<i>145,039</i>	<i>264</i>
Net Employees	–	–	437	–	530	–	150

¹ In addition to continued commercial use of approximately 107,000 sf at 9570 Wilshire
Source: USGBC 2016

Though the proposed project would increase residential units and commercial uses on the project site in comparison to the existing conditions, the proposed project would not result in an exceedance of anticipated population, housing, or job growth in Beverly Hills and, thus, would not induce substantial unplanned population growth. Additionally, the proposed project would not induce substantial indirect population growth by introducing unplanned infrastructure or accelerating development in an undeveloped area. The project site is an infill site in an urban area served by existing roadways and infrastructure. The proposed uses are compatible with the land uses within Beverly Hills and the project would not involve the extension of roadways or major changes to infrastructure in the project area, as discussed in Section 4.13, *Utilities and Service Systems*. The project would include minor upgrades to the electrical, water, and sewer systems serving the project site, such as new connections and improvements to existing water mains and sewer trunks within the adjacent roadways and new electrical lines to serve the increased development density on the site. However, these upgrades would not result in the extension of utilities into previously undeveloped areas and would not be anticipated to generate indirect population growth. Therefore, the project would result in a less than significant direct and indirect impact related to population growth.

Mitigation Measures

No mitigation measures would be required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

4.10.4 Cumulative Impacts

a. Cumulative Impact POP-1

The cumulative impact analysis addresses the impacts of known and anticipated development in the project area in combination with the proposed project (based on the scenario with the greatest potential for impacts), with respect to the anticipated amount, timing, and distribution of population, households, and employment growth based on citywide projections. As identified in Section 3, *Environmental Setting*, 29 cumulative projects in the surrounding area are assumed to be constructed and/or operational during the same period as the proposed project. Table 4.10-5 provides the estimated housing, population, and employment growth associated with the cumulative projects, along with that generated by the proposed project.

For the purpose of assessing the proposed project’s contribution to cumulative population, household, and employment impacts, the scenarios that would generate the greatest total increase in population, housing units, and employment are utilized in the calculations, below. With this, Specific Plan Buildout Scenario 1 would result in the greatest employment growth, whereas Specific Plan Buildout Scenario 2 would result in the greatest growth in households and population; the below table reflects these maximum population, household, and employment growth values. However, only one project scenario would be selected, and the Specific Plan would not permit both scenarios to allow up to 145 residential units and the maximum commercial square footage to be constructed.

Table 4.10-5 Cumulative Population, Housing, and Employment

Project No.	Project Location ¹	Land Use ¹	Size ¹	Households ¹	Population ²	Employment ³
1	317 North Beverly Drive	Retail	9,793	--	--	18
		Office	4,550 sf	--	--	19
2	9291 Burton Way	Restaurant	2,025 sf	--	--	5
3	244-256 North Clark Drive	Senior Housing	55 du	55	120	--
		Multi-Family Residential (removed)	8 du	(8)	(18)	--
4	208 North Crescent Drive	Condominiums	10 du	10	22	--
5	250 North Crescent Drive	Multi-Family Residential	8 du	8	18	--

City of Beverly Hills
9600 Wilshire Boulevard Specific Plan

Project No.	Project Location ¹	Land Use ¹	Size ¹	Households ¹	Population ²	Employment ³
6	332 South Doheny Drive	Multi-Family Residential	9 du	9	20	--
		Single-Family Residential (removed)	1 du	(1)	(3)	--
7	55 North La Cienega Boulevard	Multi-Family Residential	105 du	105	228	--
		Restaurant/Retail	18,500 sf	--	--	43
8	154-186 North La Peer Drive	Multi-Family Residential	16 du	16	35	--
		Multi-Family Residential (removed)	6 du	(6)	(14)	--
9	140 South Lasky Drive	Hotel	36,760 sf	--	--	25
		Restaurant	1,845 sf	--	--	5
		Hotel (removed)	14,625 sf	--	--	(10)
10	149-159 South Maple Drive & 9225 Charleville Boulevard	Multi-Family Residential	29 du	29	63	--
		Multi-Family Residential (removed)	13 du	(13)	(29)	--
11	412 North Oakhurst Avenue	Multi-Family Residential	46 du	46	100	--
		Multi-Family Residential (removed)	9 du	(9)	(20)	--
12	457 North Oakhurst Drive	Condominiums	5 du	5	11	--
13	9212 Olympic Boulevard	Office	13,300 sf	--	--	54
		Retail	4,700 sf	--	--	9
		Restaurant	1,000 sf	--	--	3
14	9120 Olympic Boulevard	Educational Facility	26,834 sf	--	--	21
15	124-129 South Linden Drive	Multi-Family Residential	165 du	165	359	--
		Hotel	60,656 sf	--	--	41
		Restaurant	3,497 sf	--	--	8

Project No.	Project Location ¹	Land Use ¹	Size ¹	Households ¹	Population ²	Employment ³
16	425 North Palm Drive	Multi-Family Residential	20 du	20	44	--
		Multi-Family Residential (removed)	18 du	(18)	(40)	--
17	340 South Rexford	Condominiums	3 du	3	7	--
18	319 North Rodeo Drive	Retail	13,661 sf	--	--	25
19	370 North Rodeo Drive	Retail	5,663 sf	--	--	11
20	400-408 North Rodeo Drive	Retail	29,767 sf	--	--	55
21	9220 North Santa Monica Boulevard	Office	114,202	--	--	457
22	9900-9908 South Santa Monica Boulevard	Multi-Family Residential	17 du	17	37	--
		Retail	12,560	--	--	23
23	227-231 North Swall Drive	Condominiums	18 du	18	40	--
		Multi-Family Residential (removed)	4 du	(4)	(9)	--
24	227 Tower Drive	Multi-Family Residential	10 du	10	22	--
		Multi-Family Residential (removed)	2 du	(2)	(5)	--
25	8633 Wilshire Boulevard	Office	25,566 sf	--	--	103
26	9000 Wilshire Boulevard	Office	31,702 sf	--	--	127
		Retail (removed)	4,820 sf	--	--	(9)
27	9111 Wilshire Boulevard	Hotel	112,400 sf	--	--	75
		Office (removed)	112,400 sf	--	--	(450)
28	9145 Wilshire Boulevard	Religious Institution/Pre-Kindergarten	8,269 sf	--	--	13

City of Beverly Hills
9600 Wilshire Boulevard Specific Plan

Project No.	Project Location ¹	Land Use ¹	Size ¹	Households ¹	Population ²	Employment ³
29	9850, 9876, 9900 & 9988 Wilshire Boulevard	Multi-Family Residential	360 du	360	782	--
		Hotel	113,485 sf	--	--	76
		Restaurant	17,387 sf	--	--	40
Cumulative Projects Total				815	1,770	787
Proposed Project Maximum (net)				145	315	530
Cumulative Project Plus Proposed Project Total				960	2,085	1,317

sf = square feet; du = dwelling units; () = negative value

¹ Cumulative project details were sourced from the City of Beverly Hills as described in Section 3.4, *Cumulative Development*.

² Based on a household rate of 2.17 persons per household in Beverly Hills (DOF 2023).

³ Based on default occupancy counts from the USGBC LEED rating system including: Retail = 1 employee/550 sf; Restaurant = 1 employee /435 sf; Hotel = 1 employee /1500 sf; Office = 1 employee /250 sf; Education (K-12) = 1 employee /1,300 sf; and Daycare = 1 employee /630 sf (USGBC 2016).

The proposed project, along with the cumulative projects, would result in up to approximately 960 new households, up to 2,085 new residents, and up to 1,317 new employees in Beverly Hills. As indicated in Table 4.10-2, SCAG forecasts that Beverly Hills will have 641 new households, 3,460 new residents, and 2,398 new jobs by 2027. Cumulative development within the city would exceed the SCAG projection for the number of new households by approximately 319 units (50 percent) under Specific Plan Buildout Scenario 2 (the scenario with the greatest number of housing units). However, as described in Section 4.10.2b., *Citywide Population, Household, and Employment Estimates*, the SCAG RTP/SCS projections do not account for the latest RHNA allocation for Beverly Hills, which identifies a need for 3,104 new housing units to be added to the city by 2030. The 960 housing units added by cumulative development within the city would account for approximately 31 percent of the RHNA allocation and would be within the anticipated housing/household growth identified by SCAG in the 2021-2029 RHNA (SCAG 2021).

Although the number of households added by cumulative development would exceed the SCAG 2020—2045 RTP/SCS projection, the anticipated number of new residents and employees associated with cumulative development would be within the SCAG projections for 2027. New residents generated under Specific Plan Buildout Scenario 2 (the scenario with the greatest population growth) along with cumulative development would account for approximately 60 percent of the projected increase in population. Likewise, the number of employees generated under Specific Plan Buildout Scenario 1 (the scenario with the most employees) along with cumulative development would account for approximately 55 percent of the projected employment increase through 2027. Therefore, cumulative impacts related to unplanned growth in households, residents, and employees would be less than significant.

4.11 Transportation

This section analyzes the potential transportation impacts of the proposed project during both construction and operational phases. Specifically, this analysis focuses on the project's potential to conflict with programs, plans, ordinances and policies addressing the circulation system, result in significant vehicle miles traveled (VMT) impacts, substantially increase roadway hazards, or result in inadequate emergency access. The analysis presented herein is based in part on the results of the Transportation Impact Report prepared for the proposed project by Fehr & Peers in 2023 (Appendix G).

4.11.1 Regulatory Setting

a. Federal Regulations

Americans with Disabilities Act of 1990

The Americans with Disabilities Act (ADA) of 1990 provides comprehensive rights and protections to individuals with disabilities. The goal of the ADA is to assure equality of opportunity, full participation, independent living, and economic self-sufficiency for people with disabilities. To implement this goal, the United States Access Board, an independent Federal agency created in 1973 to ensure accessibility for people with disabilities, has created accessibility guidelines for public rights-of-way. While these guidelines have not been formally adopted, they have been widely followed by jurisdictions and agencies nationwide in the last decade. The guidelines, last revised in July 2011, address various issues, including roadway design practices, slope and terrain issues, pedestrian access to streets, sidewalks, curb ramps, street furnishings, pedestrian signals, parking, and other components of public rights-of-way.

b. State Regulations

California Environmental Quality Act Guidelines

CEQA Guidelines Section 15064.3 describes specific considerations for determining a project's transportation impacts. Generally, VMT is the most appropriate measure of transportation impacts. For the purposes of this section, "vehicle miles traveled" refers to the amount and distance of automobile travel attributable to the project. Other relevant considerations may include the effects of the project on transit and non-motorized travel. The criteria used to analyze transportation impacts are included in Section 4.11.3, *Impact Analysis*.

California Senate Bill 743

On September 27, 2013, California Governor Jerry Brown signed Senate Bill (SB) 743 into law and started a process that changed transportation impact analysis as part of CEQA compliance. These changes include elimination of auto delay, level of service (LOS), and other similar measures of vehicular capacity or traffic congestion as a basis for determining significant impacts for transportation projects in California under CEQA.

9600 Wilshire Boulevard Specific Plan

In 2016, the Office of Planning and Research (OPR) released “Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA” (OPR 2016). Of particular relevance was the updated text of the new Section 15064.3 that relates to the new transportation impact metric of VMT and describes the determination of the significance of transportation impacts and mitigation measures. To help lead agencies with SB 743 implementation, OPR produced the Technical Advisory on Evaluating Transportation Impacts in CEQA (OPR 2018).

Pursuant to the guidance from OPR, “a lead agency may elect to be governed by the provisions of this section immediately. Beginning on July 1, 2020, the provisions of this section shall apply statewide” (OPR 2018). The City of Beverly Hills formally adopted the use of VMT for CEQA transportation impacts on October 10, 2019 (Planning Commission Resolution 1901). More information on the determination of the significance of impacts is included below in Section 4.11.3, *Impact Analysis*.

California Assembly Bill 32, Senate Bill 32, and Senate Bill 375

Assembly Bill (AB) 32, also known as the California Global Warming Solutions Act of 2006, is California’s major initiative for reducing greenhouse gas (GHG) emissions. AB 32 requires California to reduce its GHG emissions to 1990 levels by 2020, a reduction of approximately 15 percent below emissions expected under a “business as usual” scenario. Senate Bill (SB) 32, signed in 2016, extends the California Global Warming Solutions Act of 2006 by requiring the State to further reduce GHG emissions to 40 percent below 1990 levels by 2030 (the other provisions of AB 32 remain unchanged).

As stated in AB 32 and SB 32, the California Air Resources Board (CARB) must adopt regulations to achieve the maximum technologically feasible and cost-effective GHG emission reductions. The full implementation of AB 32 and SB 32 will help mitigate risks associated with climate change, while improving energy efficiency, expanding the use of renewable energy resources, cleaner transportation, and reducing waste.

Signed in 2008, SB 375 directs CARB to develop regional GHG emission reduction targets to be achieved by passenger vehicles by 2020 and 2035. SB 375 also directs each of California’s major metropolitan planning organizations (MPOs) to prepare a sustainable communities strategy (SCS) that identifies a growth strategy to meet emissions targets, to be included in each MPOs regional transportation plan (RTP). Beverly Hills is within the jurisdiction of the Southern California Association of Governments (SCAG), which is the MPO for the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura.

In March 2018, CARB adopted updated regional targets for reducing GHG emissions from 2005 levels by 2020 and 2035. SCAG was assigned targets of an 8 percent reduction in per capita GHG emissions from passenger vehicles by 2020 and a 19 percent reduction in per capita GHG emissions from passenger vehicles by 2035. In the SCAG region, SB 375 also provides the option for the coordinated development of subregional plans by the subregional councils of governments and the county transportation commissions to meet SB 375 requirements. On September 3, 2020, the SCAG’s Regional Council formally adopted the 2020-2045 RTP/SCS titled Connect SoCal, which meets the requirements of SB 375.

SCAG 2020-2045 RTP/SCS

The 2020-2045 RTP/SCS builds upon the progress made through implementation of the 2016-2040 RTP/SCS and includes 10 goals focused on promoting economic prosperity, improving mobility, protecting the environment, and supporting healthy/complete communities. The SCS implementation strategies include focusing growth near destinations and mobility options, promoting diverse housing choices, leveraging technology innovations, and supporting implementation of sustainability policies. The SCS establishes a land use vision of center-focused placemaking, concentrating growth in and near Priority Growth Areas, transferring of development rights, urban greening, creating greenbelts and community separators, and implementing regional advance mitigation (SCAG 2020).

c. Local Regulations

Metro First Last Mile Strategic Plan

The Metro First Last Mile Strategic Plan outlines an approach for identifying barriers and planning for/implementing improvements for connecting transit services to nearby trip origins (e.g., an individuals' home) and destinations (e.g., an individuals' place of employment) (Metro and SCAG 2014). Examples of first/last mile improvements include but are not limited to: pedestrian and bicycle infrastructure, signage and wayfinding, and shared use services (e.g., car share). The First Last Mile Plan developed what is known as "The Pathway," a proposed countywide transit access network designed to enhance transit accessibility. The Pathway is a series of active transportation improvements that connect to and from Metro rail and bus rapid transit stations.

The City of Beverly Hills worked with Metro to develop the Wilshire/Rodeo Station Pathway Plan for the Wilshire/Rodeo Station. The Pathway Plan notes that Wilshire Boulevard would benefit from numerous first/last mile improvements, including bus stop enhancements, high-visibility crosswalks, street furniture, and street trees where needed. The Pathway Plan also identifies a series of bicycle improvements that will help facilitate station access, such as intersection treatments to create a bicycle-friendly environment. Planned first/last mile improvements within the project vicinity are discussed under section 4.11.2, *Environmental Setting*.

City of Beverly Hills General Plan - Circulation Element

The City of Beverly Hills General Plan Circulation Element has two overarching objectives: that the neighborhoods of Beverly Hills should be preserved and enhanced, including limiting negative effects caused by vehicles; and that vehicles should move into, out of, or through Beverly Hills as expeditiously as possible (City of Beverly Hills 2010). The Circulation Element identifies the following goals that are relevant to the proposed project:

- **CIR 1 Circulation System:** Provide a safe and efficient roadway circulation system within the city.
- **CIR 2 Transit:** Development of a safe, comprehensive, and integrated transit system that serves as an essential component of a multi-modal mobility system within the city.

9600 Wilshire Boulevard Specific Plan

- **CIR 6 Transportation Demand Management (TDM):** A reduction in single-occupant motor vehicle travel in the city through TDM that ensures efficiency of the existing transportation network and promotes the movement of people instead of personal automobiles.
- **CIR 7 Pedestrians:** A safe and comfortable pedestrian environment that results in walking as a desirable travel choice, particularly for short trips, within the city.
- **CIR 8 Bikeways:** An integrated, complete, and safe bicycle system to encourage bicycling within the city.

Complete Streets Plan

In April 2021, the City of Beverly Hills adopted a citywide Complete Streets Plan. The City of Beverly Hills Complete Streets Plan creates a blueprint for transportation improvements that balances the needs of all road users: bicyclists, pedestrians, transit riders, and motorists (City of Beverly Hills 2021). The goal of the Complete Streets Plan is to provide more options for people to choose the mode that best works for their trip type, and a network of streets where individual modes will be prioritized.

The Complete Streets Plan identifies the following goals that are relevant to the proposed project:

- **Goal B1:** Provide a Safe and Efficient Bicycle Circulation System Within the City
- **Goal B2:** Provide a Holistic and Connected Bicycle Network
- **Goal B3:** Expand Bike Parking
- **Goal B4:** Support and Encourage Bicycle Transportation
- **Goal P1:** Improve Pedestrian Safety
- **Goal P2:** Make Walking a Desirable Travel Choice
- **Goal P3:** Enhance Sidewalks as Public Spaces
- **Goal T1:** Provide First/Last Mile Connections
- **Goal T2:** Improve the Rider Experience
- **Goal T3:** Increase Transit Ridership
- **Goal V3:** Support Safe, Complete, Livable, Sustainable, and Quality Neighborhoods

The Complete Streets Plan identifies a series of bicycle improvements that will help facilitate access to the future Wilshire/Rodeo Metro Station. The Complete Streets Plan also identifies pedestrian corridors to enhance the overall pedestrian experience. Potential improvements could include new and upgraded sidewalks, tightened curb radii to slow vehicle speeds, and mid-block crossings, among others.

The Complete Streets Plan identifies Wilshire Boulevard, Olympic Boulevard, North Santa Monica Boulevard, Burton Way, and Beverly Drive as part of the City's proposed Transit Enhanced Network. Bus stop enhancements, such as shelter, seating, lighting, trash/recycling bins, poles/signs with route information and schedules, a system map (or link to one), a paved boarding area, and ADA-compliant pedestrian connections, are identified along these corridors. In addition to the Complete

Streets Plan, the City recently published the Beverly Hills Complete Streets Plan Action Plan to track progress since the adoption of the Complete Streets Plan and prioritize project implementation (City of Beverly Hills 2023).

4.11.2 Environmental Setting

a. Street System

- The proposed project is located in the southwestern portion of the City of Beverly Hills. The project site is generally bounded by Wilshire Boulevard to the north, Camden Drive to the East, the southern boundary of an alleyway to the south, and Bedford Drive to the west. Major roadways within the vicinity of the Specific Plan Area are shown in Figure 4.11-1, and roadways providing access to the project and southwest neighborhood are described below.
- **Wilshire Boulevard** is an east-west principal arterial that extends from near the Pacific Ocean in the City of Santa Monica to downtown Los Angeles. Within Beverly Hills, Wilshire Boulevard provides three travel lanes in each direction. Wilshire Boulevard would provide access to the project site at the signalized intersections of Bedford Drive and Camden Drive and at the unsignalized intersection at Peck Drive.
- **Bedford Drive** serves as a one-way southbound collector roadway from Santa Monica Boulevard to Wilshire Boulevard through the business triangle in Beverly Hills. South of Wilshire Boulevard, South Bedford Drive provides travel in both directions and functions as a two-lane roadway providing access to the commercial parcels on the south side of Wilshire Boulevard and the residential neighborhood to the south.
- **Peck Drive** is a two-lane local roadway that provides access to the commercial parcels on the south side of Wilshire Boulevard and the residential neighborhood to the south. Peck Drive is unsignalized at Wilshire Boulevard and only right-turns to/from Wilshire Boulevard are permitted.
- **Camden Drive** serves as a one-way northbound collector roadway from Wilshire Boulevard to Santa Monica Boulevard through the business triangle in Beverly Hills. South of Wilshire Boulevard, South Camden Drive provides travel in both directions and functions as a two-lane roadway providing access to the commercial parcels on the south side of Wilshire Boulevard and the residential neighborhood to the south. The signalized intersection of Camden Drive and Wilshire Boulevard also provides access to Dayton Way. Due to the multiple legs at this intersection, direct access from South Camden Drive to North Camden Drive is not permitted and northbound vehicles on South Camden Drive must turn right onto Wilshire Boulevard.
- **Charleville Boulevard** runs east-west parallel to Wilshire Boulevard in the study area. Charleville Boulevard is a two-lane local roadway providing local access in the southwestern portion of the city and is controlled by stop signs at each intersection.

Figure 4.11-1 Existing Roadways



b. Public Transit

Existing Transit Service

Several transit lines operate within the area with service provided by Metro. Every six months, typically in June and December, Metro operations undergo a service change program where bus schedules are adjusted to accommodate ridership demands and improve connections between Metro Bus and Metro Rail. Metro provides service on multiple bus lines with frequent service (at least every 15 minutes during weekday peak hours) in the study area. Beginning in July 2020, Metro implemented temporary service changes in response to the impacts of COVID-19. This caused most bus routes in the area to operate on a Sunday service schedule with reduced frequencies compared to typical weekday operations. In response to fluctuating ridership demands and bus driver shortages, Metro has continued to periodically adjust service, with recent service changes providing more frequent service along many routes to return operations to pre-pandemic service levels. The transit information used to determine the current frequency of bus service in the city is based on the schedule changes that Metro implemented in December 2022.

In addition to the service frequency changes, Metro adopted the NextGen Bus Plan in 2020, a once-in-a-generation overhaul of bus routes and service design concepts intended to provide faster and more frequent bus service, including during off-peak periods, better reliability and accessibility to key destinations, better connectivity with municipal transit operators, and improved perception of safety onboard buses and at bus stops. Some of the bus routes in Beverly Hills were modified as a result of the NextGen Bus Plan. The NextGen Bus Plan implemented in June 2021 discontinued Line 16 bus service west of San Vicente Boulevard (service is now only provided on Third Street between West Hollywood and downtown Los Angeles). A new line, Line 617, provides service between the Expo Light Rail Station on Venice Boulevard and a new mini-transit hub located at Cedars Sinai Hospital, and then continues west through Beverly Hills along Burton Way and Beverly Drive.

The service routes and frequencies for transit service in the project site vicinity are described below.

- **Metro Line 20** provides service along Wilshire Boulevard, making frequent local stops. It connects the communities of downtown Los Angeles, Koreatown, Beverly Hills, Westwood, and Santa Monica. Weekday service during peak hours is provided approximately every 10 minutes. Weekend service during peak hours is provided approximately every 14 minutes. The closest bus stops to the project are at the intersections of Wilshire Boulevard and Peck Drive (immediately adjacent to the project site) and Wilshire Boulevard and Rodeo Drive (0.1 mile). These stops are also shared with Metro Line 720.
- **Metro Line 720** operates along the same route as Line 20, though it makes fewer stops along Wilshire Boulevard. It connects the communities of downtown Los Angeles, Koreatown, Beverly Hills, Westwood, and Santa Monica. Weekday service during peak hours is provided approximately every 5 minutes. Weekend service during peak hours is provided approximately every 9 minutes. Similar to Metro Line 20, the closest bus stops

9600 Wilshire Boulevard Specific Plan

to the project are at the intersections of Wilshire Boulevard and Peck Drive (immediately adjacent to the project site) and Wilshire Boulevard and Rodeo Drive (0.1 mile).

- **Metro Line 4** provides service between downtown Los Angeles and the City of Santa Monica with service along Santa Monica Boulevard. It travels along Santa Monica Boulevard connecting the communities of Echo Park, Silver Lake, West Hollywood, Beverly Hills, Century City, West Los Angeles, and Santa Monica. Line 4 is a local service bus and has frequent stops along Santa Monica Boulevard. Most stops are approximately one to two blocks apart. Service is provided approximately every 10 minutes during the peak hours on weekdays. Daytime service on weekends is also provided approximately every 11-12 minutes. The closest bus stops to the project are located at the intersection of North Santa Monica Boulevard and Camden Drive (0.3 mile).
- **Metro Line 28** provides service along Olympic Boulevard, making local stops. It connects the communities of downtown Los Angeles, Koreatown, Mid-Wilshire, Beverly Hills, and Century City. Weekday service during peak hours is provided approximately every 11 minutes. Weekend service during peak hours is provided approximately every 28 minutes. The nearest stop to the project is at the intersection of Olympic Boulevard and Roxbury Drive (0.6 mile).
- **Metro Line 617** provides services between Beverly Hills and Culver City. The line travels along Pico Boulevard, North and South Beverly Drive, Santa Monica Boulevard, Burton Way, Third Street, San Vicente, La Cienega Boulevard and Robertson Boulevard. Line 617 connects the communities of Beverlywood, Beverly Hills, Pico-Robertson, La Cienega Heights, and downtown Culver City. Weekday service during peak hours is provided approximately every 45 minutes. Weekend service during peak hours is provided approximately every hour. The closest stops to the project are located at the intersections of North Beverly Drive and Dayton Way (0.2 mile) and Beverly Drive and Wilshire Boulevard (0.2 mile).
- **Antelope Valley Transit Authority 786** provides commuter bus service from the Antelope Valley (Lancaster / Palmdale) to West Los Angeles and Hollywood along Santa Monica and Wilshire Boulevards. There are four daily round trips on weekdays and no weekend service. Morning trips in Beverly Hills arrive between the hours of 5:55 and 7:35 AM with 25-to-45-minute headways, and evening service to the Antelope Valley depart between 3:20 and 5:40 PM with 30-to-60-minute headways. The closest Line 786 bus stops to the project site are located on Wilshire Boulevard and Camden Drive (immediately adjacent to the project site) and Wilshire Boulevard and Rodeo Drive (0.1 mile east).

For Metro lines with stops within one half-mile of the project site, walking distances measured between the transit stop and the center of the project site are noted above for information purposes. Figure 4.11-2 depicts existing transit service in the vicinity of the project site and shows transit service provided within approximately a one half-mile radius of the project.

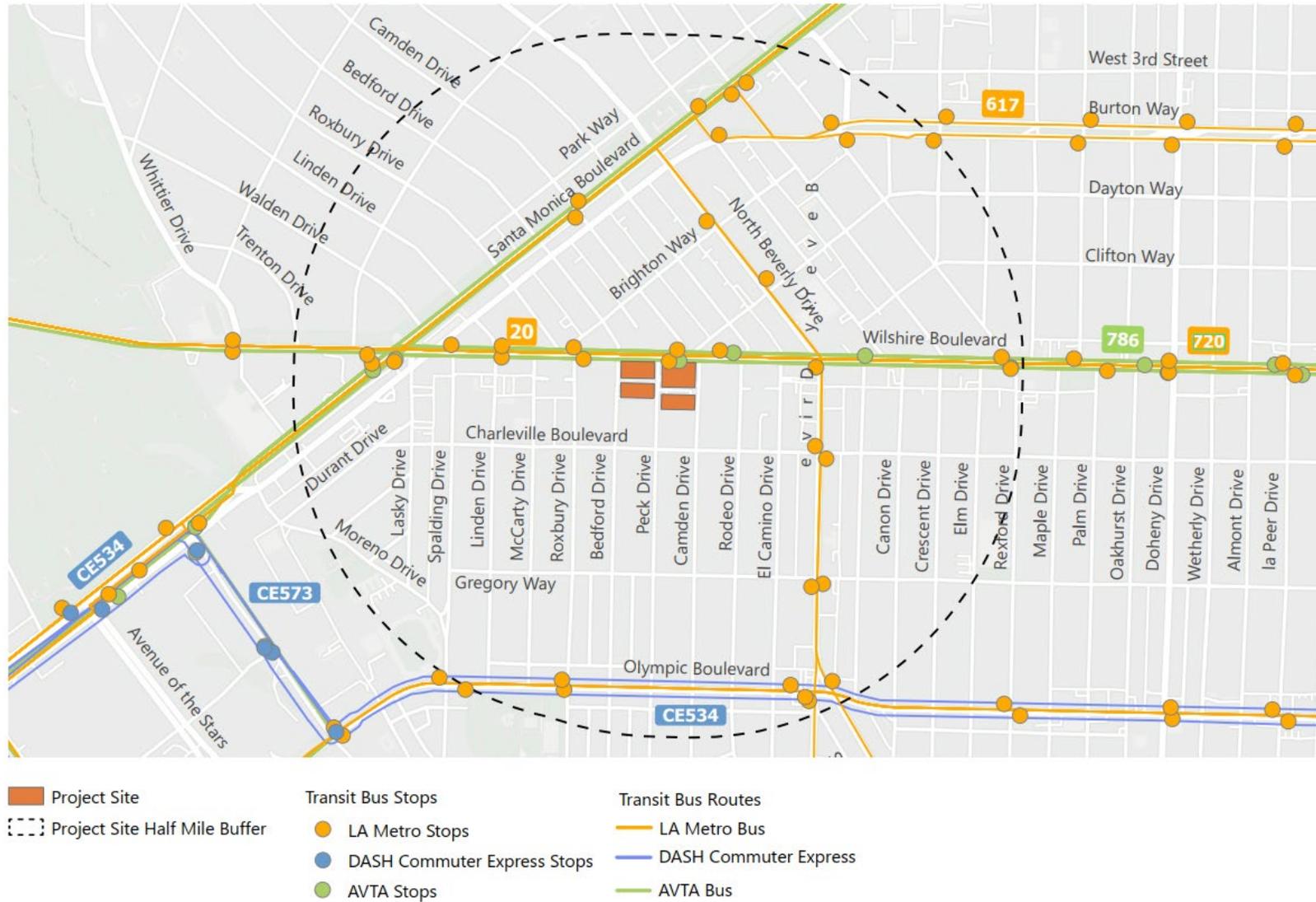
Planned Transit Service

The Metro D Line Extension will extend the existing D Line (formerly, the Purple Line) subway from its current terminus at the Wilshire/Western Station to a proposed new station in Westwood. Sections 1, 2, and 3 of the D Line Extension are currently under construction. Section 1 is expected to begin operations in 2025 and includes one new station in Beverly Hills at Wilshire/La Cienega and two new stations in Los Angeles (Wilshire/La Brea and Wilshire/Fairfax). Section 2 is expected to begin operations in 2025 and includes one new station in Beverly Hills approximately 0.2 mile from the project site at Wilshire/Rodeo and one station just west of Beverly Hills at Century City/Constellation. Section 3 is anticipated to open for operations in 2027 with two new stations (Wilshire/Westwood and Wilshire/VA Hospital).

The Metro D Line station planned for Wilshire/Rodeo is closest to the project (0.2 mile). In November 2020, the City approved the construction of the North Portal which would provide an entrance/exit on the west side of North Beverly Drive, within the existing street right-of-way, north of Wilshire Boulevard.

The City of Beverly Hills Complete Streets Plan identifies Wilshire Boulevard, North Santa Monica Boulevard, Beverly Drive, and Olympic Boulevard as part of the City's proposed Transit Enhanced Network. Bus stop enhancements, such as shelter, seating, lighting, trash/recycling bins, poles/signs with route information and schedules, a system map (or link to one), a paved boarding area, and ADA-compliant pedestrian connections, are identified along these transit corridors, including the bus stops on Wilshire Boulevard at Peck Drive, Rodeo Drive, and Beverly Drive closest to the project site. Metro's First/Last Mile Plan and Wilshire/Rodeo Pathway Plan also identify bus stop improvements along Wilshire Boulevard in the vicinity of the project site.

Figure 4.11-2 Existing Transit Services



Note: Local Metro routes and Metro Rapid service often utilize the same bus stops.

c. Bicycle and Pedestrian Facilities

Bicycle facilities generally consist of four types of facilities, which are outlined below:

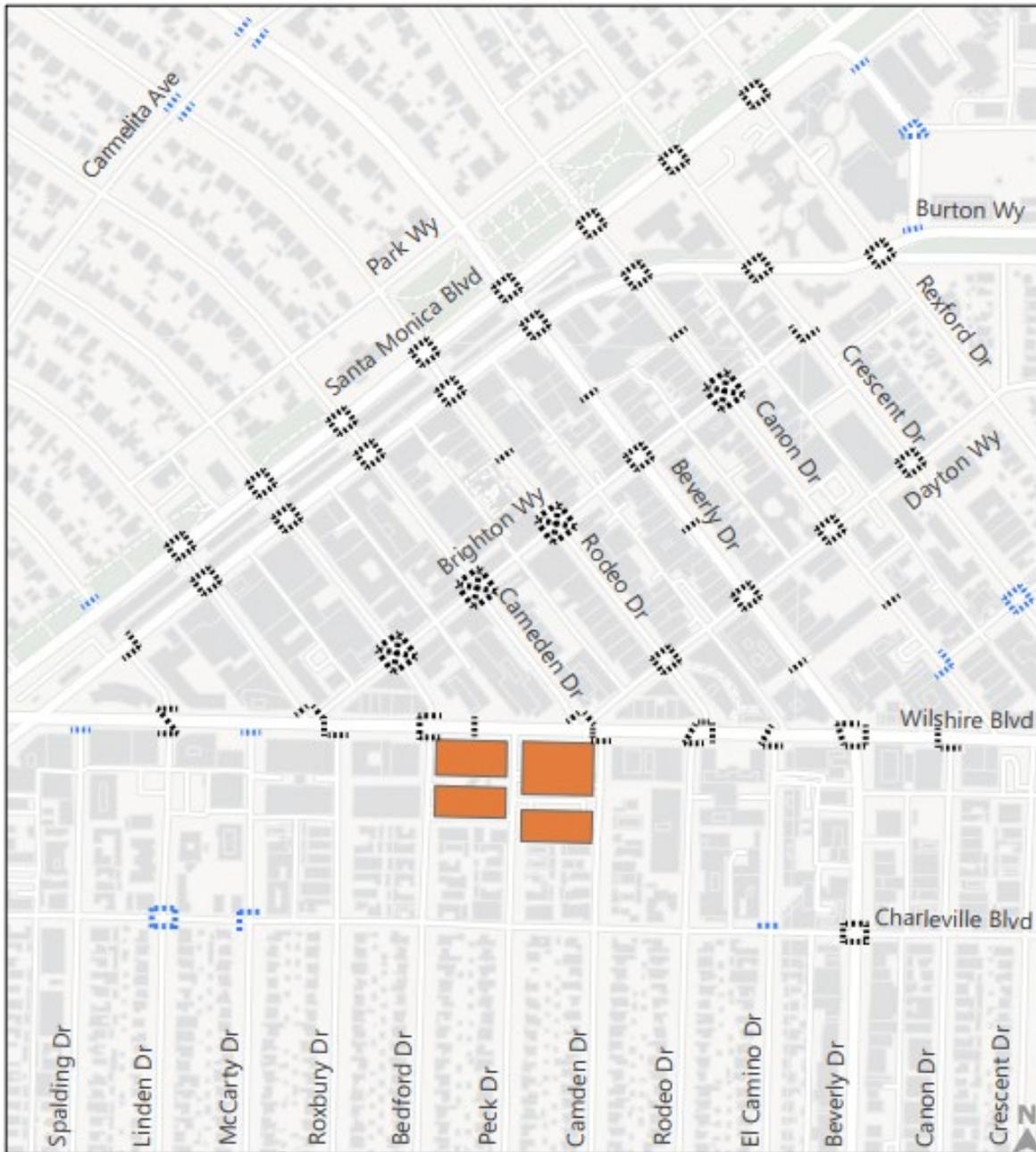
- **Bike or Shared Use Paths** (Class I) provide a separate right-of-way and are designated for the exclusive use of bicycles and pedestrians with vehicle and pedestrian crossflow minimized. Generally, the recommended pavement width for a two-directional shared use path is ten feet.
- **Bike Lanes** (Class II) provide a restricted right-of-way and are designated for the use of bicycles with a striped lane on a street or highway. Adjacent vehicle parking and vehicle/pedestrian crossflow is permitted.
- **Bike Route or Signed Shared Roadways** (Class III) provide for a right-of-way designated by signs or shared lane pavement markings, or “sharrows,” for shared use with pedestrians or motor vehicles.
- **Separated Bikeways or Cycle Tracks** (Class IV) provide on-street bicycle facilities that are separated from vehicle travel by a vertical barrier to provide a protected bicycle lane. At intersections, the barrier is typically removed to allow vehicles to enter the bike lane to make a right-turn.

Existing Bicycle and Pedestrian Facilities

Within the project site vicinity, Roxbury Drive, Charleville Boulevard, and Gregory Way have Class III bike routes with sharrows for shared use with vehicles. Further north, North Santa Monica Boulevard has Class II bicycle lanes that are enhanced through green paint in the City of Beverly Hills (city limit to city limit).

A majority of the roadways within the project site and vicinity have sidewalks with crosswalks striped at the intersections. At the signalized intersections on Wilshire Boulevard, crosswalks are provided on both the north and south sides of the intersections for pedestrians walking along Wilshire Boulevard. For pedestrians crossing Wilshire Boulevard, some intersections have crosswalks on both the east and west sides of the intersection and others only have a crosswalk on one side due to the complex signal operations needed to accommodate multiple roadways into the business triangle area and the transition from one-way to two-way travel flow on either side of Wilshire Boulevard. There are also crosswalks and pedestrian “walk/don’t walk” indicators at the signalized intersections in the study area. The majority of intersections south of the project site on Charleville Boulevard do not have striped crosswalks. The signalized crossings for pedestrians as well as crosswalks provided at stop-controlled intersections in the project site vicinity are shown in Figure 4.11-3.

Figure 4.11-3 Existing Pedestrian Crossings



- Project Site
- Signalized Crosswalk
- Stop-controlled Crosswalk

Planned Bicycle and Pedestrian Facilities

The City of Beverly Hills Complete Streets Plan contains a vision for transportation improvements that balance the needs of all road users including bicyclists and pedestrians.

The City's Complete Streets Plan Action Plan tracks progress of transportation improvements since the adoption of the Complete Streets Plan and prioritizes project implementation. Within the project vicinity, the Complete Street Plan Action Plan identifies implementation of streetscape design standards and installation of streetscape elements as part of the construction of the Metro Wilshire/Rodeo Station within the 2023-2023 fiscal year. The plan also includes on-going coordination with Metro to design and implement projects identified in Metro's First/Last Mile Plan for the Wilshire/Rodeo Station, including bikeways, curbside management, and streetscape improvements.

Within proximity to the project site, the City's Complete Streets Plan identifies a series of bicycle improvements are planned to improve facilities for bicyclists traveling in the city, including Class IV protected bicycle lanes on North and South Beverly Drive, Charleville Boulevard, and Gregory Way; Class II bicycle lanes on Roxbury Drive; and Class III bicycle boulevards on Brighton Way. Metro's First/Last Mile Plan identifies bicycle friendly intersections at Wilshire Boulevard and Beverly Drive, on Charleville Boulevard at South Roxbury Drive, South Camden Drive, and South Beverly Drive, and at Gregory Way and South Beverly Drive in the vicinity of the project site.

The Complete Streets Plan also identifies pedestrian corridors to enhance the overall pedestrian experience. Pedestrian corridor improvements are envisioned on Wilshire Boulevard and South Beverly Drive, as well as in the business triangle area on North Camden Drive, North Bedford Drive, and North Roxbury Drive. Potential improvements identified in the Complete Streets Plan could include new and upgraded sidewalks and crosswalks, tightened curb radii to slow vehicle speeds, pedestrian and bicycle lighting, street furniture, wayfinding signage, bike-friendly intersections, and mid-block crossings, among others. Metro's First/Last Mile Plan identifies improved pedestrian crossings at the Wilshire Boulevard and Rodeo Drive as well as Rodeo Drive and Charleville Boulevard intersections, pedestrian and bicycle lighting and wayfinding signage on Rodeo Drive, and pedestrian crossing improvements, bulbouts, enhanced pedestrian and bicycle lighting, and wayfinding signage on Charleville Boulevard within the vicinity of the project site.

4.11.3 Impact Analysis

a. Significance Thresholds and Methodology

Significance Thresholds

The proposed project would have a potentially significant impact if it were to result in one or more of the following:

- a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.

9600 Wilshire Boulevard Specific Plan

- 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 use (e.g., farm equipment).
- d. Result in inadequate emergency access.

Methodology

The evaluation of potential transportation impacts is based on the Transportation Impact Report prepared by Fehr & Peers included in Appendix G of this Draft EIR. The Transportation Assessment was prepared pursuant to the City of Beverly Hills transportation impact thresholds and guidelines for assessing transportation impacts for development projects. The methodology for the assessment of impacts is summarized in the following subsections.

As described in Section 2, *Project Description*, this EIR analyzes the environmental effects of buildout of the Specific Plan at a programmatic level including with and without the Residential Conversion Units. This EIR also performs a project level review of the proposed Conceptual Plan. The proposed Conceptual Plan and the two Specific Plan build-out scenarios are summarized below:

- **Conceptual Plan Buildout:** Consistent with the description provided under Section 2.5.2, Conceptual Plan, the Wilshire Boulevard District would consist of approximately 261,722 sf of commercial space, in addition to the continued commercial use of the existing 107,000 sf at 9570 Wilshire. Additionally, the Neighborhood District would have 68 residential units and 10,581 sf of ground floor Small Shop/Boutique Retail.
- **Specific Plan Buildout Scenario 1, Maximum Buildout of the Specific Plan with No Residential Conversion:** Consistent with the description provided under Section 2.5.1.1, Floor Area, in addition to approximately 107,000 sf of commercial uses at 9570 Wilshire, the Wilshire Boulevard District would contain 293,000 sf of commercial uses of which 166,000 sf would be net new floor area. The Neighborhood District would contain 70 residential units and 15,000 sf of ground floor Small Shop/Boutique Retail.
- **Specific Plan Buildout Scenario 2, Maximum Buildout of the Specific Plan with Maximum Residential Conversion:** 250,000 sf of commercial floor area (which includes approximately 107,000 sf of existing floor area at 9570 Wilshire) would be included in the Wilshire Boulevard District, of which 16,000 sf would be net new floor area. As contemplated in the Specific Plan, 75 Residential Conversion Units consisting of 150,000 sf of floor area located above the ground floor would be developed across the Saks Rehabilitation and Parcel B subareas. In addition (and consistent with Specific Plan Buildout Scenario 1), 70 residential units and 15,000 sf of ground floor Small Shop/Boutique Retail would be developed in the Neighborhood District. This scenario assumes that no Residential Conversion Units would be developed on the 9570 Wilshire subarea, because while permissible in concept pursuant to the proposed Specific Plan, express findings under a conditional use permit, which the Applicant is not seeking at this time, and additional environmental review and clearance would be required in order to authorize any such conversion to be made. A total of 265,000 sf of commercial uses and 145 residential units would be developed across the site.

The physical characteristics of the development, including types of land uses, footprint, building heights, architectural, lighting and landscaping styles, circulation, and publicly accessible open space would be consistent across the development scenarios. Construction activities would also be substantially the same for each scenario. Therefore, the below analysis of consistency with programs, plans, and policies, geometric design and incompatible use, and emergency access is applicable to all three scenarios. Where the specific amounts and types of land uses to be developed is applicable to the project's VMT, each buildout scenario is addressed separately, as appropriate.

Consistency with Programs, Plans, and Policies

Generally, a project causes a significant impact to the circulation system, including transit, roadway, bicycle, and pedestrian facilities if it causes a conflict with a relevant program, plan, ordinance, or policy. The evaluation of transit, roadway, bicycle, and pedestrian facilities shall consider if the project or related mitigation conflicts with circulation system policies adopted by SCAG, the City of Beverly Hills, or Metro for their respective transportation facilities. Pursuant to CEQA Guidelines Section 15064.3(a), conflicts with policies related to automobile delay shall not constitute a significant environmental impact.

VMT

The VMT analysis begins with a review of the baseline VMT metrics and VMT impact thresholds developed in conjunction with the City of Beverly Hills and based on OPR guidance and the City's adopted transportation impact thresholds. The project is then evaluated under four VMT analysis screening options to determine if it may have a VMT impact and require further evaluation. The analysis concludes by assessing if the project may have an impact under cumulative conditions. For projects that do not meet any screening options, a VMT analysis is required. Each of these steps is described in detail below.

BASELINE VMT

The SCAG 2016 RTP/SCS trip-based model is a travel demand model with socioeconomic and transportation network inputs, such as population, employment, and the regional and local roadway network. The model outputs several travel behavior metrics, such as vehicle trips and trip lengths, that can be used to calculate VMT. The RTP/SCS model forecasts long-term transportation demands and identifies policies, actions, and funding sources to accommodate these demands. The RTP/SCS consists of the construction of new transportation facilities, transportation systems management strategies, transportation demand management, and land use strategies. While the latest version of the SCAG RTP/SCS is the 2020-2045 RTP/SCS Connect SoCal plan, the VMT estimates for the City of Beverly Hills continue to rely on the 2016 RTP/SCS trip-based model which was the version of the model that was available at the time the City defined its baseline VMT metrics and screening criteria. Based on the planned growth and transportation improvements envisioned in the latest RTP/SCS, the VMT trends reported from the 2016 RTP/SCS model will be similar to those in the new 2020 model; and, therefore, applying the 2016 RTP/SCS

model in the VMT analysis is considered a proper methodology for analyzing VMT impacts for the proposed project.

The SCAG RTP/SCS trip-based model was used to estimate the regional baseline VMT and the baseline VMT for the City. The 2016 SCAG model has 2012 as the base year and 2040 as the forecast year and can be used to estimate VMT in the interim years. This baseline VMT methodology includes vehicle trips within the SCAG model to generate the following metrics:

- Home-Based VMT per Capita: Home-based vehicle trips are traced back to the residence of the trip-maker (non-home-based trips are excluded) and then divided by the residential population within the geographic area. This metric is used to estimate VMT for residential land uses.
- Home-Based Work VMT per Employee: Vehicle trips between home and work are counted, and then divided by the number of employees within the geographic area. This metric is used to estimate VMT for office and other commercial land uses.

The City’s baseline VMT for each metric is shown in Table 4.11-1. These metrics estimate current VMT trends for residential and employment uses in the City of Beverly Hills. The City’s baseline VMT reflects the year 2022.

Table 4.11-1 Baseline VMT for City of Beverly Hills

VMT Metrics		City Average Baseline VMT
Home-Based VMT	Baseline Home-Based VMT per Capita	6.6
Home-Based Work VMT	Baseline Home-Based Work VMT per Employee	15.3

VMT = vehicle miles traveled
 Source: Fehr & Peers 2023

VMT IMPACT THRESHOLDS

The City of Beverly Hills adopted a VMT impact threshold for land use projects in October 2019, which states that a significant impact would occur if a project generates VMT higher than 15 percent below the regional average (City of Beverly Hills 2019). The City’s VMT impact thresholds based on the regional average are summarized in Table 4.11-2. The regional average reflects that average amount of VMT generated within the SCAG region, whereas the VMT data presented in the prior table reflects the average VMT generated within the City of Beverly Hills. As shown in both tables, the average Home-Based VMT per capita in the city (6.6) is less than half of the average VMT per capita generated in the SCAG region (14.2) and the Home-based Work VMT per employee in the city (15.3) is approximately 10 percent lower than the SCAG average (16.8).

Table 4.11-2 City of Beverly Hills VMT Impact Thresholds

VMT Metrics		Regional Baseline VMT	VMT Impact Threshold*
Home-Based VMT	Baseline Home-Based VMT per Capita	14.2	12.1
Home-Based Work VMT	Baseline Home-Based Work VMT per Employee	16.8	14.3

VMT = vehicle miles traveled

*Note: The VMT Impact Threshold for each VMT metric is 15% below the respective Regional Baseline VMT

Source: Fehr & Peers 2023

VMT SCREENING

The first step of a VMT analysis is to determine what type of analysis, if any, is needed. Based on the OPR Technical Advisory, the City of Beverly Hills adopted screening criteria (Planning Commission Resolution 1901, Exhibit A, Table 2) that the City may use to identify if a proposed project is expected to cause a less-than-significant impact without conducting a detailed study: project size, locally serving retail, project location in a low VMT area, and project accessibility to transit. The four screening criteria are detailed below and applied to all or, as applicable, each individual component of the project to determine if the project as a whole, or a particular land use component, has the potential to result in a VMT impact. Once the project as a whole, or a project component, qualifies under one of the screening criteria, the project or the applicable component is screened out of further consideration. However, this evaluation considers all screening criteria that are applicable to the project, or a project component, even if the project or project component already meets other screening criteria. If the project as a whole, or a project component, does not meet any screening criteria, then further VMT analysis is required.

The VMT screening criteria were applied to the three project scenarios to determine if the project would potentially have a VMT impact. Given that the screening criteria focus on project size, the types of land uses being proposed, and the location of the development, all three potential development scenarios are expected to have similar screening criteria outcomes, and therefore, the screening criteria applicable to the project are described below and differences between the development scenarios that affect the screening outcomes are provided.

Geometric Design and Incompatible Use

The determination of significance of potential geometric design features and incompatible use hazards is on a case-by-case basis and considers the following factors:

- Conflicts with pedestrian activity at project access points.
- Design features/physical configurations that the project introduces that affect the visibility of pedestrians and bicyclists to drivers entering and exiting the site, and the visibility of cars to pedestrians and bicyclists.
- The type of bicycle facilities the project driveway(s) crosses and the relative level of utilization.

9600 Wilshire Boulevard Specific Plan

- The physical conditions of the site and surrounding area, such as curves, slopes, walks, landscaping or other barriers, that could result in vehicle/pedestrian, vehicle/bicycle, or vehicle/vehicle safety hazards.
- Any other conditions, including the approximate location of incompatible uses that would substantially increase a transportation hazard.

Emergency Access

The analysis of the project’s potential emergency access impacts includes a review of the proposed vehicle access points and internal circulation characteristics. A determination is made pursuant to the thresholds of significance identified above regarding the potential for these features of the project to impede emergency vehicle access to the site and adjacent streets/properties.

b. Project Design Features

No project design features are proposed with regard to the transportation system are proposed.

c. Project Impacts and Mitigation Measures

<p>Threshold 4.11a: Would the project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?</p>

Impact TRA-1 PROJECT CONSTRUCTION ACTIVITIES COULD CONFLICT WITH A PROGRAM, PLAN, ORDINANCE, OR POLICY ADDRESSING THE CIRCULATION SYSTEM, INCLUDING ROADWAY, TRANSIT, BICYCLE, AND PEDESTRIAN FACILITIES DURING CONSTRUCTION. HOWEVER, CONFLICTS WOULD BE MITIGATED WITH IMPLEMENTATION OF A CONSTRUCTION MANAGEMENT PLAN, AS REQUIRED BY MITIGATION MEASURE T-1. PROJECT OPERATION WOULD NOT CONFLICT WITH POLICIES ADDRESSING THE CIRCULATION SYSTEM. IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION.

Construction

Construction of the project would commence in 2024 and occur in approximately 50 months, as detailed in Section 2, *Project Description...* Construction truck traffic, including staging, delivery, and hauling could impact the adjacent circulation system as follows:

- The roadways designated as the truck routes for the project are already some of the most heavily traveled in the City of Beverly Hills.
- There is no guarantee that truck traffic would not deviate from the designated routes and travel on other roadways when traveling to and from the site.
- The highest number of daily haul trips is expected to be up to 240 one-way truck trips (120 trucks entering and then exiting the site) based on a haul truck capacity of 14 cubic

yards when exporting soil material to construct the subterranean parking garage for all scenarios. This phase of construction is expected to occur over a six-month period.

- The highest number of vendor trips for the project would consist of up to 560 one-way trips per day for the Conceptual Plan, up to 570 one-way trips per day for Specific Plan Buildout Scenario 1, and up to 515 one-way trips per day for Specific Plan Buildout Scenario 2 during building construction.
- There may be intermittent periods when large numbers of material deliveries are required.
- Temporary lane closures may be required within the public rights-of-way of South Bedford Drive, South Peck Drive, South Camden Drive, Wilshire Boulevard, and alleys within the boundary of the project site, and full roadway closure of the portion of South Peck Drive and alleys within the boundary of the project site for the duration of project construction.
- Some of the materials and equipment could require the use of large trucks (18-wheelers).
- Delivery vehicles may need to park temporarily on adjacent roadways such as South Bedford Drive and South Camden Drive as they deliver their items.

These construction impacts on roadway facilities may conflict with the City of Beverly Hills General Plan Circulation Element Goal CIR-1 and the City's Complete Streets Plan Goal V3 to provide safe roadways. Construction impacts may also conflict with City of Beverly Hills General Plan Circulation Element Goals CIR-2, CIR-7, and CIR-8 and the City's Complete Streets Plan Goals B1, P1, P3, T2, and V3 with regard to policies governing pedestrian, bicycle, and transit facilities.

Regarding transit facilities, as detailed in the project's Geotechnical Investigation (Appendix E), due to the proposed location of the Metro D Line extension beneath Wilshire Boulevard, the northern portion of the proposed structures located along Wilshire Boulevard would be within the Metro influence zone defined as construction activities occurring within 100 feet of a Metro right-of-way (Metro 2019). New construction must not impose a surcharge on the subterranean Metro facilities in excess of what those structures are designed to withstand. In addition, the former Barney's New York Building has an existing six subterranean levels of parking, which extend approximately 70 feet below existing grade, and must be accounted for in the project design and surcharge calculations. The Geotechnical Investigation recommended that foundations of the project within the surcharge zone should be deepened to penetrate and transfer loads below the surcharge influence line. As discussed in Section 4.5, *Geology and Soils*, the recommendations of the Geotechnical Investigation would be implemented, including foundation design, and excess surcharge would not be imposed on the Metro D Line facilities or the existing structures on the project site that are to remain in place (e.g., Barney's New York Building and parking structure, 9570 loading facility, and Saks Women's Building).

Although construction activities would be temporary in nature, as discussed above, construction has the potential to conflict with circulation system policies related to roadway, transit, bicycle, and pedestrian facilities, and impacts would be potentially significant.

Operation

City of Beverly Hills General Plan Circulation Element

As discussed in detail in Section 4.8, *Land Use and Planning*, the project would not conflict with the relevant goals and policies of the Circulation Element of the Beverly Hills General Plan. Specifically, the project would not conflict with the City's Goals CIR-1 and CIR-3, as the Specific Plan would establish circulation, parking, traffic calming, and loading requirements to ensure safe and efficient access to the site for motorists, pedestrians, and bicyclists. The project would not conflict with Goal CIR-6 since the project is a mixed-use infill development on a site that is well served by transit and is within a pedestrian-oriented environment. The project would not conflict with Goals CIR-7 and CIR-8, as the project would enhance the pedestrian character along the proposed Via, Wilshire Boulevard, South Camden Drive, South Peck Drive, and South Bedford Drive and would provide new bicycle parking infrastructure. Additionally, the proposed project would not conflict with Goal CIR-10 as the applicant would pay the applicable City transportation fees and/or pay for right-of-way improvements associated with the project.

Overall, as detailed in Section 4.8, *Land Use and Planning*, operation of the project would not conflict with the applicable goals and policies of the General Plan addressing the circulation system, including roadway, bicycle, pedestrian, and transit facilities. Impacts would be less than significant.

Metro First Last Mile Strategic Plan and Wilshire/Rodeo Station Pathway Plan

As discussed under Section 4.11.1, *Regulatory Setting*, the Metro First Last Mile Strategic Plan and the related Wilshire/Rodeo Station Pathway Plan aim to increase pedestrian and bicycle infrastructure, signage and wayfinding, and shared use services to enhance transit accessibility. The project would be served by multiple Metro bus routes and stop locations that operate with a minimum frequency of 15 minutes during the morning and afternoon peak travel hours within 0.5 mile of the project site, in addition to a future Metro D Line extension. Transit service is provided along the frontage of the project site on Wilshire Boulevard.

Metro's First/Last Mile Plan and Wilshire/Rodeo Station Pathway Plan (which is part of the First/Last Mile Plan) specifically identify improved pedestrian crossings at the Wilshire Boulevard and Rodeo Drive intersection, pedestrian and bicycle lighting and wayfinding signage on Rodeo Drive, and pedestrian crossing improvements, bulbouts, enhanced pedestrian and bicycle lighting, and wayfinding signage on Charleville Boulevard in proximity to the project site. These locations are not within the project site, and the proposed project would not impede development of these improvements. The project would provide pedestrian and non-motorized vehicle enhancements, such as new landscaping, street lighting, bicycle racks, and street furniture which would improve conditions for those walking to or bicycling from the nearby bus stops on Wilshire Boulevard. The project would add a new continental crosswalk at the south leg of the intersection of Wilshire Boulevard and South Peck Drive consistent with the types of

improvements envisioned in the First Last Mile Strategic Plan and Wilshire/Rodeo Pathway Plan. The project would also provide secure and convenient bicycle parking amenities on site to improve conditions for bicyclists. Therefore, operation of the project would not conflict with the Metro First Last Mile Strategic Plan or Wilshire/Rodeo Pathway Plan, which addresses bicycle, pedestrian, and transit facilities. Impacts would be less than significant.

Complete Streets Planning in Beverly Hills

As discussed under Section 4.11.1, *Regulatory Setting*, the City's Complete Streets Plan aims to provide more options for people to choose the mode that best works for their trip type, and a network of streets where individual modes will be prioritized. The project would not conflict with goals relating to bicycle safety and improvements (Goal B1 to B4) since there are no bicycle facilities along Wilshire Boulevard, South Bedford Drive, South Peck Drive, or South Camden Drive where roadway enhancements are proposed. The closest bicycle facility to the project site on Charleville Boulevard would not be disrupted by the project. Further, there are planned bicycle improvements on North and South Beverly Drive, Charleville Boulevard, Gregory Way, Roxbury Drive, and Brighton Way within the project site vicinity. The project would provide bicycle parking and would also permit bicycle racks within the sidewalks of the roadways to be improved as part of the Specific Plan.

The project would not conflict with goals relating to pedestrian safety and improvements (Goal P1 to P3) since the project would include several enhancements to pedestrian facilities adjacent to the project site. A continental crosswalk would be added at the south leg of the intersection of Wilshire Boulevard and South Peck Drive consistent with the City's Complete Streets design guidelines. The parkway areas adjacent to the project site on Wilshire Boulevard, South Bedford Drive, South Peck Drive, and South Camden Drive would be paved with specialty pavement, such as stone, brick, and decorative concrete. Depending on the use of a particular parkway segment, the parkway would be either fully paved or enhanced with a combination of parkway and paver design. The portion of South Peck Drive within the Specific Plan Area would be entirely paved with specialty paving, and curbs would be removed so that the parkway and roadway would be at the same grade, with pedestrian areas separated by planters and/or bollards. In addition, new landscaping would be added along the parkway and street lighting, bicycle racks, and street furniture would be permitted within the sidewalk to enhance the pedestrian environment. The Via would be constructed within the western portion of the project site providing east-west pedestrian access between South Peck Drive and South Bedford Drive and would include architectural treatments, structures, and/or landscape sheltering on pedestrian walkways to enhance the pedestrian environment. In addition, the Terrace would be a pedestrian-only parkette, designed to provide the local community with pedestrian connectivity and an activated open space adjacent to the residential and commercial uses in the Wilshire Boulevard District and Neighborhood District.

As discussed above, under Metro First Last Mile Strategic Plan, the project would comply with goals related to transit use (Goals T1 to T3) by providing pedestrian enhancements, such as new landscaping, street lighting, bicycle racks, and street furniture which would improve conditions for those walking to the nearby bus stops on Wilshire Boulevard.

Overall, operation of the project would not conflict with the applicable goals and policies of the Complete Streets Plan addressing the circulation system, including bicycle, pedestrian, and transit facilities. Impacts would be less than significant.

Summary

As discussed above the project would be consistent with circulation system policies related to roadway, transit, bicycle, and pedestrian facilities during operation. Additionally, as discussed in Section 4.8, *Land Use and Planning*, the project would be consistent with the SCAG 2020-2045 RTP/SCS since project would create new housing, employment, and retail opportunities on an infill site in a Transit Priority Area (TPA) within close proximity to public transit options. Therefore, operational impacts would be less than significant.

Mitigation Measures

T-1 Construction Management Plan

A final Construction Management Plan will be submitted to the City for approval prior to the start of demolition, grading, or construction, whichever occurs first. The final Construction Management Plan shall include a Traffic Control Plan and Construction Worker Parking Plan that will facilitate safe traffic and pedestrian movement, minimize the potential conflicts between construction activities, street traffic, public transit operations, bicyclists and pedestrians, and ensure appropriate parking for construction workers is provided. Furthermore, the final Construction Management Plan shall include, but not be limited to, the following measures:

- Implement a Traffic Control Plan that limits obstruction of traffic lanes to the extent feasible (while allowing for the specific closures identified above) and routes vehicular traffic, emergency vehicles, transit, bicyclists, and pedestrians around any lane and/or sidewalk closures;
- Establish a haul route plan for heavy trucks;
- Schedule delivery and hauling of construction materials outside of peak travel periods to the maximum extent feasible;
- Implement safety precautions for pedestrians and bicyclists through such measures as alternate routing and protection barriers as appropriate;
- Minimize obstructions to uses in proximity to the project site during construction, including temporary traffic constraints, temporary loss of access, and temporary loss of bus stops or rerouting of bus lines;
- Establish requirements for loading/unloading and storage of construction materials on the project site to minimize traffic disruptions and impacts to adjacent land uses;
- Coordinate with the Beverly Hills Police Department (BHPD) and Beverly Hills Fire Department (BHFD) to ensure adequate emergency vehicle access to the project site and surrounding roadways and land uses;
- Coordinate with Metro to ensure that construction does not impact Metro facilities or construction activities in the vicinity of the project site;

- Coordinate with other nearby projects, such as Cumulative Project Nos. 1, 15, 18, 19, and 20, under construction to address construction traffic, deliveries, and worker parking, as necessary;
- Implement a Construction Worker Parking Plan that provides adequate on- and/or off-site parking for construction workers and prohibits on-street parking;
- Maintain emergency response access on South Bedford Drive, South Camden Drive, and Wilshire Boulevard throughout construction, and provide detour routes for vehicles and pedestrians traveling on South Peck Boulevard; and
- A copy of the Construction Management Plan shall be maintained on-site and submitted to local emergency response agencies and Metro and these agencies shall be notified no later than 14-days prior to commencement of construction activities that would partially or fully obstruct public roadways.

Significance After Mitigation

Mitigation Measure T-1 would require implementation of a Construction Management Plan that includes a Traffic Control Plan that would reduce conflicts with roadway facilities, a Construction Worker Parking Plan, and haul route plan. In addition, Mitigation Measure T-1 requires implementation of a delivery and hauling scheduling, minimization of roadway obstruction, loading and storage requirements, and cumulative project coordination. Conflicts with pedestrian, bicycle, and public transit facilities policies would be further minimized with implementation of Mitigation Measure T-1 through requirement of safety precautions for pedestrian and bicyclists and coordination with Metro. Therefore, impacts would be less than significant with mitigation.

Threshold 4.11b: Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?
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Impact TRA-2 PROJECT COMPONENTS ARE SCREENED OUT FROM VMT ANALYSIS WHEN EVALUATED AGAINST CRITERIA RELATED TO LOCALLY SERVING RETAIL, LOW VMT AREAS, AND TRANSIT PRIORITY AREAS. THEREFORE, THE PROJECT WOULD BE CONSISTENT WITH CEQA GUIDELINES SECTION 15064.3, SUBDIVISION (B), AND IMPACTS WOULD BE LESS THAN SIGNIFICANT.

As discussed under Section 4.11.3a., *Methodology*, before undergoing a detailed VMT analysis, the project is first compared to the City's adopted screening criteria. Each screening criterion is addressed below.

Screening Criteria 1: Project Size

Land uses that generate fewer than 110 daily trips are presumed to have less than significant VMT impacts absent substantial evidence to the contrary. Therefore, these uses are screened out from completing a VMT analysis based on project size. The project scenarios would generate more than 110 daily trips. Since the daily trip generation exceeds

the number of daily trips (up to 110 trips) that is applicable for project size screening, the proposed project would not meet this screening criteria.

Screening Criteria 2: Locally Serving Retail

The retail portion of commercial or mixed-use projects with locally serving retail uses—defined as retail uses less than 50,000 sf—are presumed to have less than significant VMT impacts, absent substantial evidence to the contrary. The Conceptual Plan would include up to 39,600 sf of retail space and would meet the screening criteria for locally serving retail uses. As a result, the retail component of the Conceptual Plan is presumed to have a less than significant VMT impact and can be screened out from further VMT analysis.

Under Specific Plan Buildout Scenario 1 and Scenario 2, the amount of retail space could potentially exceed 50,000 sf. Therefore, this screening criteria would not apply and the additional screening criteria discussed below would need to be considered.

Screening Criteria 3: Low VMT Area Screening

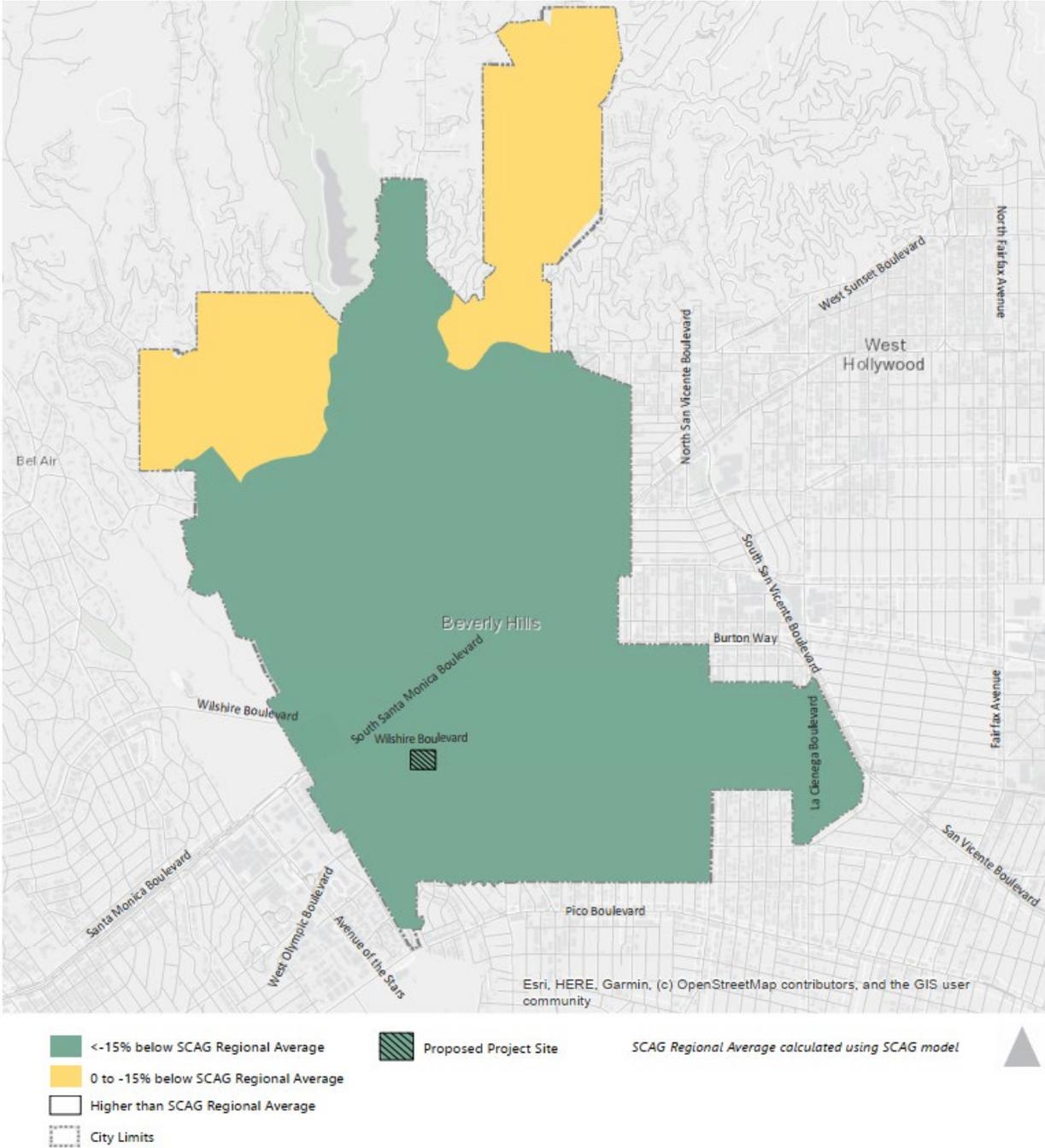
OPR guidance states that residential and office projects located within a low VMT generating area may be presumed to have a less than significant impact absent substantial evidence to the contrary. A low VMT generating area generally has higher density, a mix of land uses, and provides opportunities for people to walk to nearby uses instead of driving.

Low VMT areas are defined as areas that are currently generating VMT below the City's VMT threshold. For office uses, the City does not allow low VMT screening. At the time the City was preparing its VMT guidelines, the Home-Based Work VMT per Employee for the City of Beverly Hills was compared to the SCAG regional average VMT. The results showed that the City's average Home-based Work VMT was approximately 10 percent lower than the regional average. However, since the City's VMT threshold states that project VMT should be at least 15 percent below the regional average to avoid a significant VMT impact, the City decided to not allow this screening criteria for office projects. Therefore, the office uses proposed as part of the project do not meet this screening criteria.

For residential uses, the City allows low VMT screening. The Home-based VMT per capita for the City of Beverly Hills is less than half of the SCAG regional average VMT per capita (as shown in Table 4.11-1 and Table 4.11-2 above). Therefore, the City allows screening for residential projects if they are located in a low VMT generating traffic analysis zone (TAZ), defined as VMT that is at least 15 percent lower than the baseline level for the region. In the City of Beverly Hills, a low VMT area for residential projects generates no more than 12.1 VMT per capita as shown in Table 4.11-2, above. The TAZs contained in the SCAG model can be used to identify the low VMT areas.

The low VMT areas for residential uses in the city are shown in Figure 4.11-4. The project site is divided between two TAZs in the SCAG model, one TAZ for the land uses east of South Peck Drive and the other for the land uses west of South Peck Drive. Both of these TAZs generate Home-based VMT per capita that is lower than the city average (5.6 Home-based VMT per capita and 3.9 Home-based VMT per capita).

Figure 4.11-4 Low VMT Screening for Residential Uses



In comparison to the regional average VMT per capita for residential uses, these TAZs are 54 percent and 68 percent below the regional baseline VMT, which satisfies the requirement that the TAZs are at least 15 percent below the regional baseline VMT. Therefore, the project site is in a location with low residential VMT, which means the residential component of all three buildout scenarios is presumed to have a less than significant VMT impact and can be screened out from further VMT analysis.

Screening Criteria 4: Transit Priority Areas (TPA) Screening

Projects located in parcels designated with commercial zoning by the City that are in a TPA may also be screened out from conducting a VMT analysis because they are presumed to have a less than significant impact absent substantial evidence to the contrary. TPAs are defined in the OPR Technical Advisory as a 0.5-mile radius around an existing or planned major transit stop or an existing stop along a high-quality transit corridor (HQTC). A HQTC is defined as a corridor with fixed route bus service frequency of 15 minutes (or less) during peak commute hours.

The City of Beverly Hills adopted VMT thresholds to allow screening for TPAs that are located within 0.5 mile of a Metro Rapid bus stop for parcels located in commercial zones. This means that the land uses in commercial zones throughout the Specific Plan Area are potentially eligible for TPA screening. Metro Rapid service was used to define TPAs in the city because these routes have at least 15--minute frequencies during the morning and afternoon commute period. In addition, the presence of Metro Rapid Routes on Wilshire Boulevard, North Santa Monica Boulevard, and Olympic Boulevard resulted in all commercially zoned parcels being screened from future VMT analysis. Therefore, adding other local Metro bus services to the City's definition for TPA screening would not have changed the outcome.

Two major changes to transit service have been implemented by Metro since the City's TPAs were defined for VMT screening. The first change was due to COVID-19 which caused Metro to implement temporary service changes in response to the travel impacts caused by the pandemic. However, Metro has restored most transit service in the area and is providing more frequent service to return operations to pre-pandemic service levels. The transit information used to determine the current frequency of bus service in the city is based on the schedule changes that Metro implemented in December 2022.

In addition to the service frequency changes, Metro adopted the NextGen Bus Plan in 2020, a once-in-a-generation overhaul of bus routes and service design concepts intended to provide faster and more frequent bus service, including during off-peak periods, better reliability and accessibility to key destinations, better connectivity with municipal transit operators, and improved perception of safety onboard buses and at bus stops. The main change in Metro's NextGen Bus Plan that impacted the City's TPA is the elimination of most Metro Rapid Lines as summarized below.

- Metro's former Rapid Line 704 providing service on North Santa Monica Boulevard was discontinued as part of the NextGen Bus Plan. Service frequencies were increased on

Line 4 which has the same route as the former Rapid Line with more stop locations on North Santa Monica Boulevard.

- Metro's former Rapid Line 728 providing service on Olympic Boulevard was discontinued as part of the NextGen Bus Plan. Service frequencies were increased on Line 28 which has the same route as the former Rapid Line with more stop locations on Olympic Boulevard.

The local bus services that replaced the former rapid services on Olympic and North Santa Monica Boulevards operate at least every 15 minutes during the morning and afternoon peak hours. Therefore, these bus routes meet OPR's definition of a HQTC and qualify for TPA screening.

Metro's Rapid Line 720 on Wilshire Boulevard continues to operate as rapid bus service. In addition, Metro continues to operate local bus service on Line 20 along the Wilshire Boulevard corridor with more stop locations than the parallel rapid service.

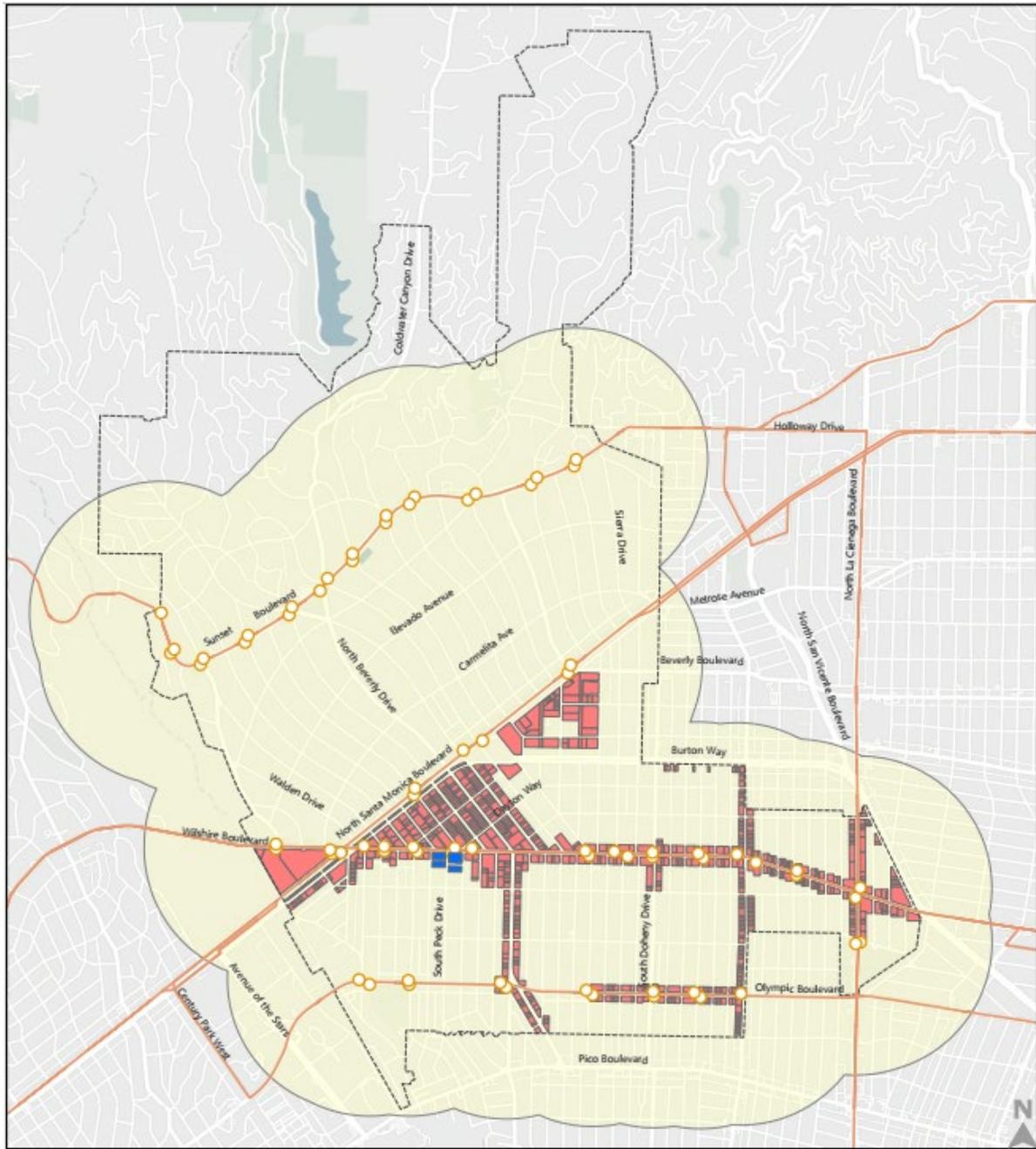
The TPAs in the City of Beverly Hills are shown in Figure 4.11-5 along with the Metro bus routes and stop locations that operate with a minimum frequency of 15 minutes during the morning and afternoon peak travel hours (generally defined as 8:00 – 9:00 a.m. and 5:00 – 6:00 p.m.). As described in Section 4.11.2, *Environmental Setting* and illustrated in this figure, multiple existing bus routes provide service frequencies of 15 minutes or less within 0.5-mile of the project site. In addition, the Metro Wilshire/Rodeo Station currently under construction is 0.2 miles from the project site. Therefore, the portion of the project site located in the Wilshire Boulevard District is eligible for TPA screening as long as it satisfies the additional criteria described below.

The presumption that a commercial use being proposed as part of a project in a TPA would have a less than significant impact absent substantial evidence to the contrary may not be appropriate if the project:

- Has a Floor Area Ratio (FAR) of less than 0.75;
- Includes more parking than required by the City, unless additional parking is being provided for design feasibility, such as completing the floor of a subterranean or structured parking facility, or if additional parking is located within the project site to serve adjacent uses; or
- Is inconsistent with the applicable Sustainable Communities Strategy (as determined by the City).

The average FAR over the entire project site with maximum buildout (Specific Plan Buildout Scenario 1 and Scenario 2) would be 3.7 and the FAR for the Conceptual Plan would be 3.52, which both satisfy the minimum 0.75 FAR requirement to be eligible for TPA screening. The Specific Plan would establish automobile parking requirements based on current Beverly Hills Municipal Code, or at the election of a future project applicant, through a shared parking analysis, including derived parking rates. As such, the proposed project would not provide more parking than required by the City and would be eligible for TPA screening.

Figure 4.11-5 TPA Screening for Commercial Zones



- | | |
|--|--|
| ■ Project Site | — Metro Bus Headways |
| ■ Commercial Zones | — <15-minute Frequencies |
| ■ Transit Priority Area (TPA) | ○ Transit Stops |
| ■ City Limits | |

The project site is designated as Mixed Residential and Commercial in the SCAG RTP/SCS, so the proposed land uses are consistent with the RTP/SCS. In addition, VMT on a per capita and per employee basis is expected to decrease over time in the project TAZs based on increased development densities and planned transit improvements (see Table 4.11-3 below). Based on this information, the commercially zoned portions of the project scenarios are presumed to have a less than significant VMT impact and can be screened out from further VMT analysis.

Table 4.11-3 SCAG Growth Assumptions for Project Site TAZs

SCAG RTP/SCS	Existing Conditions	Cumulative 2040 Conditions	Land Use Growth & % Change in VMT
Total Population	1,697	1,788	91
Total Employment	7,192	8,009	817
Average Home-Based VMT per Capita	4.7	3.17	-33%
Average Home-Based Work VMT per Employee	17.5	13.98	-20%

Source: Fehr & Peers 2023

As shown in Table 4.11-3, population and employment are expected to increase under cumulative (2040) conditions. However, the Home-based VMT per capita is expected to decrease by 33 percent and the Home-based Work VMT per Employee is expected to decrease by 20 percent based on additional land use densities, increased transit service, and trip reduction strategies envisioned by SCAG in the RTP/SCS. Additionally, as discussed in Section 4.8, *Land Use and Planning*, the project would be consistent with the SCAG 2020-2045 RTP/SCS since the project would create new housing, employment, and retail opportunities on an infill site in a TPA within close proximity to public transit options. Therefore, the project is consistent with the RTP/SCS and its growth assumptions and would result in a less than significant impact on VMT under cumulative conditions.

VMT Summary and Conclusions

Each component of the project meets at least one screening criterion for VMT. Table 4.11-4 summarizes the City’s eligible screening criteria and the outcome for each project component in the project scenarios.

Table 4.11-4 VMT Screening Summary for Project Scenarios

Screening Criteria	Conceptual Plan				Specific Plan Buildout (Scenarios 1 and 2)			
	Wilshire Blvd District		Neighborhood District		Wilshire Blvd District		Neighborhood District	
	Com. Uses	Res. Uses	Com. Uses	Res. Uses	Com. Uses	Res. Uses	Com. Uses	Res. Uses
Screening Criteria 1: Project Size	No	No	No	No	No	No	No	No
Screening Criteria 2: Locally Serving Retail	YES	No	YES	No	No ¹	No	YES	No
Screening Criteria 3: Low VMT Area	No	YES	No	YES	No	YES	No	YES
Screening Criteria 4: Transit Priority Area	YES	YES	No	No	YES	YES	No	No
Project Component Meets VMT Screening?	YES	YES	YES	YES	YES	YES	YES	YES

Com. = commercial; Res. = residential

¹ For the purposes of estimating retail land uses under Specific Plan Buildout Scenarios 1 (No Residential Conversion) and 2 (Maximum Residential Conversion), the amount of retail qualifies as locally serving retail. However, if more than 50,000 sf of retail is constructed, this screening criteria would not apply; and therefore, locally serving retail screening is conservatively not assumed to be met for the Wilshire District in Specific Plan Buildout Scenarios 1 and 2. All land uses proposed in the Wilshire District would meet the TPA screening criteria regardless of the amount of retail space.

Source: Fehr & Peers 2023

As shown in Table 4.11-4, the development proposed in the Wilshire Boulevard District meets the screening criteria for low VMT for residential uses and TPA for all land uses in the commercial zone under the project scenarios. The additional screening criteria for locally serving retail uses would only apply to the Conceptual Plan because the amount of retail space could potentially be greater than 50,000 square under Specific Plan Scenario 1 and Scenario 2 in the Wilshire District. In the Neighborhood District, the proposed development meets the screening criteria for locally serving retail and low VMT for residential. Based on the City’s adopted screening criteria, the project is presumed to have a less than significant VMT impact and is screened out from further VMT analysis. Impacts would be less than significant, and no mitigation would be required.

Mitigation Measures

No mitigation measures would be required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

Threshold 4.11c: Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?

Impact TRA-3 CONSTRUCTION OF THE PROJECT COULD INCREASE HAZARDS DUE TO GEOMETRIC DESIGN AND INCOMPATIBLE USES; HOWEVER, IMPLEMENTATION OF A CONSTRUCTION MANAGEMENT PLAN AS REQUIRED BY MITIGATION MEASURE T-1 WOULD REDUCE IMPACTS TO LESS THAN SIGNIFICANT. IMPACTS DURING OPERATION WOULD BE LESS THAN SIGNIFICANT.

Construction

Similar to the discussion under Impact TRA-1, construction truck traffic, including staging, delivery, and hauling, and temporary lane and roadway closures could increase hazards due to geometric design and incompatible uses. Such truck traffic could conflict with pedestrian activity along Wilshire Boulevard, South Bedford Drive, and South Camden Drive and introduce conditions that limit visibility of pedestrian and bicyclists. Therefore, construction impacts related to increased hazards due to a geometric design feature or incompatible use would be potentially significant.

Operation

The project would include a mix of residential, retail, and commercial uses in an area surrounded by other similar development. Therefore, operation of the proposed project would not introduce new uses that would result in hazards due to incompatible use. The roadways adjacent to the project site are part of the urban roadway network and contain no sharp curves or dangerous intersections. Nonetheless, the project would include new access points for vehicles and pedestrians, which could introduce hazards and conflicts between pedestrians and vehicles. There are no bike lanes near the project access points, and, therefore, conflicts between vehicles and bicyclists would not be anticipated.

Wilshire Boulevard would function as the main access corridor to and from the project site. Vehicular ingress and egress to the project site would be provided by new driveways located on South Bedford Drive, South Peck Drive, and South Camden Drive. South Drive, a new roadway on the south side of the project site, would provide local access between South Bedford Drive, South Peck Drive, and South Camden Drive. The proposed Conceptual Plan would locate pedestrian entrances on South Bedford Drive, South Peck Drive, Camden Drive, Wilshire Boulevard, and the publicly accessible Via and Terrace situated to the immediate south of the proposed commercial buildings. Each ground floor commercial tenant space situated along Wilshire Boulevard would be individually accessible to enhance pedestrian activity along the street. An additional pedestrian access point could be provided along South Bedford Drive to access the ground floor restaurant use proposed on Parcel B. Pedestrian access to the Neighborhood East and West buildings would be provided on South Peck Drive and pedestrian entrances for the ground floor retail uses would be provided by the Via and Terrace. New street furniture and enhanced pavement, landscaping, and lighting would also be provided within the public rights-of-way to create a pleasant pedestrian environment.

9600 Wilshire Boulevard Specific Plan

Several circulation enhancements would be introduced under the project to reduce the potential for hazards. Pedestrian safety improvements include a continental crosswalk at the south leg of the intersection of Wilshire Boulevard and South Peck Drive and various improvements along South Peck Drive such as raising the street grade and/or eliminating curbs and gutters to allow for priority movement of pedestrians, and installation of truncated domes or bollards. Other mechanisms to distinguish pedestrian-only versus shared pedestrian and vehicular zones and identify changes in usage within the right-of-way may alternatively be used subject to the approval of the City Department of Public Works. Further, internal circulation would be designed to enhance pedestrian connectivity. In particular, along the Via, the eastern portion would be designed to be closed to vehicles during designated periods, such as for farmer's markets or other events, and the Terrace would be a pedestrian-only parkette, designed to provide pedestrian connectivity and an activated open space appropriate for the Terrace's adjacency to both residential and commercial uses. Vehicular traffic would not be permitted on the Terrace, except for use by emergency service providers. Overall, the project would not include any dangerous design features, and would comply with applicable City standards, including those relating to sight-distance and turning radii compliance. In addition, land uses would be generally consistent with (and would in all cases be compatible with) land uses already present in the surrounding area. Therefore, no impacts to increased hazards due to a design feature or incompatible land use would occur and impacts would be less than significant. Furthermore, the circulation enhancements described above would further reduce the possibility of hazards due to geometric design and conflicts with pedestrian activity, and operational impacts would remain less than significant.

Mitigation Measures

Mitigation Measure T-1 under Impact TRA-1 would be required.

Significance After Mitigation

Mitigation Measure T-1 would require implementation of a Construction Management Plan, which would reduce hazards during construction by requiring a Traffic Control Plan, implementing safety precautions for non-motorists, and minimizing obstructions to land use. With implementation of Mitigation Measure T-1, construction impacts would be less than significant.

Threshold 4.11d: Would the project result in inadequate emergency access?

Impact TRA-4 PROJECT CONSTRUCTION MAY RESULT IN TEMPORARY DELAYS AND LANE CLOSURES ALONG SOUTH BEDFORD DRIVE, SOUTH PECK DRIVE, SOUTH CAMDEN DRIVE, AND WILSHIRE BOULEVARD. HOWEVER, MITIGATION MEASURE T-1 WOULD REQUIRE THAT A CONSTRUCTION MANAGEMENT PLAN BE IMPLEMENTED TO LIMIT THE POTENTIAL IMPACTS TO EMERGENCY ACCESS. THE PROJECT DESIGN WOULD COMPLY WITH CITY, INCLUDING BEVERLY HILLS POLICE DEPARTMENT, AND BEVERLY HILLS FIRE DEPARTMENT REQUIREMENTS REGARDING SITE ACCESS AND EMERGENCY VEHICLE ACCESS. PROJECT OPERATION WOULD NOT SIGNIFICANTLY INTERFERE WITH VEHICULAR CIRCULATION OR EMERGENCY ACCESS. THEREFORE, IMPACTS RELATED TO INADEQUATE EMERGENCY ACCESS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION.

The BHPD and BHFD have primary responsibility for responding to emergency incidents and rescue operations (City of Beverly Hills 2013). The potential for construction and operation of the proposed project to result in inadequate emergency access for the BHPD and BHFD is addressed below.

Construction

Project construction activities, including temporary roadway and lane closures and haul truck traffic, could potentially impede emergency access to the project site and surrounding area. Project construction would require encroachments into the public rights-of-way of South Bedford Drive, South Peck Drive, South Camden Drive, Wilshire Boulevard, and alleys within the boundary of the project site. Temporary lane closures may be required on these roadways, and full roadway closure of the portion of South Peck Drive and alleys within the boundary of the project site for the duration of project construction would occur. Additionally, construction is anticipated to involve up to 240 one-way truck trips (120 trucks entering and then exiting the site) per day for soil and construction debris hauling, which could impede emergency vehicle speeds and access to the surrounding roadways.

Compliance with all applicable City codes and regulations pertaining to emergency response and evacuation plans maintained by the BHPD and BHFD would be required (see Section 4.7, *Hazards and Hazardous Materials*, for summaries of these codes, regulations, and plans). Additionally, emergency vehicles, including fire trucks and ambulances, have sirens that would alert construction vehicle drivers to yield to emergency vehicles, as required under the California Vehicle Code (Section 21806(a)(1)). Nonetheless, because project construction activities would require temporary road lane and road closures and encroachments into the public rights-of-way within the project site, impacts to emergency access during construction could be potentially significant.

Operation

Following the completion of construction activities, all temporary lane closures would be reopened for use and emergency access to the roadways within and surrounding the project site would be maintained throughout operation. The proposed project includes reducing the navigable width from the existing width of 35 feet to a minimum 26 feet in

some areas of South Peck Drive, with the intention of discouraging cut-through traffic and creating a more pedestrian-oriented environment. This modified width would allow for the continued maintenance and operation of the existing traffic pattern (one north-bound and one south-bound traffic lane) and would preserve emergency responder access. South Bedford Drive and Camden Drive would be modified with decorative planter wells, similarly, reducing the navigable width without restricting traffic flow or emergency response and evacuation access. Project operation may also include occasional closure of the eastern portion of the Via to vehicles to enhance the pedestrian experience. During the potential temporary closures, emergency vehicles would still be permitted to access the Via, and the project would remain accessible from Wilshire Boulevard, South Bedford Drive, South Drive, South Peck Drive, and South Camden Drive. Emergency response vehicles would also be able to access the project site through the Terrace.

Furthermore, the project does not propose facilities, operations, or barriers that would interfere with any emergency access. The project's driveways and internal circulation would be designed to meet all applicable City Building Code and Fire Code requirements regarding site access, including providing adequate emergency vehicle access. Such codes implement and carry out the intent of the General Plan policies related to emergency access and response noted in Section 4.7, *Hazards and Hazardous Materials*. Compliance with applicable City Building Code and Fire Code requirements, including emergency vehicle access, would be confirmed as part of BHFD's fire/life safety plan review and BHFD's fire/life safety inspection for new construction projects. As such, operational impacts related to emergency access would be less than significant.

Mitigation Measures

Mitigation Measure T-1 under Impact TRA-1 would be required.

Significance After Mitigation

Mitigation Measure T-1 would reduce the potential for construction to result in inadequate emergency access by requiring coordination with BHPD and BHFD to ensure emergency vehicle access and maintenance of emergency response access on key roadways. Therefore, impacts would be less than significant after mitigation.

4.11.4 Cumulative Impacts

As shown in Table 3-1 in Section 3, *Environmental Setting*, there are 29 cumulative projects in the vicinity of the project site. In particular, the Cumulative Project Nos. 1, 15, 18, 19, 20, 26, 27, 28, and 29 are either located within 0.25 mile of the project site or along the same major arterial as the project site. These nearby cumulative projects include residential, retail, hotel, office, educational, and restaurant development, as well as mixed-use development incorporating multiple land uses.

a. Cumulative Impact TRA-1

Construction

There is a potential for some of the related projects within close proximity to the project site, such as Cumulative Project Nos. 1, 15, 18, 19, 20, 26, 27, 28, and 29 to overlap with the construction of the project, and potential impacts from the simultaneous construction of cumulative projects could include:

- Simultaneous arrival and departure of haul trucks: The increased volume of haul truck traffic and number of trucks entering/exiting roadways surrounding the various construction sites could result in congestion on shared roadways.
- Simultaneous arrival and departure of delivery trucks: Equipment and supply delivery vehicles could impact adjacent roadways by creating additional congestion. There may also be temporary queuing of these delivery vehicles if large numbers of vehicles arrive or depart at once.

Construction activities in the vicinity of the project site could result in significant, temporary, traffic impacts resulting from haul truck traffic and the simultaneous delivery of materials/equipment. However, as with the project, other related projects would be reviewed by the City, and would conduct their own environmental review, as applicable. During this review process, potential impacts would be evaluated, and mitigation identified to address construction-related transportation impacts, if necessary. Furthermore, construction activities of the proposed project would be coordinated with other nearby projects under construction to address construction traffic, deliveries, and worker parking, as required by Mitigation Measure T-1. Through the City's review process and with implementation of mitigation measures, project impacts would not be cumulatively considerable, and cumulative traffic impacts during construction would be less than significant.

Operation

The cumulative projects primarily propose high-density residential, office, hospitality, and commercial uses in an area with good transit connectivity, reducing dependence on automobiles and encouraging more active travel modes. Like the proposed project, cumulative projects would be infill development compatible with the surrounding uses and would generally be consistent with the circulation system in the project site vicinity. The cumulative projects would be required to comply with mobility and land use policies and regulations through City review, and as applicable, complete CEQA review and implement TDM programs. Each cumulative project would also include the required number of vehicle and bicycle parking spaces in accordance with City requirements. Accordingly, no significant cumulative impacts related to conflict with policies, plans, and programs addressing the circulation system are anticipated. Therefore, operational project impacts with respect to conflicts with a program, plan, ordinance, or policy addressing the circulation system would not be cumulatively considerable, and cumulative impacts would be less than significant.

b. Cumulative Impact TRA-2

The City of Beverly Hills adopted the following cumulative thresholds for VMT impacts:

- A significant impact would occur if the project causes VMT within the city to be higher than the no project (no build) alternative under cumulative conditions.
- A significant impact would occur if the project is determined to be inconsistent with the RTP/SCS.

For cumulative conditions, OPR states that a project that is below the VMT impact thresholds and does not have a VMT impact under baseline conditions would also not result in a cumulative VMT impact as long as it aligns with long-term State environmental goals, such as reducing GHG emissions, and relevant plans, such as the SCAG RTP/SCS (OPR 2018). Based on the City’s adopted screening criteria, the project is presumed to have a less than significant VMT impact and is screened out from further VMT analysis under both baseline and cumulative conditions. Therefore, additional VMT analysis regarding City VMT with and without the project under cumulative conditions is not required.

Table 4.11-5 shows a comparison of socio-economic characteristics and VMT metrics of the TAZs that encompass the project site under baseline and future year conditions based on SCAG model data. The TAZ areas consist of the project site and the adjacent mixed-use commercial, multi-family residential, and single-family residential uses. As shown, the SCAG model already reflects the growth of approximately 91 people and 817 employees in the project TAZ.

Table 4.11-5 SCAG Growth Assumptions for Project Site TAZs

SCAG RTP/SCS	Existing Conditions	Cumulative 2040 Conditions	Land Use Growth & % Change in VMT
Total Population	1,697	1,788	91
Total Employment	7,192	8,009	817
Average Home-Based VMT per Capita	4.7	3.17	-33%
Average Home-Based Work VMT per Employee	17.5	13.98	-20%

Source: Fehr & Peers 2023

As shown in Table 4.11-5, population and employment are expected to increase under cumulative (2040) conditions, while the Home-based VMT per capita is expected to decrease by 33 percent and the Home-based Work VMT per Employee is expected to decrease by 20 percent based on additional land use densities, increased transit service, and trip reduction strategies envisioned by SCAG in the RTP/SCS. Therefore, the project would be consistent with the RTP/SCS and would not result in a cumulatively considerable contribution to VMT.

c. Cumulative Impact TRA-3

Transportation hazards resulting because of a geometric design feature or incompatible use are generally localized impacts. However, a cumulative impact related to geometric design features or incompatible uses could occur if cumulative projects along the same block as the project site have new incompatible uses or access points that, when considered with the proposed project and other nearby projects, would result in hazardous conditions. As shown in Figure 3-1 in Section 3, *Environmental Setting*, there are no cumulative projects located on the same block as the project site. Therefore, project impacts related to geometric design and incompatible use hazards would not be cumulatively considerable, and cumulative impacts would be less than significant.

d. Cumulative Impact TRA-4

Construction

As discussed under Cumulative Impact TRA-1, if cumulative projects located in proximity to the project site have overlapping schedules, there is the potential for multiple lane closures and substantial construction traffic along local streets such as Wilshire Boulevard, which could impact emergency access in the project site vicinity. Similar to the proposed project, it is foreseeable that during project specific review of other cumulative projects, the cumulative projects with the potential to result in substantial construction traffic and lane closures would be required to implement Construction Management Plans, including traffic control plans, which would be coordinated with the City, BHPD, and BHFD to ensure adequate emergency access is maintained. In addition, as specified in Mitigation Measure T-1, the proposed project would be required to coordinate with other nearby projects under construction in order to address construction traffic, deliveries, and worker parking, as necessary. Therefore, project construction impacts to emergency access would not be cumulatively considerable and cumulative construction impacts would be less than significant.

Operation

Operation of the cumulative projects could result in new or altered site access patterns and vehicle traffic, which could impair emergency access. However, the driveways and internal circulation design of cumulative projects would be designed to meet all applicable City Building Code and Fire Code requirements regarding site access, including providing adequate emergency vehicle access. Compliance with applicable City Building Code and Fire Code requirements, including emergency vehicle access, would be confirmed as part of BHFD's fire/life safety plan review and BHFD's fire/life safety inspection. Furthermore, as previously discussed, pursuant to California Vehicle Code Section 21806, the drivers of emergency vehicles are generally able to avoid traffic in the event of an emergency by using sirens to clear a path of travel or by driving in the lanes of opposing traffic. Therefore, project impacts to emergency access would not be cumulatively considerable and cumulative operational impacts would be less than significant.

e. Summary

As described above, construction and operation of the proposed project would result in less than significant cumulative impacts related to conflicts with programs, plans, ordinances, and policies addressing the circulation system. The project's VMT would meet the applicable screening criteria, and the project would result in less than significant cumulative impacts related to a conflict with CEQA Guidelines Section 15064.3, subdivision (b). The proposed project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment), and cumulative construction and operational impacts related to transportation hazards would be less than significant. Lastly, adequate emergency access would be maintained during both construction and operation, and the proposed project would result in less than significant cumulative impacts related to emergency access.

4.12 Tribal Cultural Resources

This section discusses the regulatory setting, and existing environmental setting, and analyzes the potential tribal cultural resources impacts of the proposed project during both construction and operational phases, respectively. Mitigation measures are proposed in an effort to reduce significant impacts, as needed. Rincon Consultants, Inc. (Rincon) prepared the *Archaeological Resources Assessment for the 9600 Wilshire Boulevard Specific Plan Project* (Archaeological Resources Assessment) in May 2023, which included a records search at the South-Central Coastal Information Center (SCCIC) and a review of the Sacred Lands File (SLF). This analysis builds on the analysis included in the Archaeological Resources Assessment completed for the proposed project.

4.12.1 Regulatory Setting

a. Federal Regulations

National Historic Preservation Act

The National Historic Preservation Act (NHPA) was passed in 1966 to protect and preserve the nation's historical and cultural heritage. It established the National Register of Historic Places (NRHP), a comprehensive list of significant sites, buildings, and objects. The NHPA requires federal agencies to consider the impact of their activities on historic properties through a Section 106 review process. The Advisory Council on Historic Preservation (ACHP) was created to advise the President and Congress on preservation matters. State Historic Preservation Offices (SHPOs) work with the federal government to implement preservation programs at the state level. The NHPA provides tax incentives to encourage the rehabilitation of historic properties and supports tribal consultation for the preservation of Native American cultural heritage. Overall, the NHPA works to identify, protect, and enhance historic resources across the United States.

b. State Regulations

California Senate Bill 18 of 2004

California Government Code Section 65352.3 (adopted pursuant to the requirements of Senate Bill [SB] 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." SB 18 refers to PRC Sections 5097.9 and 5097.995 to define cultural places as a Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine (PRC Section

5097.9) and Native American historic, cultural, or sacred site that is listed or may be eligible for listing in the California Register of Historical Resources (CRHR) pursuant to PRC Section 5024.1, including any historic or prehistoric ruins, any burial ground, and any archaeological or historic site (PRC Section 5097.995).

California Assembly Bill 52 of 2014

California Assembly Bill 52 (AB 52) expanded CEQA by defining a new resource category, “tribal cultural resources.” AB 52 establishes that “a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment” (PRC Section 21084.2). It further states the lead agency shall establish measures to avoid impacts that would alter the significant characteristics of a tribal cultural resource, when feasible (PRC Section 21084.3).

PRC Sections 21074(a)(1)(A) and (B) define tribal cultural resources as “sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe” and are:

Listed or eligible for listing in the CRHR, or in a local register of historical resources as defined in PRC Section 5020.1(k), or

A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in PRC Section 5024.1(c). In applying these criteria, the lead agency shall consider the significance of the resource to a California Native American tribe.

AB 52 also establishes a formal consultation process for California tribes regarding tribal cultural resources. The consultation process must be completed before a CEQA document can be adopted or certified. Under AB 52, lead agencies are required to begin consultation with California Native American tribes that are “traditionally and culturally affiliated with the geographic area of the proposed project.” Native American tribes to be included in the process are those that have requested notice of projects proposed within the jurisdiction of the lead agency.

California Register of Historical Resources

The California Register of Historical Resources (CRHR) is a state-level listing of significant historical and cultural resources in California. Administered by the California Office of Historic Preservation (OHP). The CRHR was created to identify historical resources deemed worthy of preservation on a state level and was modeled closely after the NRHP. The criteria are nearly identical to those of the NRHP but focus on resources of statewide, rather than national, significance. The CRHR automatically includes any resource listed, or formally designated as eligible for listing in the NRHP, including tribal resources.

California Health and Safety Code

California Health and Safety Code Sections 7050.5, 7051, and 7054 address the illegality of interference with human burial remains (except as allowed under applicable PRC sections), and the disposition of Native American burials in archaeological sites. These regulations protect such remains from disturbance, vandalism, or inadvertent destruction, and establish procedures to be implemented if Native American skeletal remains are discovered during construction of a project, including treatment of the remains prior to, during, and after evaluation, and reburial procedures.

California Public Resources Code

PRC Section 5097.98, as amended by Assembly Bill 2641, provides procedures in the event human remains of Native American origin are discovered during project implementation. PRC Section 5097.98 requires that no further disturbances occur in the immediate vicinity of the discovery, that the discovery is adequately protected according to generally accepted cultural and archaeological standards, and that further activities take into account the possibility of multiple burials. PRC Section 5097.98 further requires the NAHC, upon notification by a County Coroner, designate and notify a Most Likely Descendant (MLD) regarding the discovery of Native American human remains. Once the MLD has been granted access to the site by the landowner and inspected the discovery, the MLD then has 48 hours to provide recommendations to the landowner for the treatment of the human remains and any associated grave goods. In the event that no descendant is identified, or the descendant fails to make a recommendation for disposition, or if the landowner rejects the recommendation of the descendant, the landowner may, with appropriate dignity, reinter the remains and burial items on the property in a location that will not be subject to further disturbance.

c. Local Regulations

Beverly Hills General Plan

The City of Beverly Hills General Plan, amended January 2010, provides a comprehensive framework that guides the City's development. The Historic Preservation Element establishes goals and policies to safeguard historically significant buildings, structures, sites, districts, and cultural resources within Beverly Hills. It promotes the preservation of the city's architectural heritage and encourages sensitive and compatible development in historic areas. Specifically, Goal HP-1.8 is designed to protect prehistoric and historic archaeological resources, and HP-2.1 to support partnerships for public education on local historic resources.

4.12.2 Environmental Setting

a. Ethnography

The project lies in an area traditionally occupied by the Native American group known as the Gabrieleño (or Gabrieliño or Gabrielino). The name Gabrieleño was applied by the Spanish to those natives that were associated with Mission San Gabriel (Bean and Smith 1978; Kroeber 1925). Today, most contemporary Gabrieleño prefer to identify themselves as Tongva (King 1994); however, one contemporary group, the Gabrieleño Band of Mission Indians – Kizh Nation, prefer the term “Kizh.” Gabrieleño territory included the Los Angeles basin and southern Channel Islands as well as the coast from Aliso Creek in the south to Topanga Creek in the north. The Gabrieleño language belongs to the Takic branch of the Uto-Aztecan language family, which can be traced to the Great Basin region (Heizer 1978; Shipley 1978).

The Gabrieleño established large permanent villages and smaller satellite camps throughout their territory. Society was organized along patrilineal non-localized clans, a common Takic pattern. Gabrieleño subsistence was oriented around acorns supplemented by roots, leaves, seeds, and fruits of a wide variety of plants. Meat sources included large and small mammals, freshwater and saltwater fish, shellfish, birds, reptiles, and insects. Gabrieleño employed a wide variety of tools and implements to gather and hunt food (Blackburn 1963; Kroeber 1925; McCawley 1996). The digging stick, the bow and arrow, traps, nets, blinds, throwing sticks and slings, spears, harpoons, and hooks were common tools. The Gabrieleño also made oceangoing plank canoes (known as *ti'at*) capable of holding six to 14 people and used for fishing, travel, and trade between the mainland and the Channel Islands.

4.12.3 Impact Analysis

a. Significance Thresholds and Methodology

Significance Thresholds

The proposed project would have a potentially significant impact if it were to result in one or more of the following:

- a. 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:
 1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC Section 5020.1(k), or
 2. 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 PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Methodology

Sacred Lands File Search

The City contacted the Native American Heritage Commission (NAHC) on January 24, 2023, to request a search of the Sacred Lands File (SLF), as well as a contact list of Native Americans culturally affiliated with the project site vicinity.

Assembly Bill 52 and Senate Bill 18

As part of its Tribal Cultural Resource identification process pursuant to California Assembly Bill (AB) 52 and Senate Bill (SB) 18, the City sent letters via certified mail on January 26, 2023, to ten Native American tribal contacts identified by the Native American Heritage Commission (NAHC) and the City as being traditionally and culturally affiliated with the project vicinity. The tribal contacts included the following.

- Rudy Ortega, Tribal President of the Fernandeño Tataviam Band of Mission Indians
- Andrew Salas, Chairperson of the Gabrieleño Band of Mission Indians - Kizh Nation
- Anthony Morales, Chairperson of the Gabrieleño/Tongva San Gabriel Band of Mission Indians
- Sandonne Goad, Chairperson of the Gabrieliño /Tongva Nation
- Christina Conley, Tribal Consultant and Administrator of the Gabrieliño Tongva Indians of California Tribal Council
- Robert Dorame, Chairperson of the Gabrieliño Tongva Indians of California Tribal Council
- Charles Alvarez, Representative of the Gabrieliño-Tongva Tribe
- Lovina Redner, Tribal Chair of the Santa Rosa Band of Cahuilla Indians
- Joseph Ontiveros, Cultural Resources Department of the Soboba Band of Luiseño Indians
- Isaiah Vivanco, Chairperson of the Soboba Band of Luiseño Indians

Under AB 52 and SB 18, tribes have 30 days and 90 days, respectively, to respond and request consultation. Responses from the Gabrieleño Band of Mission Indians – Kizh Nation (Kizh Nation) and the Gabrieleño Tongva were received, with consultation requested by the Kizh Nation only. The results of the tribal consultation were utilized for the analysis of impacts related to tribal cultural resources, below.

As described in Section 2, *Project Description*, this EIR analyzes the environmental effects of buildout of the Specific Plan over time at a programmatic level including with and without the Residential Conversion Units. This EIR also performs a project level review of the proposed Conceptual Plan. The amounts of non-residential square footage and residential units vary between these three scenarios; however, footprint of development, types of land uses, construction and grading activities, and roadway locations and standards, improvements, operational characteristics and site circulation would be consistent across the three scenarios. Therefore, the below analysis applies to all three scenarios.

b. Project Design Features

The project would be implemented in accordance with applicable regulatory requirements, including tribal consultation requirements and requirements for the treatment of previously undiscovered tribal cultural resources during construction (refer to Section 4.12.1, *Regulatory Setting*). No specific project design features are proposed with regard to tribal cultural resources.

c. Project Impacts and Mitigation Measures

Threshold 4.12a.1:	Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074 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)?
Threshold 4.12a.2:	Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074 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?

Impact TCR-1 GRADING AND EXCAVATION REQUIRED FOR THE PROJECT WOULD HAVE THE POTENTIAL TO ADVERSELY IMPACT TRIBAL CULTURAL RESOURCES. IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH IMPLEMENTATION OF MITIGATION.

As part of its tribal cultural resources identification process under AB 52 and SB 18, the City sent letters via certified mail to ten Native American tribal contacts that are traditionally and culturally affiliated with the project vicinity. The City received two responses (from the Gabrieleño Band of Mission Indians – Kizh Nation and the Gabrieleño Tongva) requesting consultation or further information:

- On January 27, 2023, the City received a response from a representative of the Gabrieleño Band of Mission Indians—Kizh Nation stating that the project site is located within the Tribe’s Ancestral Tribal Territory and requesting to proceed with consultation. On September 26, 2023, after two consultation meetings, a verbal agreement was reached regarding the majority of mitigation measures. On October 10, 2023, the City emailed the Tribe the final mitigation measures pursuant to the consultation meeting held on September 26, 2023. On November 29, 2023, the Gabrieleño Band of Mission Indians - Kizh Nation confirmed agreement to the final mitigation measures via email indicating that consultation was considered closed.
- On January 27, 2023, Christina Conley, Tribal Consultant and Administrator for the Gabrielino Tongva Indians of California Tribal Council, replied to the City asking whether a cultural report would be prepared for the project. In follow up conversations, Ms.

Conley stated that the tribe has concerns with the project and that it is located in the footprint of a tribal cultural site. On July 19, 2023, the City emailed the Archaeological Resources Assessment to Chairperson Robert Dorame and Ms. Conley. After confirmation of receipt of the Archaeological Resources Assessment, Ms. Conley confirmed that the Tribe had no further comment. A follow-up email by the City was sent on October 24, 2023, indicating that consultation was considered closed.

The City has not received any additional responses requesting consultation under AB 52 or SB 18 as of the date of this document. The City also requested a review of the Sacred Land File (SLF) by the NAHC and received a response on February 10, 2023, stating that the search of the SLF was negative.

Construction Impacts

The project site has been previously graded and disturbed. The approximately northern half of the project site (Wilshire Boulevard District) is composed of buildings and paved surfaces such as parking lots and sidewalks and the Neighborhood District currently consists of paved parking lots and other paved surfaces such as sidewalks. No tribal cultural resources are known to have been discovered during previous grading activity to develop the project site. Nevertheless, the results of AB 52 consultation indicate that the project vicinity is sensitive for tribal cultural resources and it is possible that ground disturbance during project construction could encounter previously unidentified tribal cultural resources or cultural resources that may be identified as tribal cultural resources. Therefore, the project has the potential to significantly impact tribal cultural resources through ground disturbance and subsequent damage. This impact is potentially significant. Impacts to tribal resources occur during construction, and the area impacted by construction and grading across all three development scenarios would remain consistent.

Operational Impacts

Operation of the proposed project would not include on-going ground disturbing activities; therefore, operation of the project would not impact previously undiscovered significant tribal cultural resources. Impacts from operation of the project would be less than significant.

Mitigation Measures

TCR-1 Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities

- The project applicant/lead agency shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation (“Kizh Nation” or “Tribe”). The monitor shall be retained prior to the commencement of any “ground-disturbing activity” for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). “Ground-

9600 Wilshire Boulevard Specific Plan

disturbing activity” shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.

- A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.
- The monitor shall complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs shall identify and describe any discovered tribal cultural resources, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or “TCR”), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs shall be provided to the project applicant/lead agency upon written request to the Tribe.
- On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh Nation from a designated point of contact for the project applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) when the representatives of the Kizh Nation have indicated in writing to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh Nation TCRs.
- Kizh Nation is hereby recognized as having the most qualified Native American monitors for TCRs of significance to their Tribe and shall be the primary monitor for such TCRs. Under unique and infrequent circumstances, should Kizh Nation not have sufficient Tribal staff to provide monitoring within 30 calendar days of a written notification of request for monitoring from the Applicant, the Applicant may contract with a different firm to provide a Native American monitor on a case-by-case basis, subject to approval by the City of Beverly Hills Director of Community Development and reasonable and timely concurrence of Kizh Nation. Native American and Archaeological monitoring during construction projects shall be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of TCRs shall be taken.
- Should the rates charged by Kizh Nation to provide monitoring services exceed market rates for comparable services within the Los Angeles region, as determined by the City’s Director of Community Development, the Applicant may contract with a different firm to provide a Native American Monitor, subject to approval by the City of Beverly Hills Director of Community Development and reasonable and timely concurrence of Kizh Nation. Native American and Archaeological monitoring during construction projects shall be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of TCRs shall be taken.

TCR-2 Unanticipated Discovery of Tribal Cultural Resource Objects (Non-Funerary/Non-Ceremonial)

Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall temporarily halt (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh Nation monitor and/or Kizh Nation archaeologist. The Kizh Nation shall recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.

TCR-3 Unanticipated Discovery of Human Remains and Associated Funerary Ceremonial Objects

- **Unanticipated Discovery of Human Remains.** In the event that human remains are encountered at the project site, all work within 100 feet of the burial must cease, and any necessary steps to ensure the integrity of the immediate area shall be taken, including the placement of an exclusion zone around the discovery location. The Los Angeles County Coroner will be immediately notified. Procedures of conduct following the discovery of human remains have been mandated by Health and Safety Code Section 7050.5, PRC Section 5097.98, and the CEQA Guidelines Section 15064.5(e).
- **Reburial Treatment Measures.** Prior to the continuation of ground-disturbing activities where human remains and/or ceremonial objects have been identified, the Applicant shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains shall be covered with muslin cloth and a steel plate that can only be moved by heavy equipment shall be placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard shall be posted outside of working hours. If feasible, the project shall be diverted to keep the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed. The MLD shall work with the qualified archaeologist to ensure that the excavation is treated carefully, ethically, and respectfully. If data recovery is approved by the MLD, documentation shall be taken which includes at a minimum detailed descriptive notes and sketches. Additional types of documentation shall be approved by the MLD for data recovery purposes. Cremations shall either be removed in bulk or by means as necessary to ensure complete recovery of all material. If the discovery of human remains includes four or more burials, the location is considered a cemetery and a separate treatment plan shall be created. Once complete, a final report of all activities is to be submitted to the MLD and NAHC. The MLD does not authorize any scientific study or utilization of any invasive and/or destructive diagnostics on human remains. Each occurrence of human remains

9600 Wilshire Boulevard Specific Plan

and associated funerary objects shall be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony shall be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be, to the extent feasible, on the project site but at a location agreed upon between the MLD and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.

Significance After Mitigation

Implementation of Mitigation Measures TCR-1, TCR-2, and TCR-3 would ensure that any impacts are mitigated to a less than significant level.

4.12.4 Cumulative Impacts

The planned and pending projects in the vicinity of the project site are listed in Section 3, *Environmental Setting*, and include commercial/retail, office, multi-family residential, hotel, religious institution, and mixed-use projects. All sites of planned and pending developments have already undergone substantial urbanization and disturbance. These sites are categorized as infill development. Since impacts to tribal cultural resources tend to be site-specific, cumulative impacts would occur if the project, related projects, and other future development within the general area were to affect the same tribal cultural resources and communities. In the event any tribal cultural resources are uncovered, each related project would be required to comply with the applicable regulatory requirements and any site-specific mitigation that would be identified for that related project. Additionally, the consultation requirements outlined in AB 52 and SB 18 (where applicable) would be involved by the related projects to assess and address potential impacts to tribal cultural resources. Therefore, the proposed project, in conjunction with planned and pending projects, would not have the potential to create significant impacts to tribal cultural resources upon implementation of required mitigation measures.

4.13 Utilities and Service Systems

This section analyzes the potential utilities and service system impacts of the proposed project during both construction and operational phases. Specifically, this analysis focuses on the project's potential to require the relocation or construction of water, wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunications facilities that would result in significant environmental effects. The section also analyzes whether there are sufficient water supplies and wastewater treatment capacity to serve the proposed project. Other utilities and service system impacts analyzed include the project's potential to generate solid waste in excess of the capacity of existing landfills and compliance with solid waste management and reduction statutes and regulations. The analysis presented herein is based in part on information contained in the Sewer Area Study and Preliminary Hydrology and Hydraulics Report prepared by Kimley Horn (Kimley Horn 2023a and 2023b Appendix H). Additional information utilized in this section includes the utilities use estimates generated by the California Emissions Estimator Model (CalEEMod), available in Appendix B of this Draft EIR.

4.13.1 Regulatory Setting

a. Federal Regulations

Energy Policy Act of 2005

The United States Department of Energy is the federal agency responsible for establishing policies regarding energy conservation, domestic energy production, and infrastructure. The Federal Energy Regulatory Commission (FERC) is an independent federal agency, officially organized as part of the Department of Energy, which is responsible for regulating interstate transmission of natural gas, oil, and electricity; reliability of the electric grid; and approving of construction of interstate natural gas pipelines and storage facilities. The Energy Policy Act of 2005 also granted FERC with additional responsibilities of overseeing the reliability of the nation's electricity transmission grid and supplementing state transmission siting efforts in national interest electric transmission corridors.

FERC has authority to oversee mandatory reliability standards governing the nation's electricity grid. FERC has established rules on certification of an Electric Reliability Organization which establishes, approves, and enforces mandatory electricity reliability standards. The North American Electric Reliability Corporation has been certified as the nation's Electric Reliability Organization by FERC to enforce reliability standards in all interconnected jurisdictions in North America. Although FERC regulates the bulk energy transmission and reliability throughout the United States, the areas outside of FERC's jurisdictional responsibility include State-level regulations and retail electricity and natural gas sales to consumers which falls under the jurisdiction of State regulatory agencies.

Clean Water Act

The Clean Water Act (CWA), formerly known as the Federal Water Pollution Control Act, was first introduced in 1948, with major amendments in the 1960s, 1970s, and 1980s. The CWA authorizes federal, State, and local entities to cooperatively create comprehensive programs for eliminating or reducing the pollution of State waters and tributaries. Amendments to the CWA in 1972 established the National Pollutant Discharge Elimination System (NPDES) permit program, which prohibits discharge of pollutants into the nation's waters without procurement of a NPDES permit from the United States Environmental Protection Agency (USEPA). The purpose of the permit is to translate general requirements of the CWA into specific provisions tailored to the operations of each organization that discharges pollutants. Although federally mandated, the NPDES permit program is generally administered at the State and regional levels.

USEPA's NPDES Program requires NPDES permits for: (1) Municipal Separate Storm Sewer Systems (MS4) Permit generally serving, or located in, incorporated cities with 100,000 or more people (referred to as municipal permits); (2) 11 specific categories of industrial activity (including landfills); and (3) construction activity that disturbs 5.0 acres or more of land. As of March 2003, Phase II of the NPDES Program extended the requirements for NPDES permits to numerous small municipal separate storm sewer systems, construction sites of 1.0 to 5.0 acres, and industrial facilities owned or operated by small municipal separate storm sewer systems, which were previously exempted from permitting.

b. State Regulations

Water and Wastewater Regulations

California Urban Water Management Planning Act

The California Urban Water Management Planning Act applies to municipal water suppliers that serve more than 3,000 customers or provide more than 3,000-acre feet per year (AFY) of water. The Planning Act requires these water suppliers to update their Urban Water Management Plan (UWMP) every five years to identify short-term and long-term water demand management measures to meet growing water demands during normal, dry, and multiple-dry years. The UWMP should include a description of existing and planned water sources, alternative sources, conservation efforts, reliability and vulnerability assessments, and a water shortage contingency analysis.

Senate Bill 610 and Senate Bill 221

Two of the State laws addressing the assessment of water supply necessary to serve large-scale development projects, Senate Bill (SB) 610 and SB 221, became effective in January 2002. SB 610, codified in Water Code Sections 10910-10915, specifies the requirements for water supply assessments (WSAs) and their role in the CEQA process, and defines the role UWMPs play in the WSA process. SB 610 requires, for projects subject to CEQA that meet specific size criteria, the water supplier to prepare WSAs to determine whether the water supplier has sufficient water resources to serve the projected water demands associated

with the projects. SB 221 also addresses water supply in the land use approval process for large residential subdivision projects (500 units or more). The proposed project does not meet the size criteria of SB 610 and SB 221, and a WSA would not be required for the proposed project.

In addition, under SB 610, a water supplier responsible for the preparation and periodic updating of an UWMP must describe the water supply projects and programs that may be undertaken to meet the total projected water use of the service area. If groundwater is identified as a source of water available to the supplier, the following additional information must be included in the UWMP: (1) a groundwater management plan; (2) a description of the groundwater basin(s) to be used and the water use adjudication rights, if any; (3) a description and analysis of groundwater use in the past five years; and (4) a discussion of the sufficiency of the groundwater that is projected to be pumped by the supplier.

Sustainable Groundwater Management Act of 2014

The Sustainable Groundwater Management Act of 2014 (SGMA), passed in September 2014, is a comprehensive, three-bill package that provides a framework for the sustainable management of groundwater supplies by local authorities (DWR 2023). The SGMA requires the formation of local groundwater sustainability agencies to assess local water basin conditions and adopt locally based management plans. Local groundwater sustainability agencies were required to be formed by June 30, 2017. The SGMA provides 20 years for groundwater sustainability agencies to implement plans, achieve long-term groundwater sustainability, and protect existing surface water and groundwater rights. The SGMA provides local groundwater sustainability agencies with the authority to require registration of groundwater wells, measure and manage extractions, require reports and assess fees, and request revisions of basin boundaries, including establishing new sub-basins. Furthermore, SGMA requires governments and water agencies of high- and medium-priority basins to stop overdraft and bring groundwater basins into balanced levels of pumping and recharge. Under the SGMA, these basins should reach sustainability within 20 years of implementing their sustainability plans. For the basins that are critically overdrafted, the timeline is 2040. For the remaining high- and medium-priority basins, the deadline is 2042.

California Code of Regulations

TITLE 20

Title 20, Sections 1605.3(h) and 1505(i) of the California Code of Regulations (CCR), establishes applicable State efficiency standards (i.e., maximum flow rates) for plumbing fittings and fixtures, including fixtures such as showerheads, lavatory faucets, and water closets (toilets). Among the standards, the maximum flow rate for showerheads manufactured on or after July 1, 2018 is 1.8 gallons per minute (gpm) at 80 pounds per square inch (psi), and lavatory faucets manufactured after July 1, 2016 is 0.5 gpm at 60 psi.

The standard for toilets sold or offered for sale on or after January 1, 2016 is 1.28 gallons per flush.

CALIFORNIA GREEN BUILDING STANDARDS CODE

Part 11 of Title 24 of the California Code of Regulations, the title that regulates the design and construction of buildings, establishes the California Green Building Standards (CALGreen) Code. The purpose of the CALGreen Code is to improve public health, safety, and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or a positive environmental impact and encouraging sustainable construction practices in the following categories: planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and environmental quality. The CALGreen Code includes both mandatory measures, as well as voluntary measures. The mandatory measures establish minimum baselines that must be met in order for a building to be approved. The mandatory measures for water conservation provide limits for fixture flow rates, which are the same as those for the Title 20 efficiency standards listed above. The voluntary measures can be adopted by local jurisdictions for greater efficiency. The 2022 CALGreen Code update includes new requirements for the inclusion of electric vehicle charging stations. These requirements went into effect January 1, 2023.

PLUMBING CODE

Title 24, Part 5 of the CCR establishes the California Plumbing Code. The California Plumbing Code sets forth efficiency standards (i.e., maximum flow rates) for all new federally regulated plumbing fittings and fixtures, including showerheads and lavatory faucets. The 2022 California Plumbing Code was published by the California Building Standards Commission and went into effect on January 1, 2023.

Executive Order B-40-17

In April 2017, Executive Order B-40-17 was issued by Governor Brown. Cities and water districts throughout the state are required to report their water use each month. This Executive Order also bans wasteful practices, including hosing off sidewalks and running sprinklers when it rains.

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act established the legal and regulatory framework for California's water quality control. The California Water Code (CWC) authorizes the State Water Resources Control Board (SWRCB) to implement the provisions of the CWA, including the authority to regulate waste disposal and require cleanup of discharges of hazardous materials and other pollutants. In California, the NPDES stormwater permitting program is administered by the SWRCB.

Under the CWC, California is divided into nine regional water quality control boards (RWQCBs), which govern the implementation and enforcement of the CWC and the CWA.

The project site is located within Region 4, also known as the Los Angeles RWQCB. The RWQCBs develop and enforce water quality objectives and implement plans that will best protect California's waters, acknowledging areas of different climate, topography, geology, and hydrology. The Los Angeles RWQCB is given authority to issue waste discharge requirements, enforce actions against stormwater discharge violators, and monitor water quality.

Energy and Telecommunications Regulations

California Independent System Operator

The California Independent System Operator (ISO) is an independent public benefit corporation responsible for operating California's long-distance electric transmission lines. The California ISO is led by a five-member board appointment by the Governor and is also regulated by FERC. While transmission owners and private electric utilities own their lines, the California ISO operates the transmission system independently to ensure that electricity flows comply with federal operational standards. The California ISO analyzes current and future electrical demand and plans for any needed expansion or upgrade of the electric transmission system.

California Public Utilities Commission

The California Public Utilities Commission (CPUC) establishes policies and rules for electricity and natural gas rates provided by private utilities in California such as Southern California Edison and SoCalGas. The Digital Infrastructure and Video Competition Act of 2006 established the CPUC as the sole cable/video TV franchising authority in the State of California and took effect January 1, 2007.

The CPUC is overseen by five commissioners appointed by the Governor and confirmed by the State Senate. The CPUC's responsibilities include regulating electric power procurement and generation, infrastructure oversight for electric transmission lines and natural gas pipelines and permitting of electrical transmission and substation facilities.

California Energy Commission

The California Energy Commission (CEC) is a planning agency which provides guidance on setting the State's energy policy. Responsibilities include forecasting electricity and natural gas demand, promoting and setting energy efficiency standards throughout the state, developing renewable energy resources, and permitting thermal power plants 50 megawatts and larger. The CEC also has specific regulatory authority over publicly owned utilities to certify, monitor, and verify eligible renewable energy resources procured.

Senate Bill 1389

SB 1389 (Public Resources Code Sections 25300–25323), adopted in 2002, requires the development of an integrated plan for electricity, natural gas, and transportation fuels. Under the bill, the CEC must adopt and transmit to the Governor and Legislature an Integrated Energy Policy Report (IEPR) every two years. The 2021 IEPR, the most recently

adopted IEPR, includes four volumes that focus on building decarbonization, energy reliability, gas system decarbonization, energy demand, and clean transportation (CEC 2022). The 2023 IEPR is currently under preparation (CEC 2023).

California Energy Code

CCR, Title 24, Part 6 is the Energy Code. This code, originally enacted in 1978, establishes energy efficiency standards for residential and non-residential buildings to reduce California's energy demand. It is updated periodically to incorporate and consider new energy-efficiency technologies and methodologies as they become available. New construction and major renovations must demonstrate their compliance with the current Building Energy Efficiency Standards through submission and approval of a Title 24 Compliance Report to the local building permit review authority and the CEC.

In 2021, the CEC updated Title 24 standards with more stringent requirements that became effective January 1, 2023. The building efficiency standards are enforced through the local plan check and building permit process. Local government agencies may adopt and enforce additional energy standards for new buildings as reasonably necessary due to local climatologic, geologic, or topographic conditions, provided these standards exceed those provided in Title 24.

The 2022 update to the Building Energy Efficiency Standards under Title 24 applies to buildings for which an application for a building permit is submitted on or after January 1, 2023. The updated standards mainly established electric-ready requirements when natural gas is installed, expanded solar photovoltaic and battery storage standards, and strengthened ventilation standards to improve indoor air quality.

Solid Waste Regulations

California Integrated Solid Waste Management Act of 1989

Assembly Bill (AB) 939, the California Integrated Waste Management Act of 1989, requires that local jurisdictions meet waste diversion goals and establish a framework for program implementation, solid waste planning, and solid waste facility and landfill compliance. AB 939 was primarily intended to encourage minimization of the volume of solid waste disposed of through "transformation" (including incineration, pyrolysis, distillation, and bioconversion) and land disposal through the establishment of solid waste diversion goals for all cities and counties.

Assembly Bill 1327

The California Solid Waste Reuse and the Recycling Access Act of 1991 (AB 1327) is codified in Public Resources Code Sections 42900-42911. As amended, AB 1327 requires each local jurisdiction to adopt an ordinance requiring commercial, industrial, or institutional buildings; marinas; and residential buildings having five or more living units to provide an adequate storage area for the collection and removal of recyclable materials. The size of these storage areas is to be determined by the appropriate jurisdiction's ordinance.

Senate Bill 1374

Signed in 2002, the Construction and Demolition Waste Materials Diversion Requirements (SB 1374) were codified in Public Resources Code Section 42919. SB 1374 requires that jurisdictions include in their annual AB 939 report a summary of the progress made in diverting construction and demolition waste. The legislation also required that the California Department of Resources Recycling and Recovery (CalRecycle) adopt a model ordinance for diverting 50 to 75 percent of all construction and demolition waste from landfills. The model ordinance was adopted by CalRecycle on March 16, 2004.

Assembly Bill 1826

AB 1826 requires jurisdictions to implement an organic waste recycling program for businesses, including outreach, education, and monitoring of affected businesses. Additionally, each jurisdiction is to identify a multitude of information, including barriers to siting organic waste recycling facilities, as well as closed or abandoned sites that might be available for new organic waste recycling facilities. AB 1826 defines “organic waste” as food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste. It also defines a “business” as a commercial or public entity, including, but not limited to, a firm, partnership, proprietorship, joint stock company, corporation, or association that is organized as a for-profit or nonprofit entity, or a multi-family residential dwelling consisting of five or more units. As of January 1, 2017, businesses that generate 4 cubic yards (cy) or more of organic waste per week are subject to this requirement. Commencing January 1, 2019, businesses that generate 4 cy or more of commercial solid waste per week are also required to arrange for organic waste recycling services. In September 2020, CalRecycle reduced this threshold to 2 cy of solid waste (i.e., total of trash, recycling, and organics) per week generated by covered businesses (CalRecycle 2022).

Senate Bill 1383

SB 1383 establishes statewide organic waste diversion rate goal of 75 percent by 2025. Beginning in 2022, SB 1383 required every jurisdiction to provide organic waste collection services to all residents and businesses, including food, green material, landscaping waste, organic textiles, lumber, paper products, manure, biosolids, digestate, and sludges. Jurisdictions are also required to educate residents and businesses about the collection requirements.

Zero Waste California

Zero Waste California is a State program launched by CalRecycle in 2002 to promote a new vision for the management of solid waste by maximizing existing recycling and reuse efforts, while ensuring that products are designed for the environment and have the potential to be repaired, reused, or recycled. The Zero Waste California program promotes the goals of market development, recycled product procurement, and research and development of new and sustainable technologies.

California Green Building Standards Code

The CALGreen Code requires a minimum of 65 percent of nonhazardous construction and demolition waste be recycled or salvaged for reuse.

Assembly Bill 341

AB 341, signed on February 10, 2011, directed that no less than 75 percent of solid waste generated in California be source reduced¹, recycled, or composted by 2020, and required CalRecycle to provide a report to the Legislature that recommends strategies to achieve the policy goal by January 1, 2014. AB 341 also mandated local jurisdictions to implement commercial recycling by July 1, 2012.

c. Regional and Local Regulations

Water and Wastewater Regulations

Los Angeles County Municipal Stormwater NPDES Program

The County of Los Angeles and the City of Beverly Hills are two of the Co-Permittees under the Los Angeles County MS4 Permit (Order No. R4-2012-0175, NPDES Permit No. CAS004001). The Los Angeles County MS4 Permit has been determined by the SWRCB to be consistent with the requirements of the CWA and the Porter-Cologne Act for discharges through the public storm drains in Los Angeles County to statutorily defined waters of the United States (33 USC Section 1342(p); 33 CFR Part 328.11). Under the Los Angeles County MS4 Permit, permittees are required to implement a development planning program to address stormwater pollution. This program requires project applicants for certain types of projects to implement a Low Impact Development (LID) Plan, except where the Standard Urban Stormwater Mitigation Plan (SUSMP) is proven applicable. The purpose of the LID Plan is to reduce the discharge of pollutants in stormwater by outlining BMPs that must be incorporated into the design of new development and redevelopment. These treatment control BMPs must be sufficiently designed and constructed to treat or retain the greater of an 85th percentile rain event or first 0.75 inch of stormwater runoff from a storm event.

The Los Angeles County MS4 Permit (Part VI.D.7.c, New Development/Redevelopment Project Performance Criteria) includes design requirements for new development and substantial redevelopment. These requirements apply to all projects that create or replace more than 5,000 sf of impervious cover. Where redevelopment results in an alteration to more than 50 percent of impervious surfaces of a previously existing development and the existing development was not subject to post-construction stormwater quality control requirements, the entire project would be subject to post-construction stormwater quality control measures.

¹ Source reduction refers to activities designed to reduce the volume, mass, or toxicity of products throughout their life cycle. It includes the design and manufacture, use, and disposal of products with minimum toxic content, minimum volume of material, and/or a longer useful life.

The City implements the requirement to incorporate stormwater BMPs, including LID BMPs, through the City's plan review and approval process. During the review process, project plans are reviewed for compliance with the City's General Plan, zoning ordinances, and other applicable local ordinances and codes, including stormwater requirements. Plans and specifications are reviewed to ensure that the appropriate BMPs are incorporated to address stormwater pollution prevention goals.

Beverly Hills General Plan

The City's General Plan Conservation Element (2010) contains goals and policies that address water supply, wastewater treatment, storm drainage, solid waste, natural gas, electricity, and telecommunication systems. Goals and policies related to water and wastewater applicable to the proposed project are as follows:

Goal CON 1 Water Supply System. High-quality reliable water supply, treatment, distribution, pumping and storage systems that provide water as affordably as possible and meet current and future daily and peak water demands of the City, considering the sustainability goals and policies in this general plan.

- **Policy CON 1.6 Development Requirements—Water Service.** Require new development to be served from an approved domestic water supply.

Goal CON 2 Water Conservation through System Improvements. Provision of a system that minimizes water consumption through conservation methods and other techniques.

- **Policy CON 2.4 Water Conservation Measures for Private Projects.** Continue providing incentives, and where practical, require the installation of water conserving measures, devices and practices for new private construction projects and major alterations to existing private buildings, including requirements for using reclaimed water for construction watering and for pumping subterranean water back into the ground rather than into the storm drain system.
- **Policy CON 2.5 Water Efficient Landscaping.** Where feasible, encourage installation of drought tolerant landscaping or water-efficient irrigation systems for all private and city landscaping and parkways. Identify and implement minimum design and installation efficiency criteria for landscape irrigation systems.

Goal CON 3 Water Conservation through Reduced Consumption. Conservation programs that limit water consumption through site design, the use of water conservation systems and other techniques.

- **Policy CON 3.8 Water Conservation Measures for Private Projects.** Require the installation of water conserving measures, devices and practices that meet "green building" standards for new private construction projects and major alterations to existing private buildings.
- **Policy CON 3.9 Water-Efficient Landscaping.** Encourage and promote drought-tolerant landscaping or water efficient irrigation systems for all private and city landscaping and parkways.

- **Policy CON 3.11. New Conservation Technology.** Ensure all new private and City Facility projects utilize conservation technologies.

Goal CON 4 Water Supply Costs. A system where the costs of improvements to the water supply, transmission, distribution, storage and treatment systems are borne by those who benefit.

- **Policy CON 4.1 Developer Fees.** Require the costs of improvements to the existing water supply, transmission, distribution, pumping, storage and treatment facilities necessitated by new development be borne by those benefiting from the improvements, either through the payment of fees, or by the actual construction of improvements.

Goal CON 7 Wastewater Treatment System. A wastewater collection and treatment system that support existing and planned development.

- **Policy CON 7.2 Municipal Connections and Capacity.** Require that development be connected to the municipal sewer system and ensure that adequate capacity is available for the treatment of generated wastewater flows and the safe disposal of generated sludge.
- **Policy CON 7.3 Sewer Analysis for New Development.** Require that new development and major renovation projects submit a sewer analysis outlining capacity and improvement needs to the satisfaction of the City prior to the issuance of building permits.
- **Policy CON 7.4 Water Conservation.** Require that wastewater flows be minimized in existing and future developments through water conservation and recycling efforts.

Goal CON 10 Storm Drainage System. Provision of a fiscally sustaining storm drainage system that reduces pollutants entering the ocean.

- **Policy CON 10.3 Storm Runoff Impacts.** Require new development to prepare hydrologic studies to assess storm runoff impacts on the local and sub-regional storm drainage systems, and, if warranted, require new development to provide adequate drainage facilities and mitigate increases in stormwater flows and/or cumulative increases in regional flows. Require final drainage plans be submitted for review and approval.

Beverly Hills Municipal Code

Development in Beverly Hills is required to comply with Title 6 (Utilities and Franchises) and Title 9 (Building and Property Health and Safety Regulations) of the Beverly Hills Municipal Code (BHMC). Title 6 and Title 9 contain standard procedures and regulations relating to the City's utilities and service systems. BHMC Sections 6-1-201 through 6-1-276 establishes regulations for the administration of water services. In compliance with Government Code Section 10631, parts (c) and (d), the City has also provided alternative water conservation measures. As a long-term goal, the City maintains a Water Conservation Program, Water

Conservation Ordinance, and Water Efficient Landscaping Ordinance to achieve and maintain a high level of efficiency in water uses in the City's service area. Specific programs include leak reporting and repairs, valve maintenance program, system operation monitoring, meter replacement program, leak detection program, rate structure, rate management, flagging of unusual meter reads, test and repair program (pressure regulating valves), landscape irrigation, and public information program.

BHMC Section 6-1-301 through 6-1-356 establishes wastewater polices that regulate the construction and operation of wastewater systems and the discharge of wastewater into the City's wastewater system, provide the method of imposing wastewater charges, and facilitate regulations for the wastewater system that are mandated by the United States Environmental Protection Agency (USEPA) and the State.

Title 9, Article 5 of the BHMC governs stormwater and non-stormwater discharge during both construction and operation. Construction activities must implement appropriate best management practices (BMPs) and adhere to the applicable National Pollutant Discharge Elimination System permit(s). New development and redevelopment must implement LID BMPs to ensure that stormwater is adequately retained and treated onsite.

Energy and Telecommunications Regulations

Beverly Hills General Plan

The City's General Plan Conservation Element (2010) contains goals and policies that address energy, including natural gas and electricity. Goals and policies related to energy applicable to the proposed project include the following:

Goal CON 17 Natural Gas System. Provision of an adequate, safe, and dependable supply of natural gas energy to support existing and future land uses within the City.

- **Policy CON 17.1 New Development Requirements.** Require that new development is approved contingent upon its ability to be served with adequate natural gas facilities and infrastructure.

Goal CON 18 Electrical Energy System. Provision of an adequate, safe, and dependable supply of electrical energy to support existing and future land uses within the City.

- **Policy CON 18.1 New Development Requirements.** Require that new development is approved contingent upon the ability to be served with adequate electrical facilities and service.

Goal CON 19 Conservation. Provision of affordable and reliable energy resources to residents and businesses that minimize energy consumption.

- **Policy CON 19.3 Reduced Energy Consumption for Public and Private Facilities.** Install energy efficient appliances and alternative energy infrastructure such as solar energy panels (photovoltaic panels) on all City facilities. Encourage installation of solar energy panels on private development. Develop partnerships with residents to encourage use of solar energy panels and other solar energy technologies.

Beverly Hills Municipal Code

Titles 6 and 9 of the BHMC contain policies relevant to energy and telecommunications services. BHMC Section 9-1-701 adopts the Uniform Solar Energy Code, which was first developed in 1976 and published by the International Association of Plumbing and Mechanical Officials to address the growing needs of commercial and residential users of solar energy. This code is intended to provide a safe and functional solar energy system with minimum regulation.

BHMC Title 6, Chapter 2 adopts rules and regulations to govern the operations of community antenna television systems and telecommunications providers. It ensures consistency with federal law while promoting public health, safety, comfort, convenience, and general welfare of the city's residents; to enhance the aesthetic quality and appearance of the city by maintaining architectural and structural integrity; and by protecting views and vistas from obtrusive and unsightly accessory uses and facilities.

Solid Waste Regulations

Countywide Integrated Waste Management Plan

Pursuant to AB 939, each county is required to prepare and administer a Countywide Integrated Waste Management Plan (CIWMP), including preparation of an Annual Report. The CIWMP is to comprise of the various counties' and cities' solid waste reduction planning documents, plus an Integrated Waste Management Summary Plan (Summary Plan) and a Countywide Siting Element. The Summary Plan describes the steps to be taken by local agencies, acting independently and in concert, to achieve the mandated State diversion rate by integrating strategies aimed toward reducing, reusing, recycling, diverting, and marketing solid waste generated within the County. The Los Angeles County Department of Public Works (LACDPW) is responsible for preparing and administering the Summary Plan and the Countywide Siting Element.

The County continually evaluates landfill disposal needs and capacity as part of the preparation of the CIWMP Annual Report. 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. The most recent annual report, the CIWMP 2020 Annual Report, published in October 2021, provides disposal analysis and facility capacities for 2020, as well as projections to the CIWMP's horizon year of 2035 (LACDPW 2021). As stated within the CIWMP 2020 Annual Report, the County is not anticipating a solid waste disposal capacity shortfall within the next 15 years under current conditions (LACDPW 2021). A variety of strategies, including mandatory commercial recycling, diversion of organic waste, and alternative technologies (e.g., engineered municipal solid waste conversion facilities) would be implemented to ensure that the County would be able to accommodate the solid waste generated through the horizon year of 2035 (LACDPW 2021).

Beverly Hills General Plan

The City's General Plan Conservation Element (2010) contains the following goals and policies that address solid waste:

Goal CON 16 Waste Reduction. An efficient and innovative waste management program that reduces the amount of waste material entering regional landfills.

- **Policy CON 16.7 Demolition Waste.** Require the recycling of demolition waste for new construction and renovation and projects.

Beverly Hills Municipal Code

Beverly Hills regulates the collection and disposal of solid waste through the BHMC Sections 6-1-401 through 6-1-512. These regulations include requirements for city-provided solid waste services and solid waste hauling franchises, solid waste containers, and mandatory recycling and organic waste diversion. In addition, to ensure that the City meets the statutory obligations imposed by AB 939, Title 9, Chapter 1 authorizes the City's Department of Building and Safety to impose and enforce requirements related to the salvaging, recycling, and reuse of construction and demolition debris.

4.13.2 Environmental Setting

a. Water Supply and Infrastructure

Water service is provided to the project site by the City of Beverly Hills Public Works Department. The City provides water service to the entire City of Beverly Hills and a portion of the City of West Hollywood, covering approximately 6.35 square miles with a total of 43,371 customers in 2020 (Beverly Hills 2021). The project site is served by existing water facilities within the surrounding roadways including Wilshire Boulevard, South Camden Drive, and South Peck Drive, as well as an existing water pipeline that runs through the project site in the alleyway directly south of the Saks Rehabilitation, Shoe, and Former Barney's New York Buildings. Existing water infrastructure is shown on Figure 4.13-1.

The City's water supply sources include imported surface water purchased from Metropolitan Water District of Southern California (MWD) and local groundwater extracted from the local Hollywood Basin and La Brea subarea of the Central Groundwater Basin. Approximately 91 percent of the City's water supply is imported water from MWD (Beverly Hills 2021). Beverly Hills has two connections to Metropolitan's feeder system, each with an operational capacity of 30,700 acre-feet per year (AFY). Based on the CalEEMod results for the existing uses on the project site (e.g., the Saks Fifth Avenue department store), existing uses consume approximately 10,743,404 gallons per year or 34 AFY of water (refer to Appendix B).

b. Wastewater Conveyance and Treatment

Wastewater generated in Beverly Hills is collected through the City's wastewater collection and distribution system which consists of over 95 miles of sewer mains. Existing sewer facilities serving the project site include an 18-inch pipe in South Bedford Drive, 10-inch pipe in South Peck Drive, and an 8-inch pipe in alley directly south of the Saks Rehabilitation, Shoe, and Former Barney's New York Buildings (Kimley Horn 2023; Appendix H). These facilities are shown in Figure 4.13-1. Wastewater is then conveyed to the Hyperion Water Reclamation Plant (HTP) located approximately 9.5 miles south of the project site in Playa Del Rey. HTP treats wastewater from multiple cities throughout Los Angeles County and its full treatment dry weather capacity is 450 million gallons per day (MGD) and wet weather capacity is 850 MGD (Beverly Hills 2021). On average, 275 million gallons of wastewater enter HTP on a dry weather day, with 175 MGD of remaining capacity (Los Angeles Sanitation and Environment [LASAN] 2023). Based on the CalEEMod results, existing uses on the project site generate approximately 29,434 gallons of wastewater per day.

c. Stormwater

Beverly Hills is within the watershed of Ballona Creek. The storm drain system in Beverly Hills is comprised entirely of gravity pipelines, culverts, and channels. There are no pumping or treatment facilities. All storm drain facilities eventually discharge to Ballona Creek. The City owns, operates, and maintains 40 percent of the storm drain system (19 miles of pipeline), with the remaining 60 percent owned and maintained by the County of Los Angeles (26 miles) (City of Beverly Hills 2020). Existing storm drain facilities in the vicinity of the project site include pipes within the Wilshire Boulevard, Charleville Boulevard, and South Bedford Drive rights-of-way. The Wilshire Boulevard, South Bedford Drive, and a portion of the Charleville Boulevard (east of South Peck Drive) storm drain pipes are owned and maintained by the City, and a portion of the Charleville Boulevard storm drain pipe (east of South Camden Drive) is owned and maintained by the County of Los Angeles (City of Beverly Hills 2020). The project site is relatively flat and existing stormwater runoff generally flows southwest towards stormwater drainage along South Peck Drive and South Camden Drive. Stormwater runoff is conveyed to catch basins at the intersections of Bedford Drive, South Peck Drive, and South Camden Drive with Charleville Boulevard then discharged into the public storm drainage system, as shown in Figure 4.13-1. Under current conditions, the 50-year stormwater flow generated by the project site is 11.35 cubic feet per second and the stormwater drainage system has adequate capacity under existing conditions (Kimley Horn 2023b; Appendix H).

d. Solid Waste

Solid waste (trash and recyclables) collection is provided by the City's Public Works Department in contract with Athens Services. Solid waste collected in the city is transferred to the materials recovery facilities located in Sun Valley, approximately 12 miles north of the project site.

After sorting at the materials recovery facility, remaining solid waste is disposed of at the landfills serving Los Angeles County, shown in Table 4.13-1. As shown, the landfills serving the county have a remaining daily intake capacity of 25,640 tons per day (tpd).

Table 4.13-1 Landfill Capacities

Facility Name	Estimated Remaining Life (years)	Estimated Remaining Capacity (tons)	Permitted Daily Intake (tpd)	Average Daily Disposal (tpd)	Available Daily Intake (tpd)
Antelope Valley Recycling and Disposal Facility	9	10,178,644	3,600	2,785	815
Azusa Land Reclamation Company Landfill	–*	58,841,274	8,000	1,025	6,975
Burbank Landfill No. 3	110	2,370,357	240	125	115
Calabasas Landfill	14	4,028,220	3,500	955	2,545
Chiquita Canyon Landfill	27	54,420	12,000	6,114	5,886
Lancaster Landfill and Recycling Center	81	9,873,404	3,000	395	2,605
Pebbly Beach Landfill	6	32,093	49	9	40
Scholl Canyon	8	3,408,185	3,400	1,486	1,914
Sunshine Canyon City/County Landfill	17	54,079,158	12,100	7,420	4,680
Whittier (Savage Canyon) Landfill	35	4,261,790	350	285	65
Total					25,640

* = Information not available; tpd = tons per day

Source: LACDPW 2021

Based on CalEEMod estimates, existing uses on the project site generate approximately 150 tons of solid waste per year (0.42 tons per day).

e. Electricity, Natural Gas, and Telecommunications

Electricity is provided by Southern California Edison (SCE) or Clean Power Alliance (CPA) and natural gas is provided by Southern California Gas Company (SoCalGas). Based on the CalEEMod results, existing uses on the project site consume 1,444,060 kilowatt hours (kWh) per year of electricity and 714,193,000 British thermal units (BTU) of natural gas per year. Existing electricity and natural gas infrastructure are shown in Figure 4.13-2 and Figure 4.13-3, respectively. Natural gas and electricity use are further addressed in Section 4.4, *Energy*.

Telecommunications services within Beverly Hills are provided by various private companies, such as Spectrum, AT&T, Frontier, Cox Communications, and Verizon. Existing AT&T and Spectrum telecommunications boxes and connections are available on the project site, as shown in Figure 4.13-4 and Figure 4.13-5.

Figure 4.13-2 Existing Electricity Infrastructure

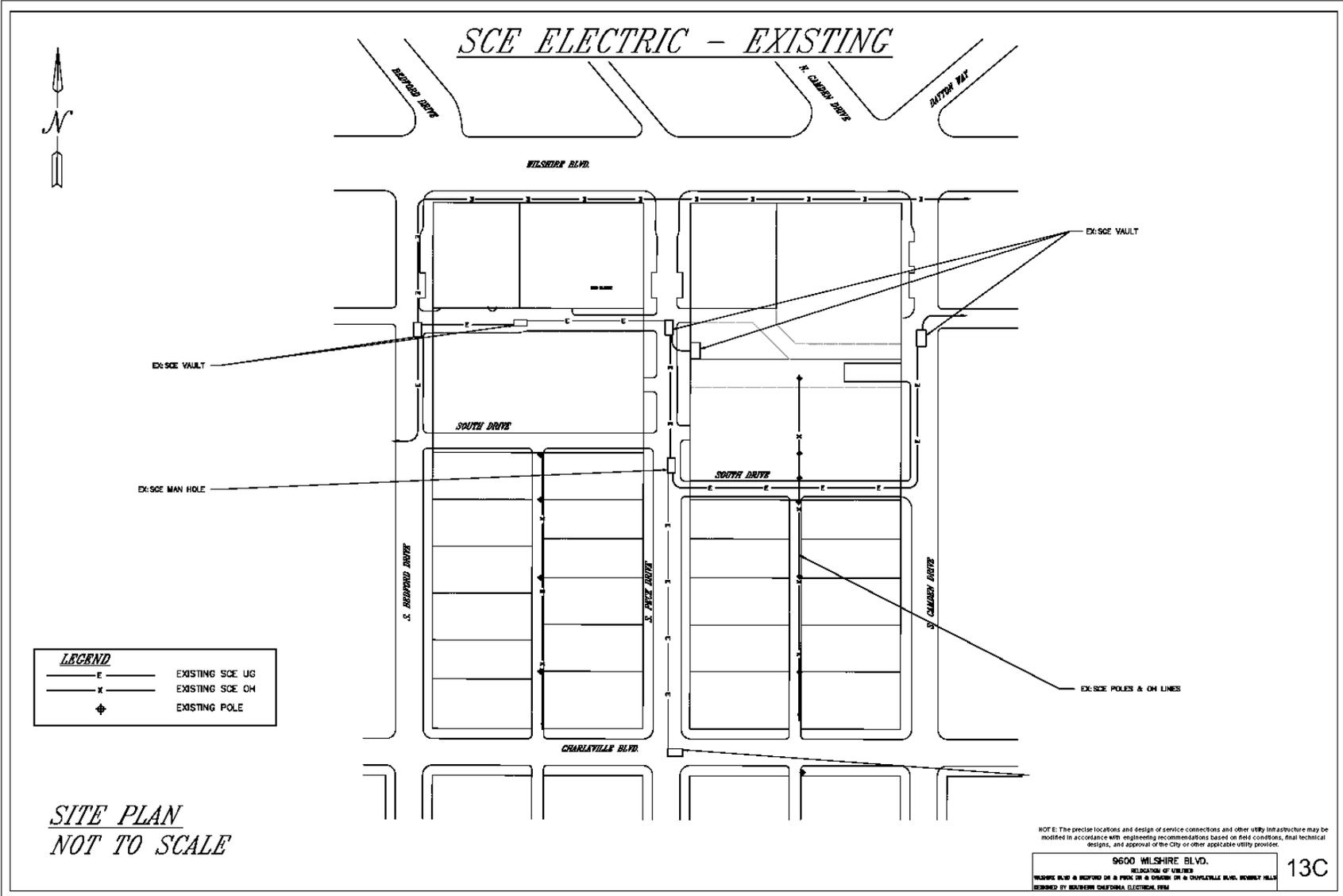


Figure 4.13-3 Existing Natural Gas Infrastructure

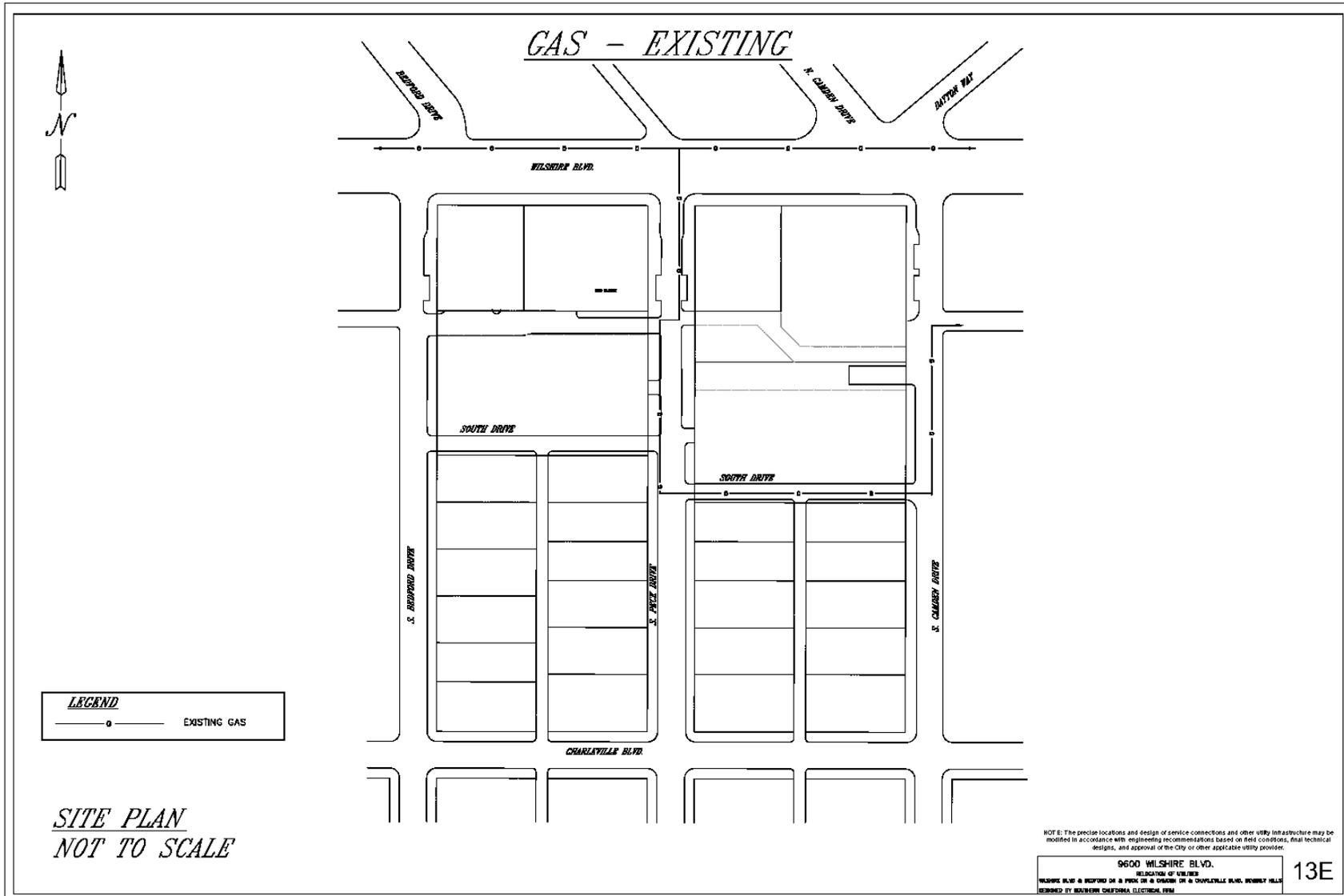


Figure 4.13-4 Existing AT&T Infrastructure

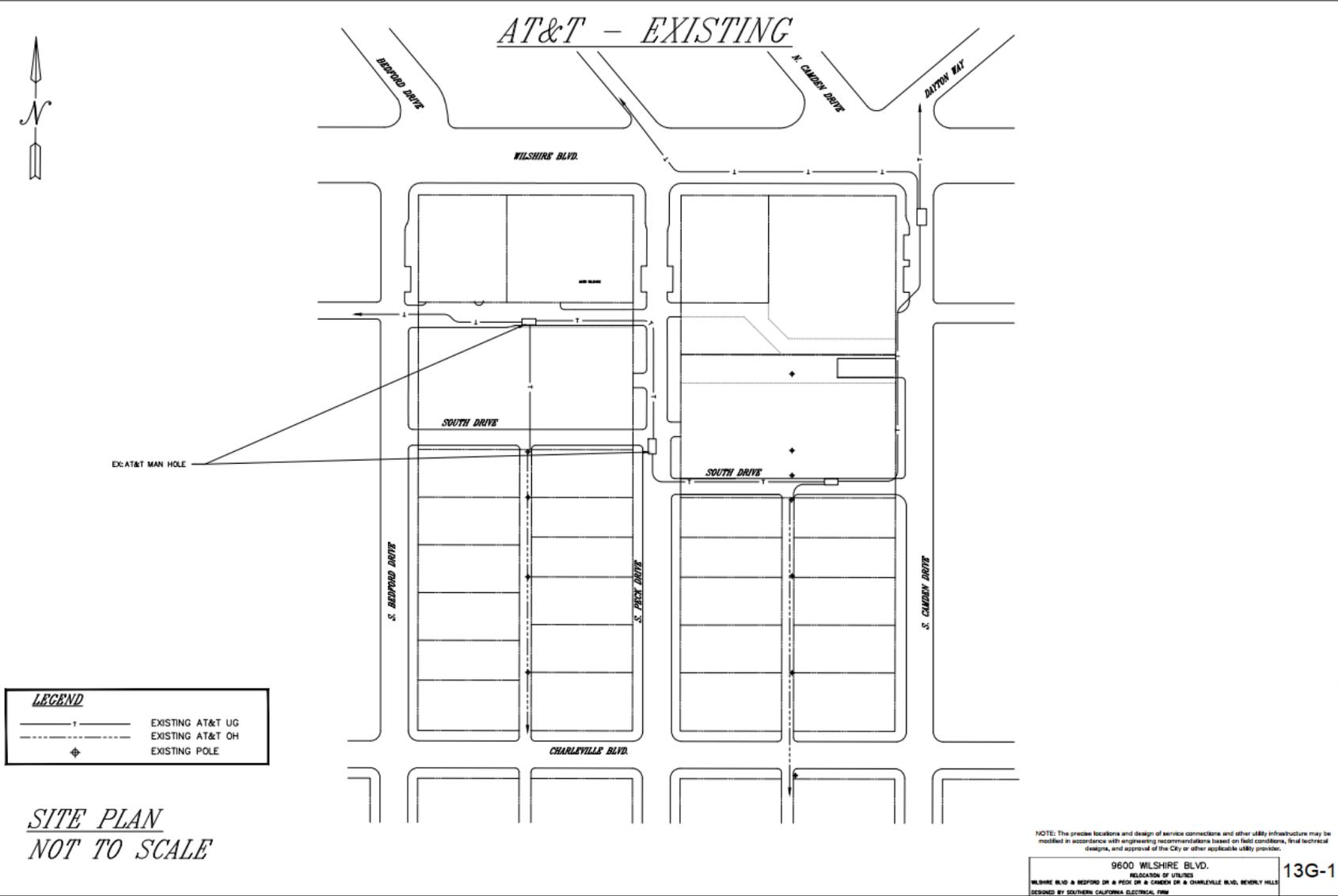
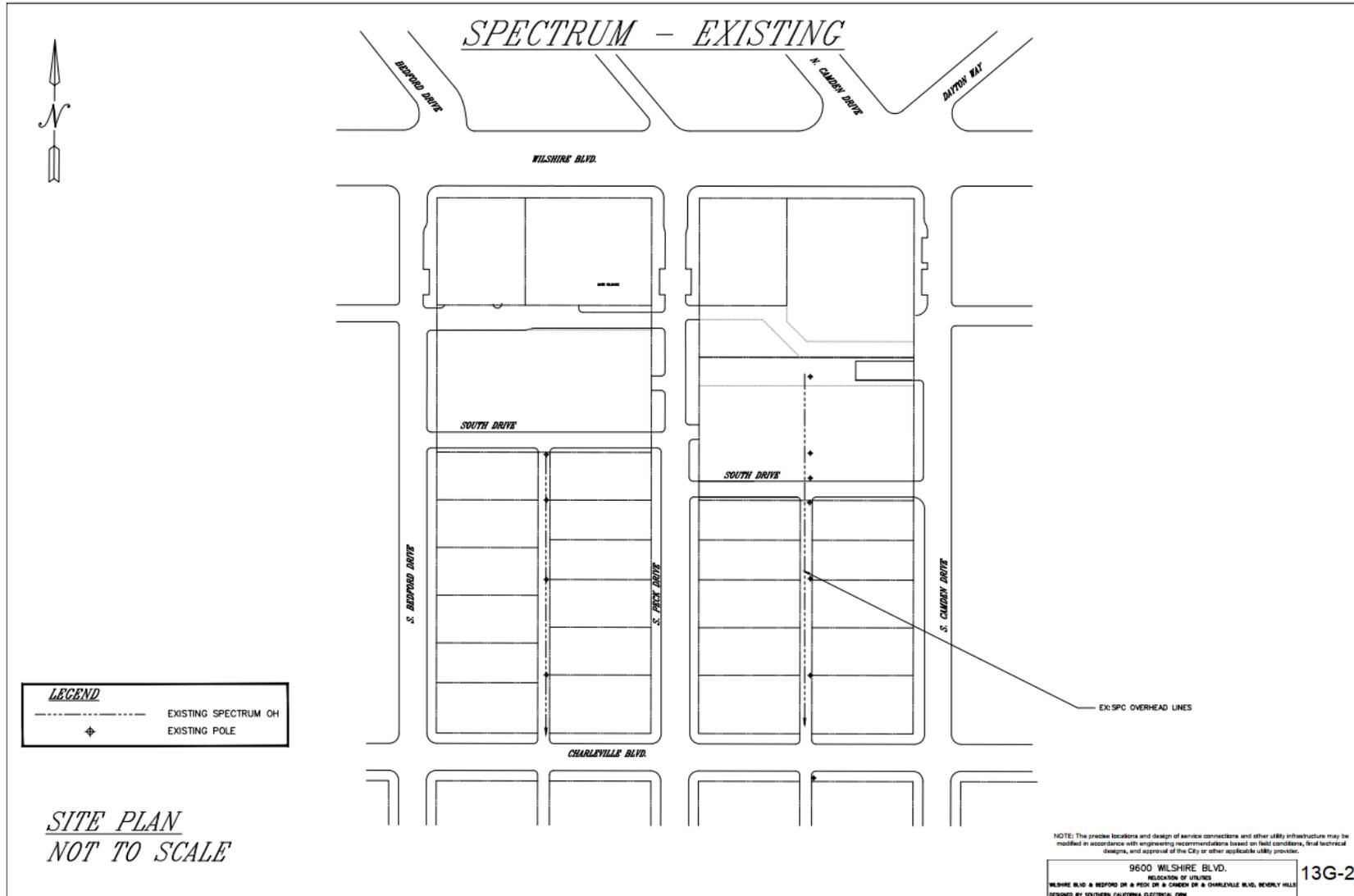


Figure 4.13-5 Existing Spectrum Infrastructure



4.13.3 Impact Analysis

a. Significance Thresholds and Methodology

Significance Thresholds

The proposed project would have a potentially significant impact if it were to result in one or more of the following:

- 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.
- b. Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years.
- c. A determination by the wastewater treatment provider which serves or may serve the project that it does not have 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. Not comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

Methodology

In determining whether project implementation would result in impacts concerning utilities and service systems, this analysis considers the existing regulatory framework and baseline conditions characterized by readily available data from the public record, including local planning documents such as the Beverly Hills General Plan. Information presented in this section is partially based on the Sewer Area Study and Preliminary Hydrology and Hydraulics Report prepared by Kimley Horn (Kimley Horn 2023a and 2023b; Appendix H). Water consumption, wastewater generation, electricity and natural gas use, and solid waste generation for construction and operation of the project were calculated using CalEEMod version 2022.1 (see Appendix B for calculations).

In reference to the significance thresholds, the determination whether the project would or would not result in significant impacts related to utilities and services systems considers the applicable regulations established by federal, State, and local agencies, the project's compliance with such regulations, and the project's added demand upon servicing utilities.

As described in Section 2, Project Description, this EIR analyzes the environmental effects of buildout of the Specific Plan at a programmatic level including with and without the Residential Conversion Units. This EIR also performs a project level review of the proposed Conceptual Plan. The proposed Conceptual Plan and the two Specific Plan build-out scenarios are summarized below:

- Conceptual Plan: Consistent with the description provided under Section 2.5.2, *Conceptual Plan*, the Wilshire Boulevard District would consist of approximately 261,722 square feet of commercial space, in addition to the continued commercial use of the existing 107,000 square feet at 9570 Wilshire. Additionally, the Neighborhood District would have 68 residential units and 10,581 square feet of ground floor Small Shop/Boutique Retail.
- Specific Plan Buildout Scenario 1, Maximum Buildout of the Specific Plan with No Residential Conversion: Consistent with the description provided under Section 2.5.1.1, Floor Area, in addition to approximately 107,000 sf of commercial uses at 9570 Wilshire, the Wilshire Boulevard District would contain 293,000 sf of commercial uses of which 166,000 sf would be net new floor area. The Neighborhood District would contain 70 residential units and 15,000 sf of ground floor Small Shop/Boutique Retail.
- Specific Plan Buildout Scenario 2, Maximum Buildout of the Specific Plan with Maximum Residential Conversion: 250,000 sf of commercial floor area (which includes approximately 107,000 sf of existing floor area at 9570 Wilshire) would be included in the Wilshire Boulevard District, of which 16,000 sf would be net new floor area. As contemplated in the Specific Plan, 75 Residential Conversion Units consisting of 150,000 sf of floor area located above the ground floor would be developed across the Saks Rehabilitation and Parcel B subareas. In addition (and consistent with Specific Plan Buildout Scenario 1), 70 residential units and 15,000 sf of ground floor Small Shop/Boutique Retail would be developed in the Neighborhood District. This scenario assumes that no Residential Conversion Units would be developed on the 9570 Wilshire subarea, because while permissible in concept pursuant to the proposed Specific Plan, express findings under a conditional use permit, which the Applicant is not seeking at this time, and additional environmental review and clearance would be required in order to authorize any such conversion to be made. A total of 265,000 sf of commercial uses and 145 residential units would be developed across the site.

The same types of land uses would be included in all build-out scenarios. However, construction and operational utility consumption or output would vary slightly between the scenarios due to the different amounts of each land use type. Utilities consumption would vary slightly between the buildout scenarios due to the different amounts of each land use type. Therefore, the utilities consumption or output for each scenario is calculated separately and analyzed in each impact below.

b. Project Design Features

No project design features are proposed with regard to utilities and service systems are proposed.

c. Project Impacts and Mitigation Measures

<p>Threshold 4.13a: 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?</p>
--

Impact UTIL-1 THE PROPOSED PROJECT WOULD REQUIRE CONNECTIONS TO EXISTING UTILITIES (I.E., WATER, WASTEWATER TREATMENT, STORMWATER DRAINAGE, ELECTRIC, AND NATURAL GAS); HOWEVER, ALL REQUIRED IMPROVEMENTS TO EXISTING UTILITIES WOULD OCCUR WITHIN THE PROJECT DISTURBANCE FOOTPRINT AND EXISTING PUBLIC RIGHTS-OF-WAY AND WOULD NOT INVOLVE UNIQUE CONSTRUCTION PRACTICES OR TECHNIQUES THAT WOULD CAUSE SIGNIFICANT ENVIRONMENTAL EFFECTS. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

Water

The proposed project would include the removal and reconstruction of an existing 12-inch water main within the alleyway directly south of the existing buildings on the project site and would also require new connections to existing water utility infrastructure in the project area. The conceptual project water facilities are shown in Figure 2-11 in Section 2, *Project Description*. The reconstructed water main and new water connections would be designed to meet the requirements of the City Public Works Department and the BHMC. The proposed water laterals, meters, fire water laterals, and fire water meters would be installed during project construction and within the disturbance area of the project; therefore, the construction of these infrastructure improvements would not substantially increase the project's disturbance area, associated emissions, or otherwise cause significant environmental effects beyond those identified throughout this document. As described in Impact UTIL-2, the project would be served by existing and planned water supplies, which are not anticipated to require major water treatment or distribution facility improvements. Upon completion of construction activities, the water distribution system serving the project site would be adequate to accommodate the proposed project. Occasional minor maintenance activities may be required to repair infrastructure as it ages. However, future relocation and expansion of the water distribution system during project operation are not anticipated. Therefore, construction and operational impacts with respect to new or expanded water facilities would be less than significant.

Wastewater Treatment

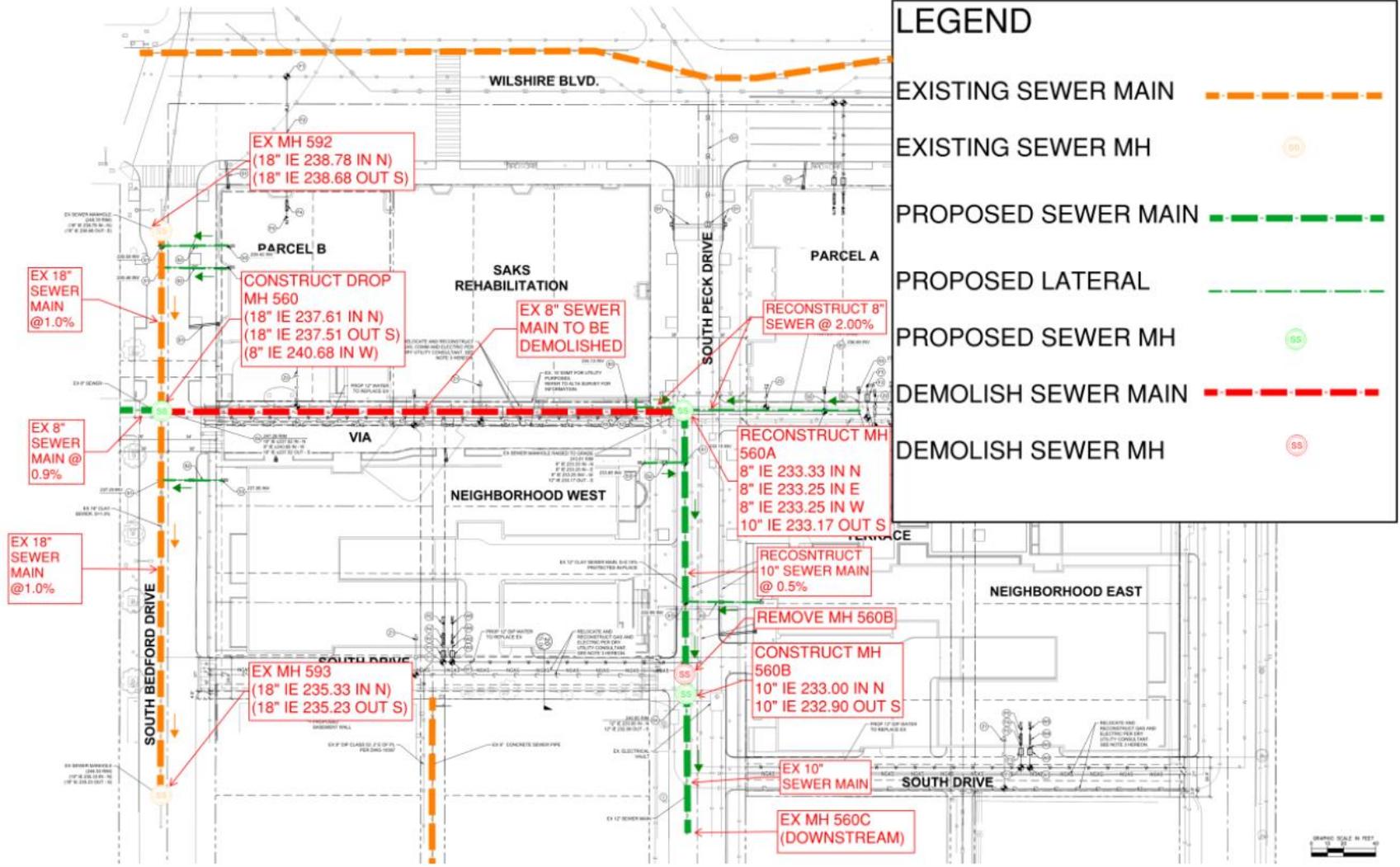
The proposed project includes removal and reconstruction of portions of the existing 8-inch sewer main within the alleyway directly south of the existing buildings on the project site, reconstruction of portions of the existing 10-inch sewer main in South Peck Drive, and installation of new lateral connections to existing sewer mains. Figure 4.13-6 below illustrates the conceptual sewer plan for the project. The proposed sewer mains and connections would meet the requirements of the City Public Works Department and the BHMC.

Prior to ground disturbance, project contractors would coordinate with the City to confirm the locations and depth of all sewer mains and lines. The City would be notified in advance of proposed ground disturbance activities to avoid existing underground utilities and disruption of existing sewer service to the surrounding land uses. As with water facilities, the proposed sewer laterals and new sewer manhole would be installed during project construction and within the disturbance area of the project; therefore, the construction of these infrastructure improvements would not substantially increase the project's disturbance area, associated emissions, or otherwise cause significant environmental effects beyond those identified throughout this document. As described in Impact UTIL-3, the project would be adequately served by existing wastewater treatment facilities. Upon completion of construction activities, the wastewater conveyance system serving the project site would be adequate to accommodate the proposed project. Occasional minor maintenance activities may be required to repair infrastructure as it ages. However, future relocation and expansion of the wastewater conveyance system during project operation are not anticipated. Therefore, construction and operational impacts with respect to new or expanded wastewater treatment facilities would be less than significant.

Stormwater Drainage

As part of the proposed project, a stormwater cistern would be installed below the project site to pretreat and retain stormwater. New storm drain lines would also be constructed to connect the cistern to the existing storm drain facilities within Wilshire Boulevard, South Camden Drive, and South Bedford Drive. The project's proposed stormwater drainage would adhere to LID requirements. The Hydrology and Hydraulics Report determined that the proposed project would not result in increased stormwater runoff and the existing storm drainage system has adequate capacity for the proposed development (Kimley Horn 2023b; Appendix H). As with water and wastewater facilities, proposed storm drain infrastructure would be constructed within the disturbance area of the project and would not result in additional environmental impacts beyond those contemplated throughout the Draft EIR. Upon completion of construction activities, the stormwater drainage and conveyance system serving the project site would be adequate to accommodate the proposed project. Occasional minor maintenance activities may be required to repair infrastructure as it ages. However, future relocation and expansion of stormwater drainage infrastructure during project operation are not anticipated. As such, construction and operational impacts related to new or expanded stormwater facilities would be less than significant.

Figure 4.13-6 Conceptual Sewer Plan



Electric Power, Natural Gas, and Telecommunications

The project would involve the removal of overhead electric utility lines and poles and relocation of electric and natural gas utility lines. As with water, wastewater, and stormwater facilities, relocated electric and natural gas utility lines would be installed during project construction and within the disturbance area of the project as well as adjacent and connecting public rights-of-way; therefore, the construction of these infrastructure improvements would not substantially increase the project's disturbance area, associated emissions, or otherwise cause significant environmental effects beyond those identified throughout this document.

As discussed in detail in Section 4.4, *Energy*, the project would increase electricity and natural gas demand on the project site. However, such increased demand would account for a nominal fraction of SCE's, CPA's, and SoCalGas' total demand in the region. The nominal increase in energy demand is not anticipated to require additional electric substations or natural gas storage/transmission facilities beyond those currently serving the project area. It is not anticipated that new or expanded gas supply facilities would be required to service the site. Furthermore, the applicant has received "will serve" letters from SoCalGas Company and SCE (refer to Appendix H). Telecommunications are provided to the project site by various private providers, at the discretion of tenants. Beverly Hills is highly urbanized with existing above- and below-ground telecommunications infrastructure and the project site is already served by existing telecommunications facilities. The proposed project would not include the construction of additional or upgraded telecommunications facilities. Upon completion of construction activities, the electric power, natural gas, and telecommunications systems serving the project site would be adequate to accommodate the proposed project. Occasional minor maintenance activities may be required to repair infrastructure as it ages. However, future relocation and expansion of electric power, natural gas, and telecommunications infrastructure during project operation are not anticipated. Therefore, construction and operational impacts related to energy and telecommunications infrastructure would be less than significant.

Mitigation Measures

No mitigation measures would be required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

Threshold 4.13b: Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Impact UTIL-2 THE PROPOSED PROJECT WOULD RESULT IN A MAXIMUM NET INCREASE IN WATER DEMAND OF APPROXIMATELY 91 AFY. THE PROPOSED PROJECT WATER DEMAND CAN BE ACCOMMODATED BY THE CURRENT AND PLANNED WATER SUPPLIES AS PRESENTED IN THE 2020 URBAN WATER MANAGEMENT PLAN. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

Construction

Construction water demand would be substantially the same for construction of each of the development scenarios. Water would be required for temporary construction activities on the project site, including dust suppression, grading and grubbing, compaction, construction equipment wheel washing, and concrete mixing and casting. Water consumption by construction workers and cleaning of portable toilets on the project site may also account for a small portion of overall construction water demand.

Watering for dust suppression would result in the greatest water demand during construction. Pursuant to the requirements of South Coast Air Quality Management District Rule 403, as described in Section 4.3, *Air Quality*, all disturbed unpaved roads and exposed areas within the project site would be watered approximately three times per day to reduce fugitive dust generation from construction activities. Construction water demand would be temporary, occurring over approximately 50 months, and therefore, would not result in a long-term strain on water supplies. Given the temporary and minimal nature of construction water demand as compared to operational water consumption, as well as the fact that Beverly Hills Public Works Department would be able to restrict or require conservation measures for water intensive construction activities, impacts related to construction water consumption would be less than significant.

Operation

Operational water use would consist of indoor and outdoor water use. Indoor water use varies between apartment, hotel, restaurant, health club, shopping center, and office building land uses. Outdoor water use would consist of landscape irrigation. As discussed in Section 2, *Project Description*, the proposed project includes sustainability features to reduce water use. Indoor water use sustainability features include water efficient bathroom and kitchen appliances. Outdoor water use sustainability features include landscape irrigation where feasible with alternative water supply, water conserving landscape irrigation technologies, and use of drought resistant landscaping. Specific water use projections for each development scenario are detailed below.

Conceptual Plan

Table 4.13-2 summarizes estimated operational water consumption for the proposed project under the Conceptual Plan. As shown below, project operation would result in a net increase in water use of approximately 26,972,759 gallons per year (approximately 83 AFY).

Specific Plan Buildout Scenario 1 (No Residential Conversion)

Table 4.13-3 summarizes estimated operational water consumption for the proposed project under Specific Plan Buildout Scenario 1. As shown below, project operation would result in a net increase in water use of approximately 29,791,092 gallons per year (approximately 91 AFY). Specific Plan Buildout Scenario 1’s projected operational water consumption would be the highest of the project scenarios.

Specific Plan Buildout Scenario 2 (Maximum Residential Conversion)

Table 4.13-4 summarizes estimated operational water consumption for the proposed project under Specific Plan Buildout Scenario 2. As shown below, project operation would result in a net increase in water use of approximately 29,502,287 gallons per year (approximately 91 AFY).

Table 4.13-2 Conceptual Plan Estimated Operational Water Consumption

Land Use	Water Consumption (gallons/year)
Apartments	2,534,618
Hotel	1,014,671
Restaurant	4,462,856
Health Club ¹	1,018,149
Shopping Center	2,931,716
Office Building	25,754,153
Total	37,716,163
<i>Existing Demand</i>	<i>10,743,404</i>
Net Demand	26,972,759

¹ Health club use in CalEEMod utilized to model the membership club
 See Appendix B for CalEEMod output results for water consumption.

Table 4.13-3 Specific Plan Buildout Scenario 1 Estimated Operational Water Consumption

Land Use	Water Consumption (gallons/year)
Apartments	2,609,166
Hotel	1,268,339
Restaurant	13,355,483
Health Club ¹	2,306,583
Shopping Center	555,544
Office Building	20,439,381
Total	40,534,496
<i>Existing Demand</i>	<i>10,743,404</i>
Net Demand	29,791,092

¹ Health club use in CalEEMod utilized to model the membership club
 See Appendix B for CalEEMod output results for water consumption.

Table 4.13-4 Specific Plan Buildout Scenario 2 Estimated Operational Water Consumption

Land Use	Water Consumption (gallons/year)
Apartments	5,404,701
Hotel	0
Restaurant	25,496,832
Health Club ¹	1,123,720
Shopping Center	1,111,088
Office Building	7,109,350
Total	40,245,691
<i>Existing Demand</i>	<i>10,743,404</i>
Net Demand	29,502,287

¹ Health club use in CalEEMod utilized to model the membership club
 See Appendix B for CalEEMod output results for water consumption.

Supply and Demand Comparison

The 2020 UWMP provides estimated water supply and demand during normal, dry, and multiple dry years for years 2025, 2030, 2035, 2040, and 2045 and forecasts adequate water supplies will be available to meet projected demands through 2045 (City of Beverly Hills 2021). Furthermore, as outlined in the 2020 UWMP, the City is committed to providing a reliable water supply. The 2020 UWMP 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.

The 2020 UWMP projects an increase of 835 AFY (7 percent) in water demand between 2025 and 2045, under normal and single dry year scenarios. The 2020 UWMP water demand projections are based on Southern California Association of Government (SCAG) demographic data and population projections for the city. As discussed in Section 4.10, *Population and Housing*, population and employment generated by the proposed project would not exceed SCAG projections for the city. Specific Plan Buildout Scenario 1’s net water demand projection is approximately 91 AFY and would represent approximately 11 percent of the projected water demand increase between 2025 and 2045. Therefore, the proposed project’s water demand would be accounted for within the UWMP water demand projections.

Based on the above, the City would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years. Impacts to water supply would be less than significant.

Mitigation Measures

No mitigation measures would be required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

Threshold 4.13c: 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?

Impact UTIL-3 PROJECT-GENERATED WASTEWATER WOULD BE TREATED AT HTP. THE PLANT WOULD HAVE ADEQUATE CAPACITY TO SERVE THE PROJECT'S ANTICIPATED WASTEWATER GENERATION IN ADDITION TO ITS EXISTING WASTEWATER TREATMENT COMMITMENTS. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

As discussed under Impact UTIL-1, wastewater would be collected by the City's collection system and treated by HTP. HTP has a remaining dry weather treatment capacity of approximately 175 MGD (LASAN 2023). During construction, a minimal amount of wastewater would be generated by the construction employees. Portable toilets would be provided by a private company and the wastewater would be disposed off-site. Furthermore, no new connections to the sewer system would be required to accommodate project construction. Overall, there would be a negligible impact on sewer facilities and there would not be an increase in wastewater flows beyond the available capacity of the existing conveyance and treatment systems during project construction.

The Sewer Area Study determined project operation would result in an estimated average daily wastewater flow of 187,800 gallons per day under Specific Plan Buildout Scenario 1, (No Residential Conversion), the scenario with the greatest average daily wastewater flow (Kimley Horn 2023a; Appendix H). Accounting for existing uses on the project site, the proposed project would result in a maximum increase of approximately 158,366 gallons per day (0.16 MGD) of wastewater. The net increase in average daily wastewater flow of 0.16 MGD would represent approximately 0.09 percent of the current estimated remaining available capacity at HTP. Therefore, the increase in wastewater generated by the project would be adequately served by the existing wastewater treatment facilities. Impacts would be less than significant.

Mitigation Measures

No mitigation measures would be required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

Threshold 4.13d: 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?

Threshold 4.13e: Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Impact UTIL-4 THE PROJECT WOULD NOT GENERATE SOLID WASTE IN EXCESS OF STATE OR LOCAL STANDARDS, OR IN EXCESS OF THE CAPACITY OF LOCAL INFRASTRUCTURE, INCLUDING THE SUNSHINE CANYON LANDFILL, SEMI VALLEY LANDFILL AND RECYCLING CENTER, AND CALABASAS SANITARY LANDFILL. THE PROJECT WOULD NOT IMPAIR THE ATTAINMENT OF SOLID WASTE REDUCTION GOALS AND WOULD COMPLY WITH FEDERAL, STATE, AND LOCAL STATUTES AND REGULATIONS RELATED TO SOLID WASTE. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

Construction

Solid waste would be generated during demolition, grading, and construction activities. Construction solid waste output would be substantially the same for construction of each of the development scenarios, as the square footage of demolished buildings and extent of soil excavation would be consistent across the scenarios. Demolished materials and excavated soil would be reused or recycled to the maximum extent feasible and in accordance with the requirements of CALGreen and LEED certification, and all remaining materials would be transported to a Los Angeles County Landfill (Vulcan Materials, Hanson Aggregates, Simi Valley Landfill and Recycling) that accepts construction and demolition debris.

Construction would generate approximately 2,939 cy of demolished building materials and approximately 198,950 cy of soil based on applicant-provided information. Construction and demolition debris not accepted to reuse/recycle would be transported to the Simi Valley Landfill, which has an estimated remaining capacity of approximately 82,954,873 cy (CalRecycle 2023). The addition of 2,939 cy of demolition debris and 198,950 cy of soil would represent less than one percent of the remaining capacity of Simi Valley Landfill and would not result in an exceedance of its remaining capacity or permitted daily intake. As a result, disposal of construction waste and soils from demolition and grading would not exceed the capacity of local solid waste disposal facilities.

Furthermore, in accordance with the requirements of SB 1374 and CALGreen, 75 percent of non-hazardous demolition and construction debris would be recycled or salvaged, and soil material may be used beneficially as landfill cover or imported fill material at other construction sites. Recycling and reuse would reduce the amount of construction waste disposed at Simi Valley Landfill. Construction of the project would also comply with the solid waste regulations in BHMC Sections 6-1-401 through 6-1-512 and with the City's waste collection policies and waste reduction and recycling programs outlined in Goals CON 13, CON 14, and CON 16 of the General Plan. Therefore, construction impacts related to solid waste would be less than significant.

Operation

According to CalEEMod estimates, operation of the Conceptual Plan would generate approximately 360 tons per year (tpy) of solid waste, or approximately 0.99 tpd. Existing uses on the project site generate approximately 150 tpy of solid waste, or 0.42 tpd. Therefore, the Conceptual Plan would result in a net increase of 210 tpy of solid waste (0.58 tpd).

Operation of Specific Plan Buildout Scenario 1 (No Residential Conversion) would generate approximately 456 tpy of solid waste, or approximately 1.25 tpd. Accounting for existing solid waste generation on the project site, Specific Plan Buildout Scenario 1 would result in a net increase of 306 tpy (0.84 tpd) of solid waste.

Operation of Specific Plan Buildout Scenario 2 (Maximum Residential Conversion) would generate approximately 345 tpy of solid waste, or approximately 0.95 tpd. Accounting for existing solid waste generation on the project site, Specific Plan Buildout Scenario 2 would result in a net increase of 195 tpy (0.53 tpd) of solid waste.

Specific Plan Buildout Scenario 1 would result in the greatest net increase in solid waste generation, at 306 tpy (0.84 tpd). As described in Section 4.13.2, *Environmental Setting*, solid waste from the project site would be routed to landfills serving the County of Los Angeles. Table 4.13-1 indicates landfills serving the city have a total remaining daily capacity of 25,640 tpd. Solid waste generated by the proposed project would account for less than one percent of the remaining daily capacity of landfills serving the city. Therefore, the proposed project would not generate solid waste in excess of the capacity of local infrastructure and would not require the expansion or construction of a new solid waste disposal or recycling facility to handle project-generated waste.

In compliance with State and City requirements, the project would include trash enclosures with clearly marked, source-sorted receptacles for disposing of mixed solid waste and recyclables (which are later separated by Athens), with a separate receptacle for organic waste and would contract with Athens services for solid waste, recycling, and organics recycling services. Athens handles solid waste consistent with the State waste reduction policies, requirements of BHMC Sections 6-1-401 through 6-1-512, and the goals set forth by the City's General Plan. Through the provisioning of the required source-separated bins and solid waste hauling services, the project would be consistent with the Statewide organic waste and recycling goals and requirements established by AB 341, AB 939, AB 1826, SB 1383, and CALGreen Code, as well as General Plan Goals CON 13, CON 14, and CON 16

Therefore, because proposed development under the project would comply with applicable solid waste policies and objectives and would not generate solid waste in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals, impacts related to solid waste would be less than significant.

Mitigation Measures

No mitigation measures would be required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

4.13.4 Cumulative Impacts

a. Cumulative Impact UTIL-1 and UTIL-2: Water

The geographic scope for cumulative water service impacts is the entire service area of the Beverly Hills Public Works Department, which includes the entirety of Beverly Hills and a portion of the City of West Hollywood. This geographic scope is appropriate because as the local water purveyor, the City is responsible for supplying potable water to all residential, commercial, industrial, and fire protection uses within its service area, including the project site. As detailed in Table 3-1 of Section 3, *Environmental Setting*, development that is considered part of the cumulative analysis includes construction of 29 planned and pending projects in Beverly Hills. Land uses include commercial, office, restaurants, senior housing, condominiums, multi-family residences, mixed-use, hotels, educational facilities, and religious institutions.

The proposed project would include new connections to the existing potable water distribution system operated by the Beverly Hills Public Works Department, as well as the reconstruction of an existing water main within the project site. Cumulative projects would also likely result in the need for new and/or upgraded water mains and pipelines throughout the Beverly Hills Public Works Department service area. Similar to the analysis in this Draft EIR, as part of the CEQA compliance process, cumulative projects would analyze potential environmental effects associated with the construction and relocation of associated water infrastructure. Similar to the proposed project, cumulative projects would likely result in less than significant impacts associated with the construction and relocation of water facilities because it is anticipated that such activities would occur within the existing project disturbance footprint and would be coordinated with Beverly Hills Public Works Department. Therefore, cumulative impacts associated with the construction/relocation of water facilities would be less than significant.

Cumulative development in the Beverly Hills Public Works Department service area would continue to increase demand for water supplies. However, the 2020 UWMP determined that the city would have adequate water supplies available to meet demands through 2045. The 2020 UWMP projections for supply and demand are based on the projected population growth in the service area included in SCAG's 2020-2045 RTP/SCS. As discussed in depth in Section 4.10, *Population and Housing*, cumulative development would not exceed the SCAG projections and, therefore, the cumulative development would be anticipated to be accommodated within the 2020 UWMP's anticipated demand. Furthermore, future projects would be required to obtain service commitments from the City prior to construction, and those meeting the definition of a project pursuant to SB 610 and SB 221 would be required to prepare project-specific WSAs. The City's 2020 UWMP also includes a Water Shortage Contingency Plan and establishes response actions the City will implement in the event of a water supply shortage (City of Beverly Hills 2021). Furthermore, MWD, from which the City

purchases its imported water supplies, is actively developing plans and making efforts to provide additional water supply reliability for the entire southern California region (MWD 2021). Accordingly, sufficient water supply would be available for the proposed project and cumulative development, and cumulative impacts to water supply would be less than significant.

b. Cumulative Impact UTIL-1 and UTIL-3: Wastewater

The geographic scope for cumulative wastewater facilities impacts is the service area for the HTP, which includes the cities of Beverly Hills, Burbank, much of Los Angeles, Culver City, El Segundo, Glendale, San Fernando, Santa Monica, and portions of Los Angeles County. This geographic scope is appropriate because the HTP would receive wastewater flows from the project and, consequently, the project would not contribute to capacity constraints at any other wastewater treatment facilities. Impacts would be cumulatively significant if cumulative development in the service area would exceed the capacity of the HTP.

The proposed project would include new connections to the existing wastewater conveyance system operated by the Beverly Hills Public Works Department, as well as the reconstruction of portions of existing sewer mains within the project site. Cumulative projects would also likely result in the need for new and/or upgraded sewer mains and pipelines throughout the Beverly Hills Public Works Department service area. Similar to the analysis in this Draft EIR, as part of the CEQA compliance process, cumulative projects would analyze potential environmental effects associated with the construction and relocation of associated wastewater infrastructure. Similar to the proposed project, cumulative projects would likely result in less than significant impacts associated with the construction and relocation of water facilities because it is anticipated that such activities would occur within the existing project disturbance footprint and would be coordinated with Beverly Hills Public Works Department. Therefore, cumulative impacts associated with the construction/relocation of wastewater facilities would be less than significant.

Planned, pending, and reasonably foreseeable development would continue to increase demands on the existing wastewater treatment and conveyance facilities in the HTP service area. However, the HTP has approximately 175 MGD of remaining capacity, and the proposed project would account for less than one percent of the remaining capacity. Future projects would be required to obtain commitments from the City to provide wastewater treatment services prior to construction, which would be dependent on remaining treatment capacity at the HTP. Accordingly, cumulative impacts to wastewater treatment facilities would be less than significant.

c. Cumulative Impact UTIL-1: Stormwater

The geographic scope for cumulative stormwater facilities impacts is the entire City of Beverly Hills. This geographic scope is appropriate because the Public Works Department, Los Angeles County Department of Public Works, and the United States Army Corps of Engineers operate and respectively maintain the citywide stormwater drainage system and

connecting regional stormwater infrastructure. Individual projects would be subject to the stormwater capture and treatment requirements of the applicable National Pollutant Discharge Elimination permit and BHMC Title 9 LID requirements, reducing potential impacts to stormwater drainage facilities. Therefore, cumulative impacts to stormwater/drainage facilities would be less than significant.

d. Cumulative Impact UTIL-1: Electricity, Natural Gas, and Telecommunications

The geographic scope for cumulative impacts related to electricity and natural gas infrastructure are the service areas of SCE and SoCalGas, as these are the energy providers serving the project site. The geographic scope for cumulative telecommunications impacts is the City of Beverly Hills. This geographic scope is appropriate because local providers are responsible for providing adequate telecommunication infrastructure to development within Beverly Hills, including the project site. Cumulative projects would require new service connections to existing facilities for electricity, natural gas, and telecommunications and would increase the demand for these services.

Cumulative projects requiring connections to electricity and natural gas would be reviewed by SCE and SoCalGas to identify necessary facilities and service connections to meet the needs of their respective projects. SCE and SoCalGas would continue to provide energy and expand delivery capacity, if necessary, to meet demand increases within their service areas. Similar to the proposed project, it is anticipated that connections to the existing electrical and natural gas utilities and any improvements required would occur within the disturbance footprint of the individual projects including adjacent and connecting public rights-of-way and would not result in additional environmental impacts. As such, cumulative impacts related to new electrical and natural gas infrastructure would be less than significant. Cumulative impacts with respect to electric power and natural gas supply are discussed in Section 4.4, *Energy*.

Cumulative development would increase demand for telecommunications infrastructure in Beverly Hills. However, cumulative projects would each be required to provide adequate telecommunications infrastructure upgrades on a project-by-project basis and would be subject to the appropriate level of project-specific environmental review. Such upgrades would typically be expected to occur within the development footprints of other cumulative projects. Therefore, cumulative impacts related to telecommunications infrastructure would be less than significant.

e. Cumulative Impact UTIL-4: Solid Waste

The geographic scope for cumulative solid waste impacts encompasses all of Los Angeles County because the landfills open to Beverly Hills also serve the entire county. The proposed project, in combination with the cumulative projects, would result in an increase in solid waste generation during both construction and operation. As discussed above, solid waste generated by the proposed project would not exceed the available daily capacity of the landfills serving the city.

The Countywide Solid Waste Integrated Resources Plan, which serves as the primary planning document for the county's waste disposal needs, inclusive of its annual reports, forecasts conditions over a 15-year planning horizon and extends the planning horizon by one year with each subsequent annual report, concludes there is enough capacity within permitted solid waste facilities (i.e., landfills) to serve the County through the 15-year planning period of 2018 through 2034 with implementation of all or some of the following actions (LACDPW 2021):

- Maximize waste reduction and recycling;
- Expand existing landfills;
- Study, promote, and develop alternative technologies;
- Expand transfer and processing infrastructure; and
- Out-of-county disposal (including waste-by-rail).

The County continues to address landfill capacity through the preparation of Integrated Waste Management Plan annual reports. Because each annual report assesses a planning horizon of 15 years, should a shortage in solid waste disposal availability be identified during one of the annual assessments, sufficient time would be available to address the shortage. Therefore, sufficient disposal capacity is available for the cumulative projects, and cumulative impacts would be less than significant.

f. Summary

In summary, cumulative impacts related to utilities and service systems, including water, wastewater, stormwater, solid waste, energy, and telecommunications, would be less than significant. The proposed project would not result in a cumulatively considerable contribution to cumulative utilities and service system impacts, and no mitigation would be required.

5 Other CEQA Required Discussions

This section discusses significant and unavoidable impacts, reasons why the project is being proposed, significant irreversible environmental changes, growth-inducing impacts, and potential secondary effects of mitigation measures associated with the proposed project.

5.1 Significant and Unavoidable Impacts

Section 15126.2(c) of the CEQA Guidelines requires that an EIR describe any significant impacts which cannot be avoided. Specifically, Section 15126.2(c) states:

Describe any significant impacts, including those which can be mitigated but not reduced to a level of insignificance. Where there are impacts that cannot be alleviated without imposing an alternative design, their implications and the reasons why the project is being proposed, notwithstanding their effect, should be described.

The proposed project's significant and unavoidable impacts on the environment are evaluated in detail in Section 4, *Environmental Impact Analysis*, and summarized below.

Construction Noise. As described in Section 4.9, *Noise*, project construction under all three project scenarios occurring on weekdays between the hours of 8:00 a.m. and 6:00 p.m., in accordance with the City's Noise Ordinance, would result in less than significant noise impacts to nearby sensitive receivers. However, certain construction activities, such as continuous foundation pours during building construction, may occur before 8:00 a.m. or after 6:00 p.m. or on weekends or holidays, which would be outside the hours permitted by the City's Noise Ordinance. Construction activities under all three scenarios occurring before 8:00 a.m. or after 6:00 p.m. would generate noise levels in excess of 5 dBA above ambient noise levels outside the hours permitted by the City's Noise Ordinance at the nearby residences, even with incorporation of Mitigation Measure NOI-1, which required implementation of various measures, such as the use of equipment mufflers and noise blankets, to reduce construction noise.

5.2 Reasons Why the Project is Being Proposed, Notwithstanding Significant Unavoidable Impacts

In addition to identification of a project's significant and unavoidable impacts, CEQA Guidelines Section 15126.2(c) requires that an EIR describe the reasons why a project is being proposed, notwithstanding the effects of the identified significant and unavoidable impacts. As identified in Section 4, *Environmental Impact Analysis*, the significant and unavoidable impacts under the Conceptual Plan and Specific Plan Buildout Scenario 1 and Scenario 2 (Construction Noise) would be the same. Therefore, the below discussion applies to each scenario.

9600 Wilshire Boulevard Specific Plan

The reasons why the project has been proposed, notwithstanding the significant and unavoidable impact identified above, are grounded in the underlying purpose of the project and the associated list of project objectives included in Section 2, *Project Description*, of this Draft EIR. As provided in Section 2, *Project Description*, the overarching purpose of the proposed project is to redevelop the infill project site to bring new economic vitality and housing opportunities to the site, while preserving and honoring the historic Saks Women's Building and surrounding environment. This underlying purpose and associated objectives align the goals and objectives set forth in the City's General Plan and the Southern California Association of Governments (SCAG) 2020–2045 Regional Transportation Plan/Sustainability Communities Strategy (RTP/SCS).

As described further below, the project is being proposed, notwithstanding its significant and unavoidable impacts because: (1) the project would support regional and community land use and mobility objectives, including those that promote mixed-use, infill development within areas well-served by transit; (2) the project would provide needed housing to serve the local area and the region; and (3) the project would provide economic benefits to the Beverly Hills community.

As described in depth in Section 4.8, *Land Use and Planning*, the proposed project would be consistent with the goals and policies of the Beverly Hills General Plan. Additionally, the proposed project includes a number of characteristics that are consistent with, and contribute to, the implementation of local, regional, and State land use and mobility objectives. Development of the project in surface parking lots and underutilized retail structures at the project's location would help promote patterns of land use development that facilitate multi-modal access to work and other destinations, and prioritize infill and redevelopment of underutilized land to accommodate new growth, increase amenities, and encourage connectivity in existing neighborhoods. The project would thereby be consistent with land use strategies that are encouraged by the RTP/SCS and which are anticipated to reduce per capita vehicle miles traveled (VMT) and air pollution by providing for infill development within a High Quality Transit Area and Transit Priority Area. The project would promote the revitalization of an underutilized segment of Wilshire Boulevard (thereby reducing the potential for future urban decay). The project would include new pedestrian connections through the project site through the Via and Terrace and would implement pedestrian improvements along the adjacent roadways including pedestrian-safety features, a new crosswalk, new street furniture, and landscaping. The project would also provide new restaurant, retail, office, boutique hotel and/or social club, residential, and open space uses located within walking and biking distances to multiple Metro bus routes, including Metro Lines 20, 720, 4, 28, and 617 and the Metro D Line Wilshire/Rodeo Station that will open in 2025. The project would be consistent with the requirements of the Beverly Hills Green Building Code and the latest California Green Building (CALGreen) Code and designed to achieve Design (LEED) Silver or equivalent standards. Some of the project's proposed design features that would contribute to energy efficiency include electric vehicle (EV) chargers/spaces, energy-efficient appliances, water-efficient plumbing fixtures and fittings, and water-efficient landscaping and landscape irrigation.

The proposed project would add up to 145 new residential units to the city's housing stock, which would help the City meet its housing needs established in the Regional Housing Needs Assessment as implemented through the Housing Element of the City's General Plan. The project would also support the growth of the City's economic base by creating jobs in both project construction and operation. The project would also create commercial opportunities that could serve local employees, generate local tax revenues, and provide new permanent jobs and housing for residents in support of local businesses. For all the reasons stated above, the project is being proposed, notwithstanding its significant unavoidable impacts. In considering the long-term benefits of the proposed project outline above, it is noted that the impacts in the single area in which significant and unmitigated impacts have been identified (Construction Noise), such impacts are subject to mitigation measures which reduce the impacts to the extent feasible, and the remaining unmitigated impacts would be of temporary and limited duration, are common to construction projects within southern California, and are necessary to achieve requisite strength and stability of building foundations.

5.3 Significant Irreversible Environmental Changes

CEQA Guidelines Section 15126.2(d) indicates that an EIR should evaluate significant irreversible environmental changes that would be caused by implementation of a proposed project. As stated in CEQA Guidelines Section 15126.2(d):

Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.

The proposed project would consume a limited amount of slowly renewable and non-renewable resources, which could result in irreversible environmental changes. This consumption would occur during construction of the project and would continue throughout its operational lifetime. The construction of the project would require a commitment of resources that would include: (1) building materials and associated solid waste disposal effects on landfills; (2) water; and (3) energy resources (e.g., fossil fuels) for electricity, natural gas, and transportation. As demonstrated below, the proposed project would not consume a large commitment of natural resources or result in other significant irreversible environmental changes.

5.3.1 Building Materials and Solid Waste

Construction of the proposed project would require consumption of resources that do not replenish themselves or which may renew so slowly as to be considered non-renewable. These resources would include certain types of lumber and other forest products, aggregate

materials used in concrete and asphalt (e.g., sand, gravel, and stone), metals (e.g., steel, copper and lead), and petrochemical construction materials (e.g., plastics). The project's potential impacts related to solid waste are addressed in Section 4.13, *Utilities and Service Systems*. As discussed therein, during construction of the project, a minimum of 75 percent of nonhazardous construction and demolition debris would be diverted from landfills, consistent with the requirements of Senate Bill (SB) 1374. In addition, the proposed project would reduce construction waste and the need for new building materials by preserving and rehabilitating the existing Saks Women's Building. During operation, the project would provide on-site solid waste containers within designated areas to facilitate solid and organic waste recycling in accordance with the Assembly Bill (AB) 341, AB 1826, SB 1383, and the Beverly Hills Green Building Code. The proposed project would adhere to State and local solid waste policies and objectives that further goals to divert waste. Thus, the consumption of non-renewable building materials, such as aggregate materials and plastics, would be reduced. Furthermore, as discussed in Section 4.13, *Utilities and Service Systems*, project impacts with respect to solid waste generation and compliance with federal, State, and local solid waste regulations would be less than significant and would not result in the inefficient or wasteful use of materials.

5.3.2 Water

Consumption of water during construction and operation of the proposed project is addressed in Section 4.13, *Utilities and Service Systems*. As evaluated therein, during construction of the project, water would be required intermittently for dust control during site preparation, grading, and demolition, as well as for equipment cleaning. Given the short-term and intermittent nature of water use during construction activities, project construction would not result in significant water use.

During operation, the estimated water demand for the proposed project would not exceed the available supplies projected by the City of Beverly Hills, as described in Section 4.13, *Utilities and Service Systems*. The proposed project would implement water conservation measures in excess of code requirements, such as high efficiency toilets, high efficiency shower heads, high efficiency clothes washers and dishwashers, a graywater system, and water efficient landscaping and irrigation systems. Thus, as evaluated in Section 4.13, *Utilities and Service Systems*, while project construction and operation would result in some irreversible consumption of water, the proposed project would not utilize water in an inefficient or wasteful manner nor result in a significant impact related to water supply.

5.3.3 Energy Consumption

Fossil fuels, such as diesel, gasoline, and oil, would be consumed during construction to power off-road construction vehicles and equipment on the project site, construction worker travel to and from the project site, and vehicles used to deliver materials to the site and export soil and demolition material from the site. In addition, during ongoing operation of the project, non-renewable fossil fuels would be utilized to provide electricity to the project site and to power vehicles accessing the project site and some commercial appliances. Therefore, the existing finite supplies of these resources would be incrementally

reduced by the proposed project. Project consumption of non-renewable fossil fuels for energy use during construction and operation of the proposed project is addressed in Section 4.4, *Energy*.

As discussed therein, construction activities for the project would not require the consumption of natural gas but would require the use of fossil fuels (including propane) and electricity. The electricity demand at any given time would vary throughout the construction period based on the construction activities being performed and would cease upon completion of construction. When not in use, electric-powered equipment would be powered off to avoid unnecessary energy consumption. In addition, trucks and equipment used during construction activities would comply with California Air Resources Board's anti-idling regulations as well as the U.S. Environmental Protection Agency (USEPA) Construction Equipment Fuel Efficiency Standard. Therefore, the proposed project would not result in the wasteful, inefficient, and unnecessary consumption of energy resources. Thus, impacts related to the consumption of fossil fuels during construction of the project would not occur in a wasteful or inefficient manner and would be less than significant.

During operation, the project's increase in electricity and natural gas demand would be within the anticipated service capabilities of Southern California Edison, Clean Power Alliance, and the Southern California Gas Company. In addition, as discussed in Section 4.4, *Energy*, the project would be consistent with energy conservation policies and plans relevant to the project, including the California Title 24 energy standards, the latest CALGreen Code, the City of Beverly Hills Green Building Code, Beverly Hills Sustainable City Plan, and the SCAG 2020–2045 RTP/SCS. To help achieve and exceed the energy-use reduction requirements of these regulations, the project would be designed to achieve LEED Silver or equivalent standards. Energy efficient design features would include energy efficient light-emitting diode (LED) lighting, heating, ventilation, and air conditioning (HVAC) systems, and appliances, as well as incorporation of passive energy efficiency strategies such as natural ventilation and passive lighting.

To reduce VMT and associated transportation fuel use, the project includes mixed-used use development that would provide neighborhood options for retail and services, as well as improvements to the streetscape that would enhance the safety and pleasantness of utilizing active transportation options. The project design would reduce VMT in comparison to developments located in non-infill, non-urban areas and encourage use of alternative modes of transportation. The project would also be consistent with regional planning strategies that address energy conservation. In addition, as discussed in Section 4.4, *Energy*, operation of the project would not conflict with adopted energy conservation plans. Therefore, based on the above, the project would not cause the wasteful, inefficient, and unnecessary consumption of energy and would be consistent with the intent of Appendix F of the CEQA Guidelines.

5.3.4 Environmental Hazards

The project's potential use of hazardous materials is evaluated in Section 9, *Hazards and Hazardous Materials*, of the Initial Study included as Appendix A of this Draft EIR. As discussed therein, the types and amounts of hazardous materials that would be used in

connection with the project would be typical of those used during construction of mixed-use developments, including vehicle fuels, paints, oils, and transmission fluids. Similarly, the types and amounts of hazardous materials used during operation of the proposed uses would be typical of such developments and would include cleaning solvents, pesticides for landscaping, painting supplies, and petroleum products. Hotel, restaurant, and retail uses, in particular, would involve the use of cleaning products, paints, and those used for maintenance of landscaping. All potentially hazardous materials to be used during construction and operation of the project would be contained, stored, used and disposed of in accordance with manufacturers' instructions and handled in accordance with all applicable standards and regulations, including, but not limited to, those set forth by the federal and state Occupational Safety and Health Acts, the Federal Resource Conservation and Recovery Act and California Hazardous Waste Control Law, and other applicable laws and regulations. Such requirements include obtaining material safety data sheets from chemical manufacturers, making these data sheets available to employees, labeling chemical containers in the workplace, developing and maintaining a written hazard communication program, and developing and implementing programs to train employees about hazardous materials. Finally, the project would not involve the routine transport of hazardous materials. Any associated risk would be adequately reduced to a less-than-significant level through compliance with relevant standards and regulations. Therefore, it is not expected that the project would cause irreversible damage from environmental accidents associated with the use of typical, potentially hazardous materials.

5.3.5 Conclusion

Based on the above, the project would require the irreversible commitment of non-renewable resources, which would limit the availability of these resources for future generations or for other uses. However, the consumption of such resources would not be considered substantial. The loss of such resources would not be highly accelerated when compared to existing conditions and such resources would not be used in a wasteful manner. In addition, development of the project would result in the commitment of the project site to a mixed-use development with the uses further provided for in the Specific Plan, thereby precluding other uses of the project site for the lifespan of the proposed project, a period of time anticipated to be at least 30 years. At the same time, the project represents an infill project within a fully urbanized area and would not extend roads or other infrastructure to areas not currently served by such roads and infrastructure. Therefore, the project would not open up new areas to development and commit future generations to such development. Therefore, although irreversible environmental changes would result from the project, such changes are concluded to be less than significant, and the limited use of nonrenewable resources that would be required by the project's construction and operational activities is justified based on the benefits of the proposed project as discussed in Section 5.2, *Reasons Why the Project is Being Proposed Notwithstanding Significant Unavoidable Impacts*.

5.4 Growth Inducement

Section 15126(d) of the CEQA Guidelines requires a discussion of a proposed project's growth-inducing impact. Pursuant to Section 15126.2(e) of the CEQA Guidelines, this includes ways in which a project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment, including ways in which a project could remove an obstacle to population growth (e.g., a major expansion of a wastewater treatment plant or extension of a new road or sewer line into previously undeveloped areas may allow for new development in that area). In addition, increases in population may tax existing community service facilities, thus requiring construction of new facilities that could cause significant environmental effects.

Induced growth is any growth that exceeds planned growth and results from new development that would not have taken place without the implementation of the proposed project. Typically, the growth-inducing potential of a project would be considered significant if it results in growth or population concentration that exceeds those assumptions included in pertinent master plans, land use plans, or projections made by regional planning authorities. However, the creation of growth-inducing potential does not automatically lead to growth, whether it would be below or in exceedance of a projected level.

Growth does not necessarily create significant physical changes to the environment and it must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment. However, depending upon the type, magnitude, and location of growth, it can result in significant adverse environmental effects. The environmental effects of induced growth are secondary or indirect impacts of the proposed project. Secondary effects of growth could include increased demand on community public services, increased traffic and noise, degradation of air and water quality, and conversion of agricultural land and open space to developed uses. The proposed project's growth inducing potential is therefore considered significant if project-induced growth could result in significant physical effects in one or more environmental issue areas.

5.4.1 Population Growth

As discussed in Section 4.10, *Population and Housing*, the proposed project would add up to 145 residential units to the project site, resulting in a population increase of 315 residents. Beverly Hills' current estimated population is 31,658 persons and this is expected to increase by 11 percent to 35,155 by 2028 (Department of Finance 2023; SCAG 2020). There are currently an estimated 14,501 households in Beverly Hills, with a 4.6 percent increase to 15,173 households anticipated by 2028 (Department of Finance 2023; SCAG 2020). The addition of up to 145 households and 315 residents facilitated by the proposed project would account for approximately 22 percent of the growth in households and nine percent of the population growth projected for 2028. Therefore, the project's residents would be within SCAG's population projections in the 2020-2045 RTP/SCS for the city and would not result in a significant direct growth-inducing impact and population growth associated with the project would not result in significant long-term physical environmental effects.

5.4.2 Economic Growth

In addition to the residential population generated by the new housing units on the site, the project would have the potential to result in population growth in the city as the result of employment opportunities generated by the project. The proposed project would generate temporary employment opportunities during construction which would have the potential to generate indirect population growth in the vicinity of the project site during construction. However, given the duration and temporary nature of construction, construction workers would not be expected to relocate their households' places of residence as a direct consequence of working on the project. Therefore, construction workers would be expected to be drawn from the existing regional workforce, and construction of the project would not be growth-inducing from a temporary employment standpoint.

Operation of the proposed project would add long-term employment opportunities associated with the commercial uses proposed on the site and would therefore have the potential to generate indirect population growth in the project site vicinity during project operation. The proposed project would include a mix of residential, retail, office, boutique hotel and/or social club, and restaurant uses. As analyzed in detail in Section 4.10, *Population and Housing*, the proposed project would generate up to 530 new jobs on the site. According to SCAG forecasts, Beverly Hills is anticipated to have 71,107 jobs by the year 2028 (the anticipated project opening year), an increase of 2,998 jobs (SCAG 2020). The up to 530 new employment opportunities generated by the proposed project would account for approximately 18 percent of the anticipated job growth in Beverly Hills through 2028 and would not result in an exceedance of the SCAG's employment projections or substantial unplanned employment growth. Some of the employment opportunities may be filled to some extent by employees already residing in the vicinity of the project and site, though it is also possible that some will be filled by people moving into the surrounding area, and some demand for new housing could result. On balance, because the employment opportunities created by the project are within the SCAG employment projections, the proposed project would not be expected to induce substantial economic expansion to the extent that direct physical environmental effects would result.

5.4.3 Removal of Obstacles to Growth

The proposed project is located in a fully urbanized area that is well served by existing infrastructure. As discussed in Section 4.13, *Utilities and Service Systems*, and Section 4.11, *Transportation*, existing infrastructure in Beverly Hills would be adequate to serve the project. Minor improvements to water, sewer, other utility and drainage connection infrastructure could be needed, but would be sized to specifically serve the proposed project. In addition, no new or expanded roadways would be added by the proposed project. Because the project constitutes redevelopment within an urbanized area and does not require the extension of new infrastructure through undeveloped areas, project implementation would not remove an obstacle to growth.

Overall, the project would be consistent with the growth forecast for the SCAG Region and the City and would be consistent with RTP/SCS and other regional policies to reduce urban sprawl, efficiently utilize existing infrastructure, improve air quality, and reduce vehicle miles traveled by locating development in underutilized infill areas within proximity to transit options, including the future Metro D Line Wilshire/Rodeo Station that is expected to open in 2025. Therefore, growth inducing impacts would be less than significant.

5.5 Potential Secondary Effects of Mitigation Measures

Section 15126.4(a)(1)(D) of the CEQA Guidelines states that “if a mitigation measure would cause one or more significant effects in addition to those that would be caused by the project as proposed, the effects of the mitigation measure shall be discussed but in less detail than the significant effects of the project as proposed.” With regard to this section of the CEQA Guidelines, the potential impacts that could result with the implementation of each mitigation measure proposed for the project was reviewed. The following provides a discussion of the potential secondary impacts that could occur as a result of the implementation of the proposed mitigation measures, listed by environmental issue area.

5.5.1 Air Quality

Mitigation Measure AQ-1 requires that certain construction equipment meet USEPA Tier 4 final standards. Mitigation Measure AQ-2 establishes maximum testing limits for the backup diesel generators on site throughout project operations. These measures would not result in adverse secondary impacts such as significant diesel fuel use, as described in Section 4.4, *Energy*. Rather, these measures would reduce construction and operational emissions of nitrogen oxides, diesel particulate matter, and particulate matter.

5.5.2 Biological Resources

Mitigation Measures BIO-1 and BIO-2 would require pre-construction nesting bird and roosting bat surveys, as well as the proper protection and treatment of any active bird nests or bat roosts identified during construction. If nesting birds or roosting bats are identified during the surveys, construction activities within the vicinity of the nest(s) or roost(s) would be halted, which could result in a slightly lengthened construction duration. Nonetheless, the same construction activities evaluated throughout this Draft EIR would continue to occur. Slightly extending the duration of construction would not result in new or increased activities not already evaluated in this Draft EIR.

Mitigation Measure BIO-3 would require the installation of bat roosting boxes on the project site in the event that maternity roosting activity is found during the pre-construction bat survey. The roosting boxes would not require additional construction activities or ground disturbance beyond that already required to construct the proposed project, and no additional impacts would occur. These measures would not result in adverse secondary impacts, and rather, would reduce the potential for impacts to protected nesting birds and roosting bats during project construction.

5.5.3 Cultural Resources

Mitigation Measure CUL-1 would require that the project design be reviewed by a qualified professional to ensure that, as the design progresses, the rehabilitation of the Saks Women's Building proceeds according to the requirements of the Secretary of the Interior Standards for Rehabilitation. Mitigation Measure CUL-2 would require implementation of a mothballing plan if the Saks Women's Building were left vacant and not under active construction for over six-months. This plan would ensure vandalism and other potential issues that could result in damage to the building would not occur. These measures would not result in adverse secondary impacts, and instead, would be beneficial in terms of preserving the historically significant Saks Women's Building.

Mitigation Measures CUL-3 through CUL-5 would require implementation of a workers environmental awareness program, archaeological monitoring, and treatment protocol during construction to ensure that previously unknown archaeological resources are not significantly impacted by ground disturbing activities. These mitigation measures could potentially require excavations to unearth additional archaeological resources if such is the recommendation of the archaeologist. However, any such additional excavations would be expected to occur within the project's excavation area, with any associated environmental effects subsumed in the construction impact analysis for the project throughout Section 4, *Environmental Impact Analysis*. In addition, in the event grading and excavation activities are temporarily diverted, construction activities could be delayed and the duration of construction could be extended. As discussed above, if the duration of construction is extended, the same construction activities evaluated throughout this Draft EIR would continue to occur. Extending the duration of construction would not result in new or increased activities not already evaluated in this Draft EIR, although limited extensions of road closures (e.g., to South Peck Drive) could occur. These measures would not result in additional adverse secondary impacts, and the mitigation measure would be beneficial in terms of ensuring that proper procedures are in place to protect archaeological resources during construction.

5.5.4 Geology and Soils

Mitigation Measures GEO-1 and GEO-2 would require the retention of a qualified paleontologist to provide observation and monitoring during ground-disturbing construction activities to ensure that procedures are in place for the proper treatment of any scientifically significant fossils, if uncovered. These mitigation measures could potentially require excavations to unearth additional paleontological resources if such is the recommendation of the archaeologist. However, any such additional excavations would generally be expected to occur within the project's excavation area, and additional excavations required for fossil discoveries would be completed methodologically with small tools in order to preserve the discovery. Therefore, any environmental effects associated with additional excavation for fossil discovery would be subsumed in the construction impact analysis for the project throughout Section 4, *Environmental Impact Analysis*. In the event grading and excavation activities are temporarily diverted due to a fossil discovery,

construction activities could be delayed and the duration of construction could be extended. As discussed above, if the duration of construction is extended, the same construction activities evaluated throughout this Draft EIR would continue to occur. Extending the duration of construction would not result in new or increased activities not already evaluated in this Draft EIR. These measures would not result in adverse secondary impacts (other than the possible lengthening in duration of a temporary road closure), and instead, would be beneficial in terms of ensuring that proper procedures are in place to protect paleontological resources during construction.

5.5.5 Noise

Mitigation Measure NOI-1 would require implementation of a construction management plan that includes installation of noise barrier/blankets; use of noise mufflers on equipment; signage to notify the public of construction activities; written notification of construction activities to surrounding land uses; designation of a noise complaint coordinator; and other similar measures to reduce construction noise. Mitigation Measure NOI-2 would require implementation of a vibration monitoring program to ensure that construction vibration does not result in damage to offsite buildings or the Saks Women's Building. In addition, Mitigation Measure NOI-3 would require coordination with the nearest cumulative project during construction to limit the occurrence of overlapping roadway closures and major deliveries to reduce cumulative construction noise. These measures would not result in adverse secondary impacts, and instead, would be beneficial in terms of reducing noise and vibration impacts during project construction.

5.5.6 Transportation

Mitigation Measure T-1 would require implementation of a Construction Management Plan that includes a Traffic Control Plan, specific haul routes, safety precautions for pedestrians and bicyclists, coordination with the Beverly Hills Fire and Police Departments and Metro, construction worker parking requirements, and other similar measures to ensure that construction activities do not result in significant impacts to the surrounding circulation system. Mitigation Measure T-1 includes a requirement for construction workers to park either onsite or at offsite lots within the vicinity of the project site and be shuttled to the project site. This requirement could result in slightly altered VMT for construction workers, but it would be speculative to conclude that VMT would be increased or decreased as a result. In general, this measure would be beneficial by reducing construction-related temporary impacts in the surrounding area and would not result in secondary impacts.

5.5.7 Tribal Cultural Resources

Mitigation Measures TCR-1 through TCR-3 would require monitoring for unknown tribal cultural resources by a Kizh Nation monitor and qualified archaeologist, as well as treatment protocol during construction to ensure that previously unknown tribal cultural resources are not significantly impacted by ground disturbing activities. These mitigation measures could potentially require excavations to unearth additional tribal cultural resources if such is the recommendation of the Native American monitor and archaeologist.

9600 Wilshire Boulevard Specific Plan

However, any such additional excavations would be expected to occur within the project's excavation area, with any associated environmental effects subsumed in the construction impact analysis for the project throughout Section 4, *Environmental Impact Analysis*. In addition, in the event grading and excavation activities are temporarily diverted, construction activities could be delayed and the duration of construction could be extended. As discussed above, if the duration of construction is extended, the same construction activities evaluated throughout this Draft EIR would continue to occur. Extending the duration of construction would not result in new or increased activities not already evaluated in this Draft EIR. These measures would not result in adverse secondary impacts, and instead, would be beneficial in terms of ensuring that proper procedures are in place to protect tribal cultural resources during construction.

6 Alternatives

6.1 Introduction

The identification and analysis of alternatives to a project is a fundamental aspect of the environmental review process under the California Environmental Quality Act (CEQA). Public Resources Code (PRC) Section 21002 states, in part, that the environmental review process is intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives which will avoid or substantially lessen such significant effects. If specific economic, social, or other conditions make infeasible such alternatives, individual projects may be approved in spite of one or more significant effects. In addition, PRC Section 21002.1(a) states, in part, that the purpose of an environmental impact report is to identify the significant effects on the environment of a project, identify alternatives to the project, and to indicate the manner in which those significant effects can be mitigated or avoided.

Direction regarding the consideration and discussion of project alternatives in an EIR is provided in CEQA Guidelines Section 15126.6(a), including the following:

An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. An EIR is not required to consider alternatives which are infeasible.

The CEQA Guidelines state that the selection of project alternatives should be based primarily on the ability to avoid or substantially lessen significant impacts relative to the proposed project, even if these alternatives would impede to some degree the attainment of the project objectives or would be more costly. The CEQA Guidelines further direct that the range of alternatives be guided by a “rule of reason,” such that only those alternatives necessary to permit a reasoned choice are addressed. In selecting project alternatives for analysis, potential alternatives must be feasible. CEQA Guidelines Section 15126.6(f)(1) includes the following:

Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent).

Beyond these factors, CEQA Guidelines Section 15126.6(e) requires the analysis of a “no project” alternative and CEQA Guidelines Section 15126.6(f)(2) requires an evaluation of alternative location(s) for the project, if feasible. Based on the alternatives analysis, an environmentally superior alternative is to be designated. If the environmentally superior alternative is the No Project Alternative, then the EIR shall identify an environmentally superior alternative among the other alternatives.

6.2 Summary of Alternatives

As required by Section 15126.6 of the CEQA Guidelines, this Draft EIR examines a range of reasonable alternatives to the proposed project that would attain most of the basic project objectives (stated in Section 2, *Project Description*) but would avoid or substantially lessen the significant adverse impacts.

As discussed in Section 2, *Project Description*, the underlying purpose of the project is to revitalize the two city blocks fronting Wilshire Boulevard and transform the project site from a primarily vehicular zone to a pedestrian-oriented zone by creating a mixed-use, compact and pedestrian-friendly development, and preserve the historic Saks Women’s Building in accordance with the Secretary of the Interior’s (SOI) Standards for Treatment of Historic Properties (SOI Standards). Specific objectives include the following:

- Respond to the reality that retail department stores and office have experienced substantial modification in their utilization of physical space due to changing consumer and other economic demands by creating a framework for a range of new uses that can evolve over time in response to further changes in the economic landscape; facilitate retention of existing landmark structures in an economically viable manner; restore economic activity to the Specific Plan Area; and provide for uses that will serve the needs of the nearby community, including (among others) cafes, restaurants, artisanal food, clothiers and similar uses, and neighborhood services.
- Require the preservation and adaptive reuse of the Saks Women’s Building at an anchor location on Wilshire Boulevard and ensure its structural stability (including seismic requirements), economic viability, and accessibility by requiring its rehabilitation in accordance with the Secretary of the Interior’s Standards for the Treatment of Historic Properties.
- Enact development standards that meet or satisfy City design standards as further articulated in the Specific Plan, while also allowing for transit-adjacent and pedestrian-friendly development.
- Enhance the architectural and aesthetic character of Wilshire Boulevard by providing a contextual and contiguous building edge condition along each of the two blocks on Wilshire Boulevard, informed by the massing and height of the approximately 98-foot-tall historic Saks Women’s Building.

- Create a pedestrian-friendly environment by developing well-designed and attractive buildings, streets, sidewalks and publicly accessible open space. To achieve this broad goal, the Specific Plan is intended to provide for each of the following: an identifiable sense of place through development standards that are unique to the Specific Plan Area; open space areas that can facilitate programs that serve the local neighborhood (including but not limited to farmer’s markets), as well as residents, restaurants, retailers, and other uses within the Specific Plan Area; and pedestrian-friendly street designs that include appropriately-scaled sidewalks, attractive landscaping, and neighborhood-serving ground floor commercial and restaurant uses.
- Support neighborhood character, transition, and connectivity by replacing commercial surface parking lots and sparsely planted alleyways with a cohesive blend of commercial and residential uses, as well as enhanced landscaping along South Bedford Drive, South Peck Drive, and South Camden Drive to create an appealing transition between the Specific Plan Area and the existing multi-family residential neighborhood to the south.
- Create an environment accessible from the City’s major shopping areas and close to the City’s major streets that can attract high-quality, major employers to support and attract new businesses and sustain employment, well-paying jobs, and a high level of economic activity.
- Concentrate new housing and amenities near existing and anticipated transportation nodes and stations to encourage the use of alternative modes of transportation to automobile travel.
- Introduce high-quality housing options designed to cater to residents wanting to stay in Beverly Hills as their housing needs change over time, with the convenience of full-service, amenitized housing.
- Protect and enhance the residential character of existing neighborhoods south of the Specific Plan Area by replacing surface commercial parking lots with a newly established Neighborhood District between Wilshire Boulevard and the existing multi-family residences south of the Specific Plan Area, and transforming existing alleys along the southern boundary of the Specific Plan Area into an enhanced South Drive featuring improved landscaping.
- Improve the streetscape along South Peck Drive, South Camden Drive, and South Bedford Drive in keeping with the City’s Complete Streets Plan and in a manner that both calms traffic and creates a safe pedestrian environment for neighbors to walk to and enjoy, while discouraging cut-through traffic on residential streets by incorporating improved landscaping, canopy trees, raised crosswalks, sidewalk enhancements, and specialized paving. .
- Implement a parking strategy that reduces the visual impact of parking spaces by emphasizing subterranean parking in lieu of large expanses of surface parking.
- Generate additional annual tax revenues for the City of Beverly Hills, including property taxes, sales taxes, and transient occupancy taxes.
- Support the growth of the City’s economic base by creating new construction jobs and permanent jobs.

9600 Wilshire Boulevard Specific Plan

Develop buildings that will integrate active and passive sustainability practices, including drought-tolerant landscaping, high-efficiency equipment, gray water systems, and other sustainable strategies to reduce city and regional dependency on fossil fuels, minimize the use of water, and achieve a Leadership in Energy and Environmental Design (“LEED”) Silver V4.1 equivalency. Based on the analyses provided in Section 4, *Environmental Impact Analysis*, implementation of the project would result in significant impacts that cannot be feasibly mitigated to below a level of significance with respect to construction noise. Additionally, the project would result in significant impacts that would be reduced to a less than significant level with implementation of mitigation measures with regard to the following: air quality, biological resources (nesting birds and roosting bats), historical resources, archaeological resources, paleontological resources, hazards (emergency response), construction noise and vibration, transportation, and tribal cultural resources.

Based on the significant environmental impacts of the project, the objectives established for the project, and the feasibility of the alternatives considered, the alternatives to the project listed below were selected for evaluation:

- **Alternative 1, No Project/No Build:** Alternative 1 assumes that the project would not be implemented, no new permanent development would occur within the project site, and the existing environment would be maintained. The Saks Fifth Avenue Building, including the Saks Women’s Building and Shoe Building, would operate under its existing occupied retail use at the time of the NOP preparation, the 9570 Wilshire Building could potentially resume use as a retail/department store, and existing alleys would be maintained. Thus, the physical conditions of the project site would remain as they are today.
- **Alternative 2, No Project/Zoning Compliant Buildout:** Alternative 2 considers development of the project site in accordance with its existing land use and zoning designations. Alternative 2 would eliminate the boutique hotel, social club, office, and spa uses proposed as part of the project, and would develop the site with a mix of residential, retail, and restaurant uses.
- **Alternative 3, Reduced Density:** Alternative 3 assumes that the 9600 Wilshire Boulevard Specific Plan would be modified to reduce the maximum new development on the site by 25 percent, resulting in a one-story reduction in new building heights as compared to the proposed project (except for the existing Saks Women’s Building and the 9570 Wilshire Building which would remain at their current height).
- **Alternative 4, Increased Residential Conversion:** Alternative 4 assumes that the 9600 Wilshire Boulevard Specific Plan would be modified to permit additional residential conversion units within the proposed Wilshire Boulevard District, resulting in development of 100 residential units in the Wilshire Boulevard District (as compared to up to 75 residential conversion units permitted under the proposed project) and 70 residential units in the Neighborhood District. The maximum permitted development would remain consistent with the proposed project. As a result of the increased residential development, the boutique hotel, social club, and office uses part of the

project would be eliminated, and Alternative 4 would include only retail, restaurant, spa, and residential uses.

- Alternative 5, Reduced Nighttime Construction: Alternative 5 would involve adoption of the 9600 Wilshire Boulevard Specific Plan as proposed by the project and described in Section 2, *Project Description*. The only difference between Alternative 5 and the proposed project would be that the number of days with nighttime construction would be reduced from 27 days to 22 days.
- Alternative 6, Retail Emphasis with Reduced Restaurant and Office: Alternative 6 assumes that the 9600 Wilshire Boulevard Specific Plan would be modified to limit the amount of restaurant use permitted. The maximum permitted development and permitted land uses would be the same as the proposed project, but an increased proportion of the commercial square footage would be occupied by retail uses rather than restaurant and office uses.

Table 6-1 provides a summary of the development proposed by the alternatives and the proposed Conceptual Plan, Specific Plan Buildout Scenario 1 (Maximum Buildout of the Specific Plan with No Residential Conversion), and Specific Plan Buildout Scenario 2 (Maximum Buildout of the Specific Plan with Maximum Residential Conversion). Detailed descriptions of the alternatives are included in the impact analysis for each alternative in Sections 6.5 through 6.10. In addition, CEQA Guidelines Section 15126.6(c) requires that an EIR identify any alternatives that were considered for analysis but rejected as infeasible, and such rejected alternatives are described in Section 6.3, *Alternatives Considered but Rejected*.

Table 6-1 Summary of Development Proposed by the Alternatives¹

	Conceptual Plan Buildout	Specific Plan Buildout Scenario 1 (Maximum Buildout of the Specific Plan with No Residential Conversion)	Specific Plan Buildout Scenario 2 (Maximum Buildout of the Specific Plan with Maximum Residential Conversion)	Alternative 1: No Project (Existing Conditions)	Alternative 2: No Project/ Zoning Compliant Buildout	Alternative 3: Reduced Density	Alternative 4: Increased Residential Conversion	Alternative 5: Reduced Nighttime Construction	Alternative 6: More Retail and Reduced Restaurant
Hotel (guest rooms)	40	50	0	0	0	38	0	50	50
Residential (units)	68	70	145	0	239	52	170	70	
Total Floor Area (sf)	493,931	642,000 ¹	642,000 ¹	252,039 ¹	759,571 ¹	535,971 ¹	642,000 ¹	642,000 ¹	642,000 ¹
Floor Area Ratio	3.52	3.70	3.70	1.45	4.38	3.09	3.70	3.70	3.70
Maximum Heights (stories/feet)	Seven/98	Seven/98	Seven/98	Seven/98	Seven/98	Seven/98 (existing Saks Women's Building) Six/84 (new buildings)	Seven/98	Seven/98	Seven/98
Maximum excavation (levels/feet)	Four/55	Four/55	Four/55	None/0 ²	Four/55	Four/55	Four/55	Four/55	Four/55

sf = square feet; w/ = with

¹ Includes existing 107,000 sf building at 9570 Wilshire; structure to remain in place.² The existing 4-level subterranean parking structure on 9570 Wilshire would remain, but no new excavation would occur.

6.3 Alternatives Considered but Rejected

CEQA Guidelines Section 15126.6(a) states that “an EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation.” Section 15126.6(c) of the CEQA Guidelines requires that an EIR identify alternatives that were considered but rejected as infeasible and provide a brief explanation as to why such alternatives were not fully considered in the EIR. Alternatives that do not meet basic project objectives, are infeasible, or are remote or speculative, have been eliminated from further consideration. The factors that may be considered when addressing the feasibility of alternatives include site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (CEQA Guidelines, Section 15126.6[f][1]). The following alternatives were considered but eliminated from further analysis.

6.3.1 No Mixed Use (Commercial/Retail in Wilshire Boulevard District Only)

Under this alternative, a Specific Plan would strictly include commercial/retail land uses with the same amount of overall square footage and footprint as allowed by the proposed project in the Wilshire Boulevard District. The Neighborhood District would retain its zoning/general plan land use designations and could be developed in the future in accordance with the existing zoning/general plan land use designations. This alternative was rejected because it is speculative and would not meet the project objectives.

6.3.2 Alternative Site Alternative

The underlying purpose and objectives of the project are intimately tied to the existing project site. The City considered an alternative site for the proposed project, however, this alternative was rejected for the following reasons: lack of available sites for similar scale projects as the proposed, the project applicant does not own other sites with more than one contiguous parcel/site for development, and basic project objectives relating to rehabilitation of the historic Saks Women’s Building, replacement of surface parking, and revitalization of the two blocks bounded by South Peck Drive, South Camden Drive, and Bedford Drive. This alternative is rejected because it would not meet most of the basic project objectives.

6.4 Alternatives Analysis Format and Methodology

In accordance with CEQA Guidelines Section 15126.6(d), each alternative is evaluated in sufficient detail to determine whether the overall environmental impacts would be less, similar, or greater than the corresponding impacts of the project. Furthermore, each alternative is evaluated to determine whether the project objectives would be substantially

attained by the alternative. The evaluation of each of the alternatives follows the process described below:

- The net environmental impacts of the alternative are determined for each environmental issue area analyzed in Section 4, *Environmental Impact Analysis*, assuming that the alternative would implement the same project design features (PDFs) and mitigation measures identified in Section 4, *Environmental Impact Analysis*, if applicable.
- Post-PDF and post-mitigation significant and non-significant environmental impacts of the alternative and the project are compared for each environmental issue as follows:
 - Reduced: Where the net impact of the alternative would be clearly less adverse or more beneficial than the impact of the project, the comparative impact is said to be “reduced.”
 - Greater: Where the net impact of the alternative would clearly be more adverse or less beneficial than the project, the comparative impact is said to be “greater.”
 - Similar: Where the net impact of the alternative and project would be roughly equivalent, the comparative impact is said to be “similar.”
- The comparative analysis of the impacts is followed by a general discussion of whether the purpose and basic project objectives are feasibly and substantially attained by the alternative.

A summary matrix that compares the impacts associated with the project and each of the analyzed alternatives is provided in Table 6-2.¹

¹ Please note that although overall impact conclusions (e.g., LTS with Mitigation or LTS) may be consistent between the proposed project and a given alternative, some impacts may be slightly increased or decreased depending on the details of the alternative, such as length of construction, amount of air pollutants and GHG emissions generated, and population and employment added.

Table 6-2 Comparison of Impacts Associated with the Alternatives

Impact Area	Proposed Project¹	Alternative 1: No Project	Alternative 2: No Project/Zoning Compliant Buildout	Alternative 3: Reduced Density	Alternative 4: Increased Residential Conversion	Alternative 5: Reduced Nighttime Construction	Alternative 6: More Retail and Reduced Restaurant
Air Quality							
Regional Criteria Pollutant Emissions							
Construction	LTS with Mitigation	Reduced (No Impact)	Increased (LTS with Mitigation)	Reduced (LTS with Mitigation)	Similar (LTS with Mitigation)	Similar (LTS with Mitigation)	Similar (LTS with Mitigation)
Operation	LTS	Reduced (No Impact)	Increased (Potentially Significant and Unavoidable)	Reduced (LTS)	Similar (LTS)	Similar (LTS)	Increased (LTS)
Localized Criteria Pollutant Emissions							
Construction	LTS with Mitigation	Reduced (No Impact)	Similar (LTS with Mitigation)	Similar (LTS with Mitigation)	Similar (LTS with Mitigation)	Similar (LTS with Mitigation)	Similar (LTS with Mitigation)
Operation	LTS with Mitigation	Reduced (No Impact)	Increased (LTS with Mitigation)	Reduced (LTS with Mitigation)	Reduced (LTS with Mitigation)	Similar (LTS with Mitigation)	Reduced (LTS with Mitigation)
Toxic Air Contaminants							
Construction	LTS with Mitigation	Reduced (No Impact)	Increased (LTS with Mitigation)	Reduced (LTS with Mitigation)	Similar (LTS with Mitigation)	Similar (LTS with Mitigation)	Similar (LTS with Mitigation)
Operation	LTS with Mitigation	Reduced (No Impact)	Similar (LTS with Mitigation)	Similar (LTS with Mitigation)	Similar (LTS with Mitigation)	Similar (LTS with Mitigation)	Similar (LTS with Mitigation)
Odors							
Construction	LTS	Reduced (No Impact)	Increased (LTS)	Reduced (LTS)	Similar (LTS)	Similar (LTS)	Similar (LTS)
Operation	LTS	Reduced (No Impact)	Increased (LTS)	Reduced (LTS)	Similar (LTS)	Similar (LTS)	Reduced (LTS)
Biological Resources							
Special Status Species	LTS with Mitigation	Reduced (No Impact)	Similar (LTS with Mitigation)	Similar (LTS with Mitigation)	Similar (LTS with Mitigation)	Similar (LTS with Mitigation)	Similar (LTS with Mitigation)

City of Beverly Hills
9600 Wilshire Boulevard Specific Plan

Impact Area	Proposed Project¹	Alternative 1: No Project	Alternative 2: No Project/Zoning Compliant Buildout	Alternative 3: Reduced Density	Alternative 4: Increased Residential Conversion	Alternative 5: Reduced Nighttime Construction	Alternative 6: More Retail and Reduced Restaurant
Cultural Resources							
Historical Resources	LTS with Mitigation	Increased (Potentially Significant)	Similar (LTS with Mitigation)				
Archaeological Resources	Construction: LTS with Mitigation Operation: LTS	Reduced (No Impact) Operation: Reduced (No Impact)	Similar (LTS with Mitigation) Operation: Similar (LTS)	Similar (LTS with Mitigation)			
Energy							
Wasteful Use of Energy	LTS	Reduced (No impact)	Increased (LTS)	Reduced (LTS)	Reduced (LTS)	Similar (LTS)	Similar (LTS)
Conflict with plans, policies, and regulations	LTS	Reduced (No Impact)	Similar (LTS)				
Geology and Soils							
Seismic and Soil Hazards	LTS	Reduced (No impact)	Similar (LTS)				
Paleontological Resources	Construction: LTS with Mitigation Operation: LTS	Construction: Reduced (No Impact) Operation: Reduced (No Impact)	Construction: Similar (LTS with Mitigation) Operation: Similar (LTS)				
Greenhouse Gas Emissions							
Greenhouse Gas Emissions	LTS	Reduced (No Impact)	Increased (LTS)	Reduced (LTS)	Reduced (LTS)	Similar (LTS)	Increased (LTS)

Impact Area	Proposed Project ¹	Alternative 1: No Project	Alternative 2: No Project/Zoning Compliant Buildout	Alternative 3: Reduced Density	Alternative 4: Increased Residential Conversion	Alternative 5: Reduced Nighttime Construction	Alternative 6: More Retail and Reduced Restaurant
Hazards and Hazardous Materials							
Construction	LTS with Mitigation	Reduced (No Impact)	Increased (LTS with Mitigation)	Reduced (LTS with Mitigation)	Similar (LTS with mitigation)	Similar (LTS with mitigation)	Similar (LTS with mitigation)
Operation	LTS	Reduced (No Impact)	Similar (LTS)	Similar (LTS)	Similar (LTS)	Similar (LTS)	Similar (LTS)
Land Use and Planning							
Conflict with Land Use Plans and Policies	LTS	Reduced (No Impact)	Reduced (No Impact)	Increased (LTS)	Similar (LTS)	Similar (LTS)	Similar (LTS)
Noise and Vibration							
Noise							
Construction	Significant and Unavoidable	Reduced (No Impact)	Increased (Significant and Unavoidable)	Reduced (Significant and Unavoidable)	Similar (Significant and Unavoidable)	Reduced (Significant and Unavoidable)	Similar (Significant and Unavoidable)
Operation	LTS	Reduced (No Impact)	Similar (LTS)	Reduced (LTS)	Reduced (LTS)	Similar (LTS)	Reduced (LTS)
Vibration							
Construction	LTS with Mitigation	Reduced (No Impact)	Increased (LTS with mitigation)	Reduced (LTS with Mitigation)	Similar (LTS with Mitigation)	Similar (LTS with Mitigation)	Similar (LTS with Mitigation)
Operation	No Impact	Similar (No Impact)	Similar (No Impact)	Similar (No Impact)	Similar (No Impact)	Similar (No Impact)	Similar (No Impact)
Population and Housing							
Substantial Unplanned Population Growth	LTS	Reduced (No Impact)	Similar (LTS)	Reduced (LTS)	Similar (LTS)	Similar (LTS)	Similar (LTS)

City of Beverly Hills
9600 Wilshire Boulevard Specific Plan

Impact Area	Proposed Project¹	Alternative 1: No Project	Alternative 2: No Project/Zoning Compliant Buildout	Alternative 3: Reduced Density	Alternative 4: Increased Residential Conversion	Alternative 5: Reduced Nighttime Construction	Alternative 6: More Retail and Reduced Restaurant
Transportation							
Conflict with Plans, Policies, and Programs	Construction: LTS with Mitigation Operation: LTS	Construction: Reduced (No Impact) Operation: Reduced (No Impact)	Construction: Increased (LTS with Mitigation) Operation: Similar (LTS)	Construction: Increased (LTS with Mitigation) Operation: Increased (LTS)	Construction: Similar (LTS with Mitigation) Operation: Similar (LTS)	Construction: Similar (LTS with Mitigation) Operation: Similar (LTS with Mitigation)	Construction: Similar (LTS with Mitigation) Operation: Similar (LTS)
Vehicle Miles Traveled	LTS	Reduced (No Impact)	Similar (LTS)	Similar (LTS)	Similar (LTS)	Similar (LTS)	Similar (LTS)
Design Hazards	Construction: LTS with Mitigation Operation: LTS	Construction: Reduced (No Impact) Operation: Reduced (No Impact)	Construction: Similar (LTS with Mitigation) Operation: Similar (LTS)	Construction: Similar (LTS with Mitigation) Operation: Similar (LTS)	Construction: Similar (LTS with Mitigation) Operation: Similar (LTS)	Construction: Similar (LTS with Mitigation) Operation: Similar (LTS)	Construction: Similar (LTS with Mitigation) Operation: Similar (LTS)
Emergency Access	Construction: LTS with Mitigation Operation: LTS	Construction: Reduced (No Impact) Operation: Reduced (No Impact)	Construction: Similar (LTS with Mitigation) Operation: Similar (LTS)	Construction: Similar (LTS with Mitigation) Operation: Similar (LTS)	Construction: Similar (LTS with Mitigation) Operation: Similar (LTS)	Construction: Similar (LTS with Mitigation) Operation: Similar (LTS)	Construction: Similar (LTS with Mitigation) Operation: Similar (LTS)
Tribal Cultural Resources							
Tribal Cultural Resources	LTS with Mitigation	Reduced (No Impact)	Similar (LTS with Mitigation)	Similar (LTS with Mitigation)	Similar (LTS with Mitigation)	Similar (LTS with Mitigation)	Similar (LTS with Mitigation)
Utilities and Service Systems							
Water							
Construction	LTS	Reduced (No Impact)	Increased (LTS)	Similar (LTS)	Similar (LTS)	Similar (LTS)	Similar (LTS)

Impact Area	Proposed Project¹	Alternative 1: No Project	Alternative 2: No Project/Zoning Compliant Buildout	Alternative 3: Reduced Density	Alternative 4: Increased Residential Conversion	Alternative 5: Reduced Nighttime Construction	Alternative 6: More Retail and Reduced Restaurant
Operation	LTS	Reduced (No Impact)	Increased (LTS)	Reduced (LTS)	Reduced (LTS)	Similar (LTS)	Increased (LTS)
Wastewater							
Construction	LTS	Reduced (No Impact)	Similar (LTS)	Similar (LTS)	Similar (LTS)	Similar (LTS)	Similar (LTS)
Operation	LTS	Reduced (No Impact)	Increased (LTS)	Reduced (LTS)	Reduced (LTS)	Similar (LTS)	Increased (LTS)
Stormwater Drainage							
Construction	LTS	Reduced (No Impact)	Similar (LTS)	Similar (LTS)	Similar (LTS)	Similar (LTS)	Similar (LTS)
Operation	LTS	Reduced (No Impact)	Similar (LTS)	Similar (LTS)	Similar (LTS)	Similar (LTS)	Similar (LTS)
Electric Power, Natural Gas, and Telecommunications Infrastructure							
Construction	LTS	Reduced (No Impact)	Increased (LTS)	Reduced (LTS)	Similar (LTS)	Similar (LTS)	Similar (LTS)
Operation	LTS	Reduced (No Impact)	Increased (LTS)	Reduced (LTS)	Similar (LTS)	Similar (LTS)	Similar (LTS)
Solid Waste							
Construction	LTS	Reduced (No Impact)	Similar (LTS)	Similar (LTS)	Similar (LTS)	Similar (LTS)	Similar (LTS)
Operation	LTS	Reduced (No Impact)	Increased (LTS)	Reduced (LTS)	Reduced (LTS)	Similar (LTS)	Increased (LTS)

LTS = Less than Significant

¹ Level of impact for the proposed project listed in this table represents the project scenario with the greatest potential impact

6.5 Alternative 1: No Project/No Build Alternative

6.5.1 Description

Under the No Project Alternative, the project site would remain under existing conditions, the current environmental setting would be maintained, and no development would occur. The Saks Fifth Avenue Building, including the Saks Women's Building and Shoe Building, would operate under its existing occupied use, the 9570 Wilshire Building could potentially resume use as a retail/department store, and existing alleys would be maintained. Existing General Plan Land Use designations and zoning designations would remain the same, and no specific plan would be adopted. Accordingly, operational impacts of the No Project/No Build Alternative would be those described in Chapter 3, *Environmental Setting*, of this EIR. This Alternative, therefore, satisfies the provision of CEQA Guidelines Section 15126.6(e)(3)(B) which requires analysis of the environmental effects of the property remaining in its existing state against environmental effects which would occur if the project were approved.

6.5.2 Impact Analysis

a. Air Quality

Regional Criteria Pollutant Emissions

Construction

Alternative 1 would not remove the existing buildings or require any construction activities on the project site except for any minor tenant improvements that may occur as the buildings transition from tenant to tenant. In retail spaces, tenant improvements could include the installation of flooring, cabinetry, painting, walls to separate spaces, breakrooms, etc. Notwithstanding, such improvements would not use large pieces of construction equipment. Therefore, Alternative 1 would not result in construction emissions associated with use of heavy-duty construction equipment, construction truck traffic, or fugitive dust from demolition and excavation. Construction emissions could occur from construction workers traveling to the project site and from delivery trucks. However, this is typical of the existing on-site structures and is a condition that has historically occurred within the project site, as tenants have leased the various spaces within the site. Such construction emissions would not be a new source of emissions that would be introduced to the project site and would be expected to occur through the life of the existing structures. Therefore, construction-related air quality impacts would not occur as part of Alternative 1. Thus, impacts related to regional air pollutant emissions during construction would be reduced to no impact under Alternative 1 in comparison to the proposed project, which would result in less than significant impacts with mitigation.

Operation

As discussed above, the buildings within the project site have been occupied by commercial tenants over the years. While one of the existing buildings that have been historically occupied by commercial uses is currently vacant, this condition of vacancy and fully occupied retail spaces is a cycle that occurs in commercial spaces such as those on the project site and is not a new condition. Notwithstanding, Alternative 1 would not include the construction of new structures that could expand the building area on the project site and result in increased operations. Therefore, Alternative 1 would not result in new development or increased operations that could generate additional operational emissions related to vehicular traffic or the consumption of electricity and natural gas beyond what can be generated by the amount of development existing within the project site. Therefore, Alternative 1 would result in no new operational air quality impacts associated with regional air pollutant emissions compared to the existing conditions. Impacts related to regional air pollutant emissions during operation would be reduced to no new impact under Alternative 1 in comparison to the proposed project, which would result in less than significant impacts.

Localized Criteria Pollutant Emissions

Construction

As described above, Alternative 1 would not involve the use of heavy construction equipment and no construction air pollutant emissions or impacts to sensitive receptors would occur. Impacts related to localized air pollutant emissions during construction would be reduced to no impact under Alternative 1 in comparison to the proposed project, which would result in less than significant impacts with mitigation.

Operation

As described above, Alternative 1 would not result in new or increased operational air pollutant emissions and no new impacts to sensitive receptors would occur. Impacts related to localized air pollutant emissions during operation would be reduced to no new impact under Alternative 1 in comparison to the proposed project, which would result in less than significant impacts.

Toxic Air Contaminants

Construction

As described above, Alternative 1 would not involve the use of heavy construction equipment and no construction toxic air contaminant (TAC) emissions or impacts to sensitive receptors would occur. Impacts related to TAC emissions during construction would be reduced to no impact under Alternative 1 in comparison to the proposed project, which would result in less than significant impacts with mitigation.

Operation

As described above, Alternative 1 would not result in new or increased operational air pollutant emissions, including TAC emissions, and no new impacts to sensitive receptors would occur. Impacts related to TAC emissions during operation would be reduced to no new impact under Alternative 1 in comparison to the proposed project, which would result in less than significant impacts with mitigation.

Odors

Construction

As described above, Alternative 1 would not involve the use of heavy construction equipment that could produce temporary odors. Therefore, impacts related to odor emissions during construction would be reduced to no impact under Alternative 1 in comparison to the proposed project, which would result in less than significant impacts.

Operation

Alternative 1 would involve ongoing operation of the existing retail uses on the project site, and no new uses or sources of substantial odors would be added to the site. Therefore, impacts related to odor emissions during operation would be reduced to no new impact under Alternative 1 in comparison to the proposed project, which would have less than significant impacts related to odors.

b. Biological Resources

Alternative 1 would not result in construction activities which have the potential to disrupt nesting birds or roosting bats, if found to be present. Therefore, there would be no potential for Alternative 1 to impact nesting birds or roosting bats. As such, impacts related to biological resources would be reduced to no impact under Alternative 1 in comparison to the impacts of the proposed project, which would be less than significant with mitigation.

c. Cultural Resources

Historical Resources

As discussed in Section 4.3, *Cultural Resources*, there is one built environment historical resource located within the project site, the Saks Women's Building at 9600 Wilshire Boulevard. Under Alternative 1, the project site and buildings would remain under existing conditions (without the benefit of seismic retrofit) and no construction activities would occur. As a result, there would be no direct impacts to historical resources under Alternative 1. However, without seismic retrofit and active use and maintenance of the Saks Women's Building as provided for under the proposed project there is a risk that over the long term, impacts to the historic building could occur as a result of seismic activity or long-term lack of maintenance. Therefore, impacts under Alternative 1 would be increased to potentially significant in comparison to the proposed project, which would be less than significant with mitigation.

Archaeological Resources

Under Alternative 1, no excavation, grading, or other ground disturbing activities would occur. This alternative would not have the potential to uncover previously undiscovered and unknown archaeological resources that may exist in the subsurface. Therefore, impacts related to archaeological resources would be reduced to no impact under Alternative 1 in comparison to the proposed project, which would result in less than significant impacts with mitigation.

d. Energy

Construction

As previously described, construction activities would not occur under Alternative 1 except for tenant improvements that may be required to adapt the commercial spaces to new tenants. This is a condition that has historically occurred and would continue to occur through the life of the existing structures. Such tenant improvements would be primarily confined to the internal commercial space and necessitate the use of small, hand-powered tools that may require electricity to operate. Similar to the proposed project, when such tools are not needed, they would be turned off to conserve power. Alternative 1 would not result in the wasteful, inefficient, or unnecessary consumption of energy resources during construction or conflict with energy conservation plans, policies, and regulations. Construction impacts related to the use of energy would be reduced to no impact under Alternative 1 in comparison to the proposed project, which would result in less than significant impacts.

Operation

Alternative 1 would not alter the existing land uses or site operations on the project site. Therefore, Alternative 1 would not increase the long-term energy demand on the project site and would have no potential to result in the wasteful, inefficient, or unnecessary consumption of energy resources or conflict with energy conservation plans, policies, and regulations. Therefore, impacts related to operational energy use or conflicts with plans, programs, or policies would be reduced to no new impact under Alternative 1 in comparison to the proposed project, which would result in less than significant impacts.

e. Geology and Soils

Seismic Hazards

No grading or other earthwork activities would occur under Alternative 1, therefore the project would not expose or exacerbate geologic hazards at the site. Similarly, no new development would be added to the project site, and Alternative 1 would not result in the exposure of additional people to seismic hazards. Therefore, impacts related to seismic hazards would be reduced to no new impact under Alternative 1 in comparison to the proposed project, which would result in less than significant impacts.

Paleontological Resources

Since there would be no ground disturbing activities under Alternative 1, there would be no potential to uncover previously unknown subsurface paleontological resources. Impacts related to paleontological resources would be reduced to no impact under Alternative 1 in comparison to the proposed project, which would result in less than significant impacts with mitigation.

f. Greenhouse Gas Emissions

As described above, Alternative 1 would not include construction activities on the project site aside from tenant improvements that may occur as the buildings transition from tenant to tenant. Greenhouse gas (GHG) emissions from tenant improvements could occur from construction workers and delivery trucks traveling to the project site. However, this is typical of the existing on-site structures and is a condition that has historically occurred within the project site as new tenants have leased the various spaces within the project site's retail spaces. Such minor construction emissions would not be a new source of emissions that would be introduced to the project site and would be expected to occur through the life of the existing structures. Likewise, operation of Alternative 1 would involve the continued occupation of the site with retail uses, and no changes would occur that would result in new or increased GHG emissions or a conflict with plans, programs, and policies adopted for the purpose of reducing GHG emissions. As such, impacts related to GHG emissions would be reduced to no new impact under Alternative 1 in comparison to the proposed project, which would result in less than significant impacts. However, Alternative 1 would not facilitate the introduction of additional residential and commercial uses in proximity to transit as encouraged by the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and SB 375.

g. Hazards and Hazardous Materials

Construction

As discussed above, Alternative 1 would not remove the existing buildings or require any construction activities on the project site except for minor tenant improvements that may occur as the buildings transition from tenant to tenant. Therefore, Alternative 1 would have no construction-related impacts to emergency response and evacuation. Impacts to emergency response and evacuation would be reduced to no impact under Alternative 1 in comparison to the proposed project, which would result in less than significant impacts with mitigation.

Operation

Alternative 1 would not result in new buildings on the site or changes to the current retail uses on the project site. Therefore, operation of Alternative 1 would have no impact related to the impairment of emergency response and evacuation plans. Operational impacts to emergency response and evacuation would be reduced to no impact under Alternative 1 in comparison to the proposed project, which would result in less than significant impacts.

h. Land Use and Planning

Under Alternative 1, there would be no changes to the physical or operational characteristics of the existing on-site structures or uses permitted. No land use approvals or permits would be required. Therefore, Alternative 1 would not directly conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Impacts associated with a conflict with land use plans, policies, or regulations would be reduced to no impact under Alternative 1 in comparison to the proposed project, which would result in less than significant impacts.

i. Noise and Vibration

Noise

Construction

As discussed above, Alternative 1 would not result in heavy-duty construction activities on the project site, and would only involve minor, primarily internal tenant improvements that may occur as the buildings transition from tenant to tenant or from vacancy over the years. Therefore, Alternative 1 would not result in noise from the use of heavy-duty construction equipment or construction haul and cement truck traffic. Noise generation could occur from the use of small, hand powered construction tools and construction workers and delivery trucks traveling to the project site. However, this is typical of the existing on-site structures and is a condition that has historically occurred and will continue to occur within the project site as new tenants lease the various commercial spaces within the project site. Noise generated from these activities would primarily be confined to the internal commercial spaces and would not be a new source of noise that would be introduced to the project site. As such, on-site or off-site noise impacts would be reduced to no new impact under Alternative 1 in comparison to those of the proposed project, which would be significant and unavoidable.

Operation

Alternative 1 would not develop new buildings or expand existing uses on the project site such that site operations and associated noise would increase. As such, noise impacts associated with operation of Alternative 1 would be reduced to no new impact in comparison to the proposed project, which would result in less than significant operational impacts.

Vibration

Construction

As described in Section 4.9, *Noise*, construction activities can generate varying degrees of ground vibration, depending on the construction procedures and the type of construction equipment used. The operation of construction equipment generates vibrations that spread through the ground and diminish in amplitude with distance from the source. As discussed

above, Alternative 1 would not involve heavy-duty construction activities that could produce vibration. As such, vibration impacts under Alternative 1 would be reduced to no impact in comparison to those of the proposed project, which would be less than significant with mitigation.

Operation

Similar to the proposed project, Alternative 1 would not introduce new sources of vibration during operation. As such, there would be no vibration impacts associated with operation of Alternative 1, similar to the proposed project, which would also have no operational vibration impact.

j. Population and Housing

Alternative 1 would not develop new housing or commercial uses on the project site. Therefore, Alternative 1 would not generate population or housing growth directly or indirectly. As such, impacts to population and housing would be reduced to no impact under Alternative 1 in comparison to the proposed project, which would be less than significant.

k. Transportation

Conflict with Plans, Policies, and Programs The plans, policies, and programs applicable to the proposed project would also apply to Alternative 1. Alternative 1 would not involve construction activities beyond minor tenant improvements that would occur over time as the buildings transition from tenant to tenant over the years. These activities would primarily occur within the interior of the existing buildings and would not affect the adjacent rights-of-way and circulation system. Therefore, transportation impacts related to construction activities would be reduced to no impact under Alternative 1 in comparison to the proposed project, which would result in less than significant construction impacts with mitigation.

Alternative 1 would not develop new or additional land uses on the project site and would not generate any additional vehicle trips nor change the way visitors travel to the project site. Existing access and circulation, including alley access and circulation, within the project site would also be maintained during operation. Therefore, operation of Alternative 1 would not result in new impacts with respect to a conflict with transportation plans, policies, and programs. However, Alternative 1 would not facilitate the introduction of additional residential and commercial uses in proximity to transit as encouraged by the RTP/SCS and SB 375. Nonetheless, operational impacts under Alternative 1 would be reduced to no new impacts in comparison to the proposed project, which would result in less than significant operational impacts.

Vehicle Miles Traveled

Alternative 1 would not develop new or additional land uses on the project site and would not generate any additional vehicle trips nor change the way visitors travel to the project

site in terms of vehicle miles traveled (VMT). Therefore, Alternative 1 would not result in new impacts with respect to VMT. VMT impacts under Alternative 1 would be reduced to no new impact in comparison to the proposed project, which would result in a less than significant VMT impact.

Design Hazards

Alternative 1 would not develop new or additional land uses on the project site and would not generate any additional vehicle trips nor change the way visitors travel to the project site. Existing access and circulation, including alley access and circulation, within the project site would also be maintained during operation. Therefore, impacts related to design hazards under Alternative 1 would be reduced to no new impact in comparison to the proposed project, which would result in less than significant impacts.

Emergency Access

The project site is located in an established urban area that is well served by the surrounding roadway network, and multiple routes exist in the area for emergency vehicles. Emergency access to the project site and surroundings is currently provided by Wilshire Boulevard, South Peck Drive, South Bedford Drive, and South Camden Drive. Alternative 1 would not involve construction activities, and construction impacts to emergency access would be reduced to no impact in comparison to the proposed project, which would be less than significant with mitigation.

Alternative 1 would not develop new or additional land uses on the project site and existing emergency access and circulation features within the project site would be maintained during operation. Therefore, operational impacts to emergency access under Alternative 1 would be reduced to no impact in comparison to the proposed project, which would be less than significant.

l. Tribal Cultural Resource

No grading and other earthwork activities would occur under Alternative 1. Therefore, there would be no potential for Alternative 1 to uncover previously unknown subsurface tribal cultural resources. As such, impacts to tribal cultural resources would be reduced to no impact under Alternative 1 in comparison to the impacts of the proposed project, which would be less than significant with mitigation.

m. Utilities and Service Systems

Construction

As previously described, construction activities would not occur under Alternative 1 except for tenant improvements that may be required to adapt the various commercial spaces to their specific needs. This is a condition that has historically occurred and would continue to occur through the life of the existing structures. Tenant improvements are primarily confined to the internal commercial spaces and would not require the relocation or expansion of utilities, substantially alter water use, wastewater production or energy use,

or result in substantial solid waste generation. Therefore, construction-related impacts on utilities would be reduced to no impact under Alternative 1 in comparison to the proposed project, which would result in less than significant impacts to utilities during construction.

Operation

Alternative 1 would not include new uses or expand the area of the buildings on the project site. The existing buildings are currently served by existing infrastructure and would not require new stormwater, wastewater, natural gas, electricity, or potable water connections to serve the project site. No increase in development would occur, and Alternative 1 would not increase the long-term demand for utilities and service systems on the project site. As such, operational impacts related to utilities would be reduced to no new impact under Alternative 1 in comparison to the less than significant impacts of the proposed project.

6.5.3 Comparison of Impacts

As analyzed above, under Alternative 1, the project site would continue to be developed with the same commercial buildings and surface and underground parking spaces. As detailed in Section 2, *Project Description*, the buildings within the project site have been occupied by retail uses over the years, and at time of the NOP, the building at 9570 Wilshire was vacant but is currently occupied by the Saks Fifth Avenue Department Store. This reflects the fluid nature of vacancies and occupation levels at the project site, and for purposes of this analysis, it is assumed that Alternative 1 includes all buildings being occupied by uses that have historically occupied the project site and which are permitted by the existing zoning. While the cycle of vacancy and occupancy would continue through the life of the existing structures, Alternative 1 would not construct new structures or expand existing structures such that site operations would increase. As such, Alternative 1 would eliminate the new significant and unavoidable construction noise impacts, less than significant impacts, and less than significant with mitigation impacts of the proposed project, as shown in Table 6-2.

6.5.4 Relationship of the Alternative to Project Objectives

Under Alternative 1, the existing uses would remain on the project site and no new development would occur. As such, Alternative 1 would not revitalize the project site or meet the underlying purpose of the project or meet the majority of the project objectives, as described below.

Alternative 1 would partially meet the following objective:

- Require the preservation and adaptive reuse of the Saks Women's Building at an anchor location on Wilshire Boulevard and ensure its structural stability (including seismic requirements), economic viability, and accessibility by requiring its rehabilitation in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties (SOI Standards).

- The historic Saks Women’s Building would not be altered from its current conditions under Alternative 1, but the building would not be brought up to current seismic code standards or rehabilitated and adaptively reused in accordance with the SOI Standards.

Alternative 1 would not meet the following objectives:

- Respond to the reality that retail department stores and office have experienced substantial modification in their utilization of physical space due to changing consumer and other economic demands by creating a framework for a range of new uses that can evolve over time in response to further changes in the economic landscape; facilitate retention of existing landmark structures in an economically viable manner; restore economic activity to the Specific Plan Area; and provide for uses that will serve the needs of the nearby community, including (among others) cafes, restaurants, artisanal food, clothiers and similar uses, and neighborhood services.
- Enact development standards that meet or satisfy City design standards as further articulated in the Specific Plan, while also allowing for transit-adjacent and pedestrian-friendly development.
- Enhance the architectural and aesthetic character of Wilshire Boulevard by providing a contextual and contiguous building edge condition along each of the two blocks on Wilshire Boulevard, informed by the massing and height of the approximately 98-foot-tall historic Saks Women’s Building.
- Create a pedestrian-friendly environment by developing well-designed and attractive buildings, streets, sidewalks and publicly accessible open space. To achieve this broad goal, the Specific Plan is intended to provide for each of the following: an identifiable sense of place through development standards that are unique to the Specific Plan Area; open space areas that can facilitate programs that serve the local neighborhood (including but not limited to farmer’s markets), as well as residents, restaurants, retailers, and other uses within the Specific Plan Area; and pedestrian-friendly street designs that include appropriately-scaled sidewalks, attractive landscaping, and neighborhood-serving ground floor commercial and restaurant uses.
- Support neighborhood character, transition and connectivity by replacing commercial surface parking lots and sparsely planted alleyways with a cohesive blend of commercial and residential uses, as well as enhanced landscaping along South Bedford Drive, South Peck Drive, and South Camden Drive to create an appealing transition between the Specific Plan Area and the existing multi-family residential neighborhood to the south.
- Create an environment accessible from the City’s major shopping areas and close to the City’s major streets that can attract high-quality, major employers to support and attract new businesses and sustain employment, well-paying jobs, and a high level of economic activity.
- Concentrate new housing and amenities near existing and anticipated transportation nodes and stations to encourage the use of alternative modes of transportation to automobile travel.

9600 Wilshire Boulevard Specific Plan

- Introduce high-quality housing options designed to cater to residents wanting to stay in Beverly Hills as their housing needs change over time, with the convenience of full-service, amenitized housing.
- Protect and enhance the residential character of existing neighborhoods south of the Specific Plan Area by replacing surface commercial parking lots with a newly established Neighborhood District between Wilshire Boulevard and the existing multi-family residences south of the Specific Plan Area, and transforming existing alleys along the southern boundary of the Specific Plan Area into an enhanced “South Drive” featuring improved landscaping.
- Improve the streetscape along South Peck Drive, South Camden Drive, and South Bedford Drive in keeping with the City’s Complete Streets Plan and in a manner that both calms traffic and creates a safe pedestrian environment for neighbors to walk to and enjoy, while discouraging cut-through traffic on residential streets by incorporating improved landscaping, canopy trees, raised crosswalks, sidewalk enhancements, and specialized paving. .
- Implement a parking strategy that reduces the visual impact of parking spaces by emphasizing subterranean parking in lieu of large expanses of surface parking.
- Generate additional annual tax revenues for the City of Beverly Hills, including property taxes, sales taxes, and transient occupancy taxes.
- Support the growth of the City’s economic base by creating new construction jobs and permanent jobs.
- Develop buildings that will integrate active and passive sustainability practices, including drought-tolerant landscaping, high-efficiency equipment, gray water systems, and other sustainable strategies to reduce city and regional dependency on fossil fuels, minimize the use of water, and achieve a Leadership in Energy and Environmental Design (“LEED”) Silver V4.1.

6.6 Alternative 2: No Project/Zoning Compliant Buildout

6.6.1 Description

Under Alternative 2, the project site would be developed consistent with the site’s current zoning and the General Plan land use designations. This Alternative, therefore, satisfies the provision of CEQA Guidelines Section 15126.6(e) which provide that when the project is a revision of an existing land use or regulatory plan, policy, or ongoing operation (as is the case with the proposed project, adoption of a Specific Plan), the No Project Alternative will be the continuation of the existing plan, policy or operation into the future. This would eliminate the boutique hotel, office, and social club uses included under the proposed project. The Parcel A, Parcel B, Saks Rehabilitation, and 9570 Wilshire subareas have general plan land use designations of Low Density Commercial or Medium Density Retail. The Parcel A, Parcel B, and Saks Rehabilitation subareas are zoned Commercial (C-3) with a Commercial Retail Planned Development (C-R-PD) Overlay and Mixed Use Overlay. The 9570 Wilshire subarea is zoned C-3 and Residential Parking Zone (R-4-P) with a C-R-PD

Overlay and Mixed Use Overlay. The Neighborhood East and Neighborhood West subareas have general plan land use designations of High Density Multi-Family Residential and zoning designations of Multiple Residential (R-4-P) and (R-4).

Under Alternative 2, the 9570 Wilshire subarea would remain developed with the existing 107,000 sf department store and loading building. Under the Mixed Use Overlay, Parcel A would be developed with a total of 34 residential units and 30,568 sf of restaurant uses, with a total building size of 100,274 sf and a height of seven stories. Under the Mixed Use Overlay, Parcel B would be developed with a total of 34 residential units and 30,568 sf of restaurant uses, with a total building size of 100,274 sf and a height of seven stories. Under the Mixed Use Overlay, the Saks Women's Building would be rehabilitated in accordance with the SOI Standards and adaptively reused with 48 residential units and 43,206 sf of restaurant uses within the seven-story structure. Like the proposed project, the Shoe Building would be demolished as part of the Saks Rehabilitation development. The Neighborhood East subarea would be developed with 64 residential units within a 176,353 sf, five-story building. The Neighborhood West subarea would be developed with 59 residential units within a 159,176-sf, five-story building. A total of 213 market rate and 26 affordable residential units would be developed across the site, along with 104,342 sf of restaurants and 107,000 sf of retail. Development across the site would total 759,571 sf with a FAR of approximately 4.39 averaged over the project site. Thus, this would eliminate the boutique hotel (which would require approval of a conditional use permit), office, and social club uses included under the proposed project. Table 6-3 provides a development summary of the proposed uses under Alternative 2.

Parking for Alternative 2 would be provided by a new four-level subterranean structure, as well as the existing three-level subterranean parking structure at 9570 Wilshire, similar to the proposed project. Under Alternative 2, the architectural design characteristics, site access, open space, and roadway improvements would be similar to those of the proposed project. Additionally, construction activities under Alternative 2, such as equipment used, excavation and haul quantities, and construction hours, would be similar to those described in Section 2, *Project Description*, except that the building construction and architectural coating phase lengths would be slightly increased to account for the increased square footage under this alternative.

Table 6-3 Alternative 2 Development Summary

Building Area	Land Use	Square Footage	Residential Units
Parcel A	Restaurant	30,568	–
	Base Residential Units	57,406	28
	Density Bonus Units ⁶	12,300	6
	Total	100,274	341
Parcel B	Restaurant	30,568	–
	Base Residential Units	57,406	28
	Density Bonus Units	12,300	6
	Total	100,274	342
Saks Rehabilitation	Restaurant	43,206	–
	Base Residential Units	61,074	40
	Density Bonus Units	12,214	8
	Total	116,494	483
9570 Wilshire Boulevard	Department Store	107,000	–
Wilshire Boulevard District Total		424,042	116
Neighborhood East	Base Residential Units	146,043	53
	Density Bonus Units	30,310	11
	Total	176,353	644
Neighborhood West	Base Residential Units	132,235	49
	Density Bonus Units	26,941	10
	Total	159,176	595
Neighborhood District Total		335,529	123
Site Total		759,571	239

Note: all numbers rounded up in accordance with State Density Bonus Law and the City’s Inclusionary Housing Ordinance.

sf = square feet

¹ Includes four low-income affordable housing units in accordance with the City’s Inclusionary Housing Ordinance

² Includes four low-income affordable housing units in accordance with the City’s Inclusionary Housing Ordinance

³ Includes five low-income affordable housing units in accordance with the City’s Inclusionary Housing Ordinance.

⁴ Includes seven low-income affordable housing units in accordance with the City’s Inclusionary Housing Ordinance.

⁵ Includes six low-income affordable housing units in accordance with the City’s Inclusionary Housing Ordinance.

⁶ Provision of affordable units in accordance with the City’s Inclusionary Housing Ordinance enables Alternative 2 to access a 20 percent Density Bonus in accordance with the provisions of State Density Bonus Law.

6.6.2 Impact Analysis

a. Air Quality

Regional Criteria Pollutant Emissions

Construction

As with the proposed project, construction of Alternative 2 has the potential to create air quality impacts through the use of heavy-duty construction equipment and through vehicle trips generated from construction workers traveling to and from the project site. In addition, fugitive dust emissions would result from demolition and construction activities. As discussed in Section 4.1, *Air Quality*, construction emissions can vary substantially from day to day, depending on the level of activity, the specific type of operation and, for dust, the prevailing weather conditions.

Under Alternative 2, daily construction activities would be substantially the same as those of the proposed project, although the overall construction schedule would be lengthened in comparison to the proposed project due to the increased square footage of uses on the project site. Therefore, the maximum daily air pollutant emissions under Alternative 2 would be similar to those of the proposed project. As described in Section 4.1, *Air Quality*, regional air pollutant emissions during construction would be less than significant with implementation of Mitigation Measure AQ-1. Alternative 2 would also be required to implement Mitigation Measure AQ-1. Therefore, as with the proposed project, regional air pollutant emissions during construction under Alternative 2 would be less than significant with mitigation. However, with the increased floor area and overall construction length, such impacts would be increased in comparison to the proposed project.

Operation

Operation of Alternative 2 would generate criteria pollutant emissions associated with vehicle trips, energy consumption, area sources, and stationary sources, with the vehicle trips comprising the largest contributor to regional emissions during operation. Operational emissions for Alternative 2 were modeled in the California Emissions Estimator Model (CalEEMod). As shown in Table 6-4, operation of Alternative 2 would exceed the SCAQMD VOC and NO_x emissions, and impact would be potentially significant. Even with implementation of Mitigation Measure AQ-2, which establishes limits for the daily testing of the emergency generators, operational emissions of VOC would exceed the SCAQMD threshold, and additional mitigation would be required. As described in Section 4.1, *Air Quality*, regional air pollutant emissions during project operation would be the greatest under Specific Plan Buildout Scenario 1, Maximum Buildout of the Specific Plan with No Residential Conversion, and would be less than significant. Therefore, operational impacts related to regional air pollutant emissions under Alternative 2 would be potentially significant and unavoidable, and increased in comparison to the proposed project.

Table 6-4 Alternative 2 Operational Emissions

Emission Source	Maximum Daily Emissions (lbs/day)					
	VOC	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Unmitigated						
Mobile	39	21	258	1	60	15
Area	22	<1	39	<1	<1	<1
Energy	<1	3	3	<1	<1	<1
Stationary	8	34	19	<1	1	1
<i>Existing Emissions</i>	<i>(9)</i>	<i>(2)</i>	<i>(31)</i>	<i>(<1)</i>	<i>(3)</i>	<i>(1)</i>
Alternative 2 Net Emissions	60	56	288	1	58	15
SCAQMD Regional Thresholds	55	55	550	150	150	55
Threshold Exceeded?	Yes	Yes	No	No	No	No
Mitigated						
Mobile	39	21	258	1	60	15
Area	22	<1	39	<1	<1	<1
Energy	<1	3	3	<1	<1	<1
Stationary	3	14	8	<1	<1	<1
<i>Existing Emissions</i>	<i>(9)</i>	<i>(2)</i>	<i>(31)</i>	<i>(<1)</i>	<i>(3)</i>	<i>(1)</i>
Alternative 2 Net Emissions	55¹	36	277	<1	57	14
SCAQMD Regional Thresholds	55	55	550	150	150	55
Threshold Exceeded?	Yes	No	No	No	No	No

lbs/day = pounds per day; VOC = volatile organic compounds; NO_x = nitrogen oxide; CO = carbon monoxide; PM₁₀ = particulate matter with a diameter no more than 10 microns; PM_{2.5} = particulate matter with a diameter no more than 2.5 microns; SO_x = sulfur oxide

Notes: Some numbers may not add up precisely due to rounding considerations.

¹ Total is 55.22

Source: See Appendix B for CalEEMod worksheets, Table 2.5 “Operations Emissions by Sector, Unmitigated” emissions. Highest of Summer and Winter emissions results are shown for all emissions. The mitigated emissions account for project sustainability features and/or compliance with specific regulatory standards.

Localized Criteria Pollutant Emissions

Construction

As with the proposed project, construction of Alternative 2 has the potential to create air quality impacts through the use of heavy-duty construction equipment and through vehicle trips generated from construction workers traveling to and from the project site. In addition, fugitive dust emissions would result from demolition and construction activities. Under Alternative 2, construction activities would occur at a similar distance to sensitive receptors and construction activities would be substantially the same as those of the proposed project. Therefore, the maximum daily air pollutant emissions under Alternative 2 would be similar to those of the proposed project. As described in Section 4.1, *Air Quality*, the proposed project would result in a less than significant impact related to localized construction emissions with implementation of Mitigation Measure AQ-1. Alternative 2 would also be required to implement Mitigation Measure AQ-1 and would result in similar localized air pollutant emissions. Impacts related to localized air pollutant emissions would be less than significant with mitigation, similar to the proposed project.

Operation

Similar to the proposed project, localized operational air pollutant emissions would occur under Alternative 2 primarily due to vehicle emissions and emissions from the regular testing and maintenance of emergency generators. Table 6-5 shows the localized air pollutant emissions under Alternative 2. As shown therein, the PM_{2.5} threshold would be exceeded.

Table 6-5 Alternative 2 LST Operational Emissions

Year	Pollutant (lbs/day)			
	NO _x	CO	PM ₁₀	PM _{2.5}
Unmitigated				
Maximum Operational Onsite Emissions	37	61	1	1 ¹
SCAQMD LST	82	827	2	1
Threshold Exceeded?	No	No	No	Yes
Mitigated				
Maximum Operational Onsite Emissions	25	50	<1	<1
SCAQMD LST	82	827	2	1
Threshold Exceeded?	No	No	No	No

lbs/day = pounds per day; NO_x = nitrogen oxide; CO = carbon monoxide; PM₁₀ = particulate matter with a diameter no more than 10 microns; PM_{2.5} = particulate matter with a diameter no more than 2.5 microns.

Notes: Some numbers may not add up precisely due to rounding considerations. Maximum onsite emissions are the highest emissions that would occur on the project site from onsite sources, such as fireplaces, emergency generators, natural gas use, architectural coatings, and excludes mobile sources.

¹On-site operational activity would generate 1.40 lbs./day of PM_{2.5} emissions.

Source: See CalEEMod worksheets in Appendix B, Table 2.5, Operational Emissions by Sector, Unmitigated.

As described in Section 4.1, *Air Quality*, the proposed project would result in a less than significant impact related to localized operational emissions with implementation of Mitigation Measure AQ-2, which establishes limits for the maintenance testing of the project's emergency generators. Alternative 2 would also include emissions from regular testing and maintenance of emergency generators and would be required to implement Mitigation Measure AQ-2, which would reduce PM_{2.5} emissions below the applicable threshold. As such, under Alternative 2, localized air pollutant emissions during operation would be less than significant with mitigation but slightly increased compared to the proposed project.

Toxic Air Contaminants

Construction

As with the proposed project, construction of Alternative 2 would generate TACs associated with heavy equipment use. Under Alternative 2, daily construction activities would be substantially the same as those of the proposed project, but the total duration of construction would be slightly lengthened compared to the proposed project. Therefore, total construction TAC emissions under Alternative 2 would be slightly increased compared to those of the proposed project. As described in Section 4.1, *Air Quality*, construction TAC emissions and associated impacts to sensitive receptors would be less than significant with implementation of Mitigation Measure AQ-1. Alternative 2 would also be required to implement Mitigation Measure AQ-1 and impacts to sensitive receptors due to construction TAC emissions would be increased compared to the proposed project but would still be less than significant with mitigation.

Operation

As described in Section 4.1, *Air Quality*, operation of the proposed project would result in TAC emissions from delivery truck trips, typical residential and commercial maintenance activities (e.g., cleaning solvents, paints, landscape pesticides, etc.), and the emergency use of the seven life safety generators. These TAC emissions would be less than significant with implementation of Mitigation Measure AQ-2. Operation of Alternative 2 would include the same sources of TAC emissions and would similarly require implementation of Mitigation Measure AQ-2. With implementation of Mitigation Measure AQ-2, impacts to sensitive receptors due to operational TAC emissions from Alternative 2 would be less than significant and similar to the proposed project.

Odors

Construction

Similar to the proposed project, construction of Alternative 2 would generate odors from the use of heavy equipment. These odors would be intermittent and temporary, and odors disperse with distance. These odors would cease upon completion of construction. Overall, construction of Alternative 2 would not generate other emissions, such as those leading to

odors, affecting a substantial number of people. Construction-related odor impacts under Alternative 2 would be slightly increased in comparison to the proposed project due to the overall construction period being slightly lengthened but still less than significant.

Operation

Operation of Alternative 2 would involve similar types of uses as the proposed project. As further described in Section 4.1, *Air Quality*, these land uses are not ones known to generate substantial odors. However, restaurant uses may generate odors associated with cooking. Such odors would be minimal, and these uses would be located in the Wilshire Boulevard District of the Specific Plan area, away from residential uses to which such odors could be considered a nuisance. In addition, in accordance with Beverly Hills Municipal Code (BHMC) Section 10-3-1955.A, mechanical venting of the restaurant and other commercial uses would be designed to face away from residential uses, thereby directing vented air and potential odors away from sensitive receivers. Therefore, operation of Alternative 2 would not generate objectionable odors affecting a substantial number of people. Impacts would be increased in comparison to the proposed project due to the increased restaurant uses under Alternative 2 but would still be less than significant.

b. Biological Resources

Under Alternative 2, construction activities would be similar to the proposed project, although the total length of construction would be slightly increased. As discussed in Section 4.2, *Biological Resources*, birds and bats protected by the California Fish and Game Code (CFGC) and Federal Migratory Bird Treaty Act (M BTA) may nest on the project site and in adjacent properties and could be disturbed by construction activities. However, construction of the proposed project would result in less than significant impacts to protected birds and bats with implementation of Mitigation Measures BIO-1 through BIO-3. Construction activities under Alternative 2 would also be required to implement Mitigation Measures BIO-1 through BIO-3, and construction impacts would be less than significant with mitigation incorporated, similar to the proposed project.

Operation of Alternative 2 would involve similar types of land uses and activities as the proposed project. During operation of Alternative 2, there would be no ongoing construction activities that could potentially affect nesting birds or roosting bats. New street trees and landscaping would be provided on the project site that could serve as potential nesting habitat for migratory birds and raptors, and structures on the project site would provide potential roosting habitat for bats. Therefore, operation of Alternative 2 would result in less than significant impacts to biological resources, similar to the proposed project.

c. Cultural Resources

Historical Resources

As discussed in Section 4.3, *Cultural Resources*, the Saks Women's Building is eligible for listing in the NRHP and the CRHR and for local designation as a City of Beverly Hills

Landmark under Criteria A/1 for its association with pre- and post-World War II commercial development in Beverly Hills and under C/3 as an example of Neoclassical and Regency Revival architecture applied to a retail building by master architects Parkinson & Parkinson and Paul Revere Williams. Similar to the proposed project, Alternative 2 would include demolition of the Shoe Building and rehabilitation and adaptive reuse of the Saks Women's Building in accordance with the SOI Standards. Alternative 2 would also include development of four new buildings on the project site. Similar to the proposed project, Alternative 2 would result in modifications to the Saks Women's Building and its setting, which could potentially result in significant impacts. Additionally, there is the potential for groundborne vibration produced during construction activities to result in impacts to the Saks Women's Building in addition to other potential historical resources (buildings dating to the historic period) in the vicinity of the project site. As described in Section 4.3, *Cultural Resources*, with implementation of Mitigation Measures CUL-1, CUL-2, and NOI-2, impacts to historical resources would be less than significant. Alternative 2 would also be required to implement these mitigation measures and impacts to historical resources would be less than significant with mitigation, similar to the proposed project.

Archaeological Resources

Construction of Alternative 2 would include grading and excavation activities similar to the proposed project. As discussed in Section 4.3, *Cultural Resources*, the project site has low archaeological sensitivity due to its developed and disturbed nature. Nonetheless, unanticipated archaeological deposits could be encountered and damaged during the ground-disturbing construction activities. Therefore, Alternative 2 would be required to implement Mitigation Measures CUL-3 through CUL-5 to reduce the potential for impacts to archaeological resources during construction. With implementation of mitigation, construction of Alternative 2 would result in less than significant impacts to archaeological resources, similar to the proposed project.

Upon completion of construction, Alternative 2 would not involve ongoing ground-disturbing activities. Operation of Alternative 2 would result in less than significant impacts to archaeological resources, similar to the proposed project.

d. Energy

Construction

Construction of Alternative 2 would consume energy including petroleum fuels to power construction equipment, haul trucks, and worker vehicles and electricity to power electric construction equipment and construction offices and to provide water for construction site watering. Construction activities under Alternative 2 would be similar to those of the proposed project, with a slightly longer overall construction duration due to the increased square footage of uses. Due to the longer construction period, Alternative 2 would result in increased consumption of energy sources during construction compared to the proposed project. Similar to the proposed project, the use of energy sources during construction would be temporary and short-term and would not substantially affect the capacity of

energy supplies. Additionally, similar to the proposed project, construction of Alternative 2 would comply with the applicable policies, regulations, and plans related to energy efficiency, including California Code of Regulations (CCR) Title 13 Sections 2449 and 2485, the United States Environmental Protection Agency (USEPA) Construction Equipment Fuel Efficiency Standard, and 2022 CALGreen. Therefore, construction of Alternative 2 would result in increased impacts as the overall amount of construction fuel consumed would be increased in comparison to the proposed project, but impacts would still be less than significant.

Operation

Operation of Alternative 2 would consume vehicle fuels for residents, visitors, and workers traveling to the site, as well as electricity and natural gas to power the buildings and appliances. Operational energy use under Alternative 2 would be increased compared to the proposed project due to the increase in overall development. According to CalEEMod estimates, operation of Alternative 2 would consume approximately 6.6 gigawatt hours per year (GWr/year) and 137,491 U.S. therms of natural gas, for a net increase of 5.2 GWr/year of electricity use and 129,809 U.S. therms of natural gas use. As described in Section 4.4, *Energy*, the proposed project would implement PDF E-1, which includes energy efficient heating, ventilation and air conditioning (HVAC) systems, exceedance of the energy efficiency requirements of the 2022 Title 24, use of EnergyStar appliances, and other features that would result in reduced energy use. Alternative 2 would similarly implement this PDF. Therefore, operation of Alternative 2 would result in increased energy use compared to the proposed project but impacts would still be less than significant.

Similar to the proposed project, Alternative 2 would implement energy efficiency measures and would not conflict with the applicable plans for energy efficiency. These plans include the Beverly Hills Sustainable City Plan and Beverly Hills Green Building Standards Code, which contain measures intended to increase energy efficiency and expand the use of renewable energy in Beverly Hills, as well as CALGreen and the 2022 Title 24. Development and operation of Alternative 2 would comply with CALGreen, Title 24, and Beverly Hills Green Building Standards. Additionally, as with the proposed project, this alternative would be consistent with the City's Sustainable City Plan Energy Policy 2 by incorporating PV provisions consistent with the 2022 Title 24, installing electric vehicle (EV) charging parking spaces, and including all-electric HVAC systems. Similar to the proposed project, this alternative would eventually be powered by renewable energy as mandated by SB 1020 and would not conflict with the requirements of SB 1020. Alternative 2 would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Overall operational energy-related impacts under Alternative 2 would be slightly increased in comparison to the proposed project due to the increased development but impacts would still be less than significant.

e. Geology and Soils

Seismic and Soil Hazards

As described in Section 4.5, *Geology and Soils*, the project site is partially within an Alquist-Priolo Fault Zone and is subject to seismic activity. To address seismic and soils hazards, Alternative 2 would be required to comply with State and local regulations such as the Alquist-Priolo Earthquake Fault Zoning Act, Seismic Safety Act, Seismic Hazards Mapping Act, Uniform Building Code (UBC), California Building Code (CBC), and the Beverly Hills Building Code. Similar to the proposed project, Alternative 2 would be required to comply with the plan review and permitting requirements of the Development Services Division, including the recommendations provided in final site-specific geotechnical reports subject to review and approval by the City. The impact to people, buildings, or structures on the project site from strong seismic ground shaking and soil hazards during project operation would be reduced by the required conformance with applicable building codes and accepted engineering practices. Therefore, impacts related to seismic and soil hazards under Alternative 2 would be less than significant, similar to the proposed project.

Paleontological Resources

Under Alternative 2, excavation depths would be similar to the proposed project. As with the proposed project, this alternative could potentially disturb previously undiscovered paleontological resources. Mitigation Measures GEO-1 and GEO-2 would continue to be required, ensuring construction worker training, construction monitoring, and proper procedures are implemented in the event that paleontological resources are encountered during ground disturbing activities. Therefore, construction of Alternative 2 would result in less than significant impacts to paleontological resources with mitigation, and impacts would be similar to the proposed project.

Upon completion of construction, Alternative 2 would not involve ongoing ground-disturbing activities. Operation of Alternative 2 would result in less than significant impacts to paleontological resources, similar to the proposed project.

f. Greenhouse Gas Emissions

As with the proposed project, construction of Alternative 2 would generate GHG emissions through the use of heavy-duty construction equipment and vehicle and haul trips generated from construction workers and haul trucks traveling to and from the project site. Construction activities and resulting GHG emissions under Alternative 2 would be increased in comparison to the proposed project due to the lengthened construction period and increased development square footage. Operation of Alternative 2 would result in GHG emissions through vehicle trips, energy use to power the proposed new buildings, water consumption, waste production, testing and maintenance of the emergency generators, and from area sources and refrigerant use. Alternative 2 would increase development on the project site as compared to the proposed project, with a resulting increase in operational GHG emissions.

Although construction and operation under Alternative 2 would generate GHG emissions, Alternative 2 would incorporate features, such as PDF E-1, that would reduce GHG emissions and align with the goals of the applicable plans, policies, and regulations related to GHG emissions, similar to the proposed project. Operation of Alternative 2 would comply with CALGreen, Title 24, and the Beverly Hills Green Building Standards Code. Therefore, Alternative 2 would not conflict with the applicable plans, policies, and regulations adopted for the purpose of reducing GHG emissions. Impacts related to GHG emissions under Alternative 2 would be slightly increased in comparison to the proposed project due to the lengthened construction period and increased development square footage, but impacts would still be less than significant based on consistency with applicable plans, policies, and regulations adopted for the purpose of reducing GHG emissions.

g. Hazards and Hazardous Materials

As described in Section 4.7, *Hazards and Hazardous Materials*, the project site is not within the immediate vicinity of any designated disaster routes. Nonetheless, construction of Alternative 2 would result in temporary delays and lane closures along South Bedford Drive, South Camden Drive, South Peck Drive, and Wilshire Boulevard. Similar to the proposed project, Alternative 2 would implement Mitigation Measure T-1, which requires development of a construction management plan that would reduce the potential construction impacts to emergency response and evacuation. With implementation of Mitigation Measure T-1, construction impacts to emergency response and evacuation under Alternative 2 would be increased compared to the proposed project due to the lengthened construction schedule, but would still be less than significant.

Following the completion of construction activities, all temporary lane closures would be reopened for use and vehicular access to the roadways within and surrounding the project site would be maintained, similar to the proposed project. Additionally, the design of Alternative 2 would comply with City and Beverly Hills Fire Department (BHFD) requirements regarding site access and emergency vehicle access. Compliance with applicable City Building Code and Fire Code requirements, including emergency vehicle access, would be confirmed as part of BHFD's fire/life safety plan review and BHFD's fire/life safety inspection for new construction projects. As such, operational impacts related to impairing implementation of or physically interfering with an adopted emergency response plan or emergency evacuation plan would be less than significant under Alternative 2, similar to the proposed project.

h. Land Use and Planning

Under Alternative 2, no specific plan would be implemented, and the project site would be developed in a manner that is consistent with the existing zoning and General Plan land use designations of the project site. Therefore, Alternative 2 would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. No impacts associated with a conflict with land use plans, policies, or regulations would occur, and impacts would be reduced to no impact under Alternative 2 in comparison to the proposed project, which would have less than significant impacts.

i. Noise and Vibration

Noise

Construction

Under this alternative, the types of construction activities, including 24-hour foundation pours, and equipment which would generate noise would be similar to the proposed project, although the duration of the construction schedule would be lengthened due to the increase in floor area. Under Alternative 2, as with the proposed project, construction activities that occur outside the City's permitted construction hours during continuous foundation pours would result in an increase of at least 5 dBA above ambient noise levels and potentially significant noise impacts. Mitigation Measure NOI-1, which requires noise barriers, equipment mufflers, and other measures to address construction noise, would be implemented by Alternative 2 to reduce noise from construction activities. Additionally, Alternative 2 would be required to implement Mitigation Measure NOI-3, which requires coordination during construction with the nearest cumulative project, to reduce the potential for cumulative construction noise impacts. Similar to the proposed project, construction noise levels under this alternative would still exceed the City's noise thresholds even with implementation of Mitigation Measures NOI-1 and NOI-3. Thus, impacts would remain significant and unavoidable under Alternative 2, and impacts would be increased due to the lengthened construction schedule.

Operation

On-site noise sources under Alternative 2 would include HVAC units, the commercial loading dock, and community activities such as farmers' markets held in the Via. In addition, off-site operational noise would be generated by vehicles traveling to and from the project site. As described in Section 4.9, *Noise*, operation of the proposed project, including on-site and off-site sources of noise, would result in less than significant noise impacts to the surrounding land uses. Alternative 2 would result in slightly increased traffic and associated off-site noise but not substantially enough to result in significant off-site noise increases. Alternative 2 would reduce the amount of commercial development on the project site and would eliminate the Social Club and Boutique Hotel uses, thereby eliminating operational noise from special events. Therefore, operational noise impacts under Alternative 2 would be less than significant and overall similar to the proposed project.

Vibration

Construction

Construction of Alternative 2 would involve similar construction activities as the proposed project and would have the potential to produce groundborne vibration that could cause architectural damage to nearby buildings including the Saks Women's Building, 9570 Wilshire Building, and residential buildings to south of the project site. Similar to the proposed project, Mitigation Measure NOI-2 would be implemented, which requires

implementation of a construction vibration monitoring plan. With implementation of mitigation, construction vibration impacts would be less than significant, but would be increased in comparison to the proposed project due to the longer construction duration of Alternative 2.

Operation

Operation of Alternative 2 would not include substantial vibration sources. Therefore, operation would not generate excessive groundborne vibration or groundborne noise levels and no impact would occur, similar to the proposed project.

j. Population and Housing

Alternative 2 would result in 239 residential units and 519 new residents in the City based on the average number of persons per household in Beverly Hills (2.17 persons per household; California Department of Finance 2023). SCAG forecasts that Beverly Hills will reach approximately 15,173 households and 35,155 residents by 2028, an increase of 671 households and 3,497 residents from the city's estimated 2023 baseline (SCAG 2020; DOF 2023). The addition of the 239 households and 519 residents facilitated by Alternative 2 would account for approximately 36 percent of the growth in households and 15 percent of the population growth projected for 2028. Household growth generated by the residential units under Alternative 2 would therefore not exceed the SCAG 2020-2045 RTP/SCS projections. This estimate is conservative in that it assumes all project residents would be new residents to Beverly Hills, and because the current SCAG projections do not account for the latest Regional Housing Needs Assessment (RHNA) results for Beverly Hills, which establish a requirement of 3,104 new housing units in Beverly Hills by 2030 (SCAG 2021). The 239 residential units proposed under Alternative 2 would account for approximately 8 percent of the housing units identified in the RHNA.

Alternative 2 would also result in 211,342 sf of commercial uses on the project site, as compared to the up to 415,000 sf of commercial uses under the proposed project. As described in Section 4.10, *Population and Housing*, the proposed project would not result in employment growth that exceeds the SCAG 2020-2045 RTP/SCS projections for Beverly Hills. Therefore, Alternative 2 also would not result in employment growth that exceeds the SCAG projections. Additionally, Alternative 2 would not include new infrastructure or increase the capacity of existing infrastructure that could result in indirect population growth. Alternative 2 would result in less than significant impacts related to population and housing, similar to the proposed project.

k. Transportation

Conflict with Plans, Policies, and Programs

The plans, policies, and programs applicable to the proposed project would also apply to Alternative 2. With regard to construction, the types of construction activities under Alternative 2 would be similar to the project, but the overall construction period would be lengthened due to the increased development. As with the project, construction of

Alternative 2 would generate construction-related traffic from haul trucks and construction workers and would also require the delivery and staging of construction and materials and equipment. As such, similar to the proposed project, potential construction-related transportation impacts could result during construction of Alternative 2. Alternative 2 would also implement Mitigation Measure T-1 which requires a Construction Management Plan to minimize potential impacts to the surrounding circulation system. As with the project, construction-related transportation impacts under Alternative 2 would be less than significant with mitigation but would be slightly increased compared to the proposed project due to the longer construction period.

Under Alternative 2, the primary movement of vehicles would be along Wilshire Boulevard, South Peck Drive, South Camden Drive, South Bedford Drive, South Drive, and the Via, similar to the proposed project. Alternative 2 would also include the same circulation improvements as the proposed project, including pedestrian enhancements, landscaping, street lighting, bicycle racks, street furniture, traffic calming features, and a new continental crosswalk at the south leg of the intersection of Wilshire Boulevard and South Peck Drive. Overall, as with the project, Alternative 2 would be consistent with the goals, policies, and requirements of the City of Beverly Hills General Plan, the City's Complete Streets Plan, the LA Metro First Last Mile Strategic Plan and Wilshire/Rodeo Pathway Plan, and the SCAG 2020-2045 RTP/SCS. Alternative 2 would improve the streetscape and promote pedestrian activity and reduce vehicle trips and VMT by encouraging the use of alternative modes of transportation, providing convenient and adequate bicycling facilities, and enhancing pedestrian amenities along the streets surrounding the project site. As such, operation of Alternative 2 would comply with the programs and policies set forth in the City of Beverly Hills General Plan, the City's Draft Complete Streets Plan, and the LA Metro First Last Mile Strategic Plan, and the SCAG 2020-2045 RTP/SCS to the same extent as the project. Therefore, Alternative 2 would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities and impacts would be less than significant, similar to the proposed project.

Vehicle Miles Traveled

With respect to VMT, as with the project, Alternative 2 meets the City's VMT Screening Criteria 3 and Screening Criteria 4, discussed in detail in Section 4.11, *Transportation*. Based on the screening criteria, Alternative 2 would have a less than significant VMT impact and is screened out from further VMT analysis. Therefore, Alternative 2 would result in less than significant impacts with respect to conflicts with CEQA Guidelines Section 15064.3, subdivision (b), similar to the proposed project.

Design Hazards

Under Alternative 2, alterations to the existing roadways, including traffic calming features and the new crosswalk, and new internal roadways such as the Via and South Drive, would be similar to the proposed project. Under Alternative 2, project site access locations would be designed in accordance with City standards to provide adequate sight distance, sidewalks, crosswalks, and pedestrian movement controls. Several circulation

enhancements would be introduced under Alternative 2 to reduce the potential for hazards. Pedestrian safety improvements would include a continental crosswalk at the south leg of the intersection of Wilshire Boulevard and South Peck Drive and various improvement along South Peck Drive to distinguish pedestrian-only versus shared pedestrian and vehicular zones within the right-of-way. Under Alternative 2, pedestrian safety improvements consistent with current City standards would be implemented but the alternative street cross sections in South Peck Drive proposed by the Specific Plan (e.g., elimination of curbs) would not be included. Nonetheless, no incompatible uses, sharp intersections, or dangerous curves would be added under Alternative 2. Therefore, Alternative 2 would result in less than significant impacts related to geometric design hazards, similar to the proposed project.

Emergency Access

The project site is located in an established urban area that is well served by the surrounding roadway network, and multiple routes exist in the area for emergency vehicles. Emergency access to the project site and surroundings is currently provided by Wilshire Boulevard, South Peck Drive, South Bedford Drive, and South Camden Drive. As with the proposed project, Alternative 2 would include Mitigation Measure T-1, which would ensure that adequate emergency access to the project site and surroundings is maintained throughout construction. Therefore, construction of Alternative 2 would result in less than significant impacts to emergency access with mitigation, similar to the proposed project.

Transportation and access components under Alternative 2 would be designed to meet all applicable City Building Code and Fire Code requirements regarding site access, including the provision of adequate emergency vehicle access. Compliance with City requirements would be confirmed as part of the BHFD fire/life safety plan review and inspection for new projects. Adherence to City policies would ensure Alternative 2 would not result in inadequate emergency access. Therefore, operation of Alternative 2 would result in less than significant impacts to emergency access and impacts would be similar to the proposed project.

I. Tribal Cultural Resources

Under Alternative 2, the amount of excavation and grading required during construction would be similar to the proposed project. As with the proposed project, this alternative would result in ground-disturbing construction activities which could potentially unearth previously undiscovered tribal cultural resources. Mitigation Measures TCR-1 through TCR-3, which implement construction monitoring by a Native American monitor and procedures in the event that tribal cultural resources are encountered, would continue to be required under Alternative 2. With implementation of mitigation, construction impacts would be less than significant, similar to the proposed project.

Upon completion of construction, Alternative 2 would not involve ongoing ground-disturbing activities. Operation of Alternative 2 would result in less than significant impacts to tribal cultural resources, similar to the proposed project.

m. Utilities and Service Systems

Water

Construction

Similar to the proposed project, Alternative 2 would construct necessary on-site water infrastructure within the disturbance area of the project and in compliance with applicable City requirements to accommodate the proposed new buildings. The potential environmental effects associated with new water infrastructure under Alternative 2 are analyzed throughout this section, concurrently with this alternative as a whole. As such, under Alternative 2, impacts to water infrastructure during construction would be less than significant, similar to the proposed project.

As described in Section 4.13, *Utilities and Service Systems*, construction activities would require water for dust suppression, equipment washing, and cleaning of restroom facilities. Construction water consumption under Alternative 2 would be slightly increased due to the lengthened construction period in comparison to the proposed project. Given the temporary and minimal nature of construction water demand, impacts related to construction water consumption would be slightly increased in comparison to the proposed project but still less than significant.

Operation

Upon completion of construction activities, the water distribution system serving the project site would be adequate to accommodate Alternative 2. Occasional minor maintenance activities may be required to repair infrastructure as it ages. However, future relocation and expansion of the water distribution system during operation are not anticipated. Therefore, operational impacts with respect to new or expanded water facilities would be less than significant.

Alternative 2 would require water consumption during operation of the proposed uses, as well as water consumption for landscaping irrigation. Alternative 2 would implement the water conservation features included in the proposed project and discussed in Section 2, *Project Description*, including water efficient bathroom and kitchen appliances, landscaping irrigation where feasible from alternative water supply (such as graywater), water efficient landscape irrigation technologies, and use of drought resistant landscaping. Due to the increased development under Alternative 2, water demand would be an estimated 48,504,906 gallons per year, and increased compared to the proposed project. However, as described in Section 4.13, *Utilities and Service Systems*, the City's 2020 Urban Water Management Plan forecasts adequate water supplies will be available to meet projected demands through 2045. The Urban Water Management Plan forecasts are based upon permitted land uses within the City, SCAG projections, and known planned and pending projects (City of Beverly Hills 2021). As Alternative 2 would develop the project site in accordance with the existing land use and zoning designations, and the 2020 UWMP projects that the City would have adequate water supplies to meet demand through 2045, the City is anticipated to have sufficient water supplies available to serve Alternative 2. As

such, although operational impacts related to water consumption and supplies under Alternative 2 would be increased in comparison to the proposed project due to higher water consumption, these impacts would still be less than significant.

Wastewater

Construction

Similar to the proposed project, construction of Alternative 2 would involve the installation of new or reconstructed sewer mains and connections within the project site. These activities would be confined to trenching to place the sewer lines below surface and would occur within the disturbance area of the project; therefore, the construction of these infrastructure improvements would not substantially increase this alternative's disturbance area, associated emissions, or otherwise cause significant environmental effects beyond those identified throughout this section. As such, under Alternative 2, impacts to wastewater infrastructure during construction would be less than significant.

During construction of Alternative 2, a minimal amount of wastewater would be generated by the construction employees. Portable toilets would be provided by a private company and the wastewater would be disposed off-site. Furthermore, no new connections to the sewer system would be required to accommodate construction. Overall, there would be a negligible impact on sewer facilities and there would not be an increase in wastewater flows beyond the available capacity of the existing conveyance and treatment systems during construction of Alternative 2. Construction impacts related to wastewater treatment would be less than significant, similar to the proposed project.

Operation

Upon completion of construction activities, the wastewater conveyance system serving the project site would be adequate to accommodate Alternative 2. Occasional minor maintenance activities may be required to repair infrastructure as it ages. However, future relocation and expansion of the wastewater conveyance system during operation are not anticipated. Therefore, operational impacts with respect to new or expanded wastewater facilities would be less than significant.

Operation of Alternative 2 would generate a net increase in wastewater flows from the project site in comparison to the proposed project due to the increased development. As discussed in Section 4.13, *Utilities and Service Systems*, wastewater generated on the project site would be treated at the Hyperion Water Reclamation Plant (HTP), which has a remaining daily capacity of 175 million gallons per day (MGD). Operation of Alternative 2 would result in an estimated average daily wastewater flow of 0.13 MGD based on CalEEMod estimates (Appendix B). The increase in average daily wastewater flow of 0.13 MGD would represent approximately 0.07 percent of the current estimated remaining available capacity at HTP. Due to the increased wastewater flows, Alternative 2 would result in greater impacts related to wastewater generation and infrastructure capacity in comparison to the proposed project. However, these impacts would still be less than significant under Alternative 2.

Stormwater Drainage

Construction

Similar to the proposed project, Alternative 2 would include installation of a stormwater cistern to pretreat and retain stormwater. New storm drain lines would also be constructed to connect the cistern to the existing storm drain facilities within Wilshire Boulevard, South Camden Drive, and South Bedford Drive. The stormwater drainage would adhere to Low Impact Development (LID) requirements. As with water and wastewater facilities, the storm drain infrastructure would be constructed within the disturbance area of the project and would not result in additional environmental impacts beyond those contemplated throughout this analysis. As such, under Alternative 2, impacts to stormwater drainage infrastructure during construction would be less than significant, similar to the proposed project.

Operation

As the development footprint would be similar, Alternative 2 would result in similar amounts of impervious and pervious surfaces as the proposed project and would not result in increased stormwater runoff. The existing storm drainage system was found to have adequate capacity for the proposed project, and the storm drainage system would similarly have adequate capacity to serve Alternative 2 (Kimley Horn 2023; Appendix H). Upon completion of construction activities, the stormwater drainage and conveyance system serving the project site would be adequate to accommodate Alternative 2. Occasional minor maintenance activities may be required to repair infrastructure as it ages. However, future relocation and expansion of stormwater drainage infrastructure during operation are not anticipated. As such, operational impacts related to new or expanded stormwater facilities would be less than significant, similar to the proposed project.

Electric Power, Natural Gas, and Telecommunications Infrastructure

Construction

Similar to the proposed project, Alternative 2 would involve the removal of overhead electric utility lines and poles and relocation of electric and natural gas utility lines. As with water, wastewater, and stormwater facilities, relocated electric and natural gas utility lines would be installed during construction and within the disturbance area of the project; therefore, the construction of these infrastructure improvements would not substantially increase Alternative 2's disturbance area, associated emissions, or otherwise cause significant environmental effects beyond those identified throughout this document.

Construction-related activities of Alternative 2 would not involve consumption of natural gas or result in impacts on telecommunication services. Minor quantities of electric power for lighting, power tools, and other support equipment would be required; however, energy consumed during construction of Alternative 2 would be finite and limited and would not result in the need for relocation or construction of new or expanded electric power facilities. The overall amount of electricity required during construction of Alternative 2

would be slightly increased due to the longer construction period in comparison to the proposed project. As such, under Alternative 2, construction impacts on electric power, natural gas, and telecommunications infrastructure would be slightly increased in comparison to the proposed project but impacts would still be less than significant.

Operation

Upon completion of construction activities, the electric power, natural gas, and telecommunications systems serving the project site would be adequate to accommodate Alternative 2. Occasional minor maintenance activities may be required to repair infrastructure as it ages. However, future relocation and expansion of electric power, natural gas, and telecommunications infrastructure during project operation are not anticipated. Although Alternative 2 would increase the amount of energy consumption compared to the proposed project, as described further under 6.6.2d, *Energy*, Alternative 2's requirements for electricity, natural gas, and telecommunications infrastructure would be minimized through energy-saving features. The nominal increase in energy demand under Alternative 2, as with the proposed project, would not be anticipated to require additional electric substations or natural gas storage/transmission facilities beyond those currently serving the project area. While some relocation or rerouting of existing local infrastructure on the site would occur, it is not anticipated that new or expanded gas, electricity supply, or telecommunications facilities would be required to service the site. Therefore, operational impacts related to energy and telecommunications infrastructure would be less than significant, similar to the proposed project.

Solid Waste

Construction

Solid waste would be generated during demolition, grading, and construction activities under Alternative 2. Construction solid waste output would be similar to the proposed project, as the square footage of demolished buildings and extent of soil excavation would be the same under Alternative 2 as the proposed project. Demolished materials and excavated soil would be reused or recycled to the maximum extent feasible and in accordance with the requirements of CALGreen and LEED certification, and all remaining materials would be transported to a Los Angeles County Landfill that accepts construction and demolition debris. As with the proposed project, disposal of construction waste and soil from demolition and grading under Alternative 2 would not exceed the capacity of local solid waste disposal facilities.

In accordance with the requirements of SB 1374 and CALGreen, 75 percent of non-hazardous demolition and construction debris would be recycled or salvaged, and soil material may be used beneficially as landfill cover or imported fill material at other construction sites. Construction of Alternative 2 would also comply with the solid waste regulations in BHMC Sections 6-1-401 through 6-1-512 and with the City's waste collection policies and waste reduction and recycling programs outlined in Goals CON 13, CON 14, and

CON 16 of the General Plan. Therefore, construction impacts related to solid waste under Alternative 2 would be less than significant, similar to the proposed project.

Operation

As discussed in Section 4.13, *Utilities and Service Systems*, the proposed project would not generate solid waste in excess of the capacity of local infrastructure and would not require the expansion or construction of a new solid waste disposal or recycling facility to handle project-generated waste. Due to the increased square footage under Alternative 2, Alternative 2 would generate slightly more solid waste than the proposed project. Based on CalEEMod outputs, Alternative 2 would generate approximately 384 tons of solid waste per year, which represents less than one percent of the remaining capacity of landfills serving the city. In compliance with State and City requirements, Alternative 2 would include trash enclosures with clearly marked, source-sorted receptacles for disposing of mixed solid waste and recyclables (which are later separated by the City's waste hauler, Athens), with a separate receptacle for and organic waste, and would contract with Athens services for solid waste, recycling, and organics recycling services. Athens handles solid waste consistent with the State waste reduction policies, requirements of BHMC Sections 6-1-401 through 6-1-512, and the goals set forth by the City's General Plan. Through the provisioning of the required source-separated bins and solid waste hauling services, Alternative 2 would be consistent with the Statewide organic waste and recycling goals and requirements established by AB 341, AB 939, AB 1826, SB 1383, and CALGreen Code, as well as General Plan Goals CON 13, CON 14, and CON 16. Alternative 2 would result in slightly increased solid waste production and impacts in comparison to the proposed project, but because Alternative 2 would comply with applicable solid waste policies and objectives and would not generate solid waste in excess of the capacity of local infrastructure, impacts related to solid waste would still be less than significant.

6.6.3 Comparison of Impacts

As with the proposed project, Alternative 2 would result in significant and unavoidable impacts due to nighttime construction required for continuous foundation pours. In addition, potentially significant and unavoidable impacts related to operational VOC emissions would occur. The increased construction activities and length of the construction period under Alternative 2 would result in increased construction air quality, energy, GHG emissions, emergency response/access (hazards and transportation), noise, and utilities impacts compared to the proposed project. The significance of impacts associated with the remaining environmental issues would generally be slightly increased due to the increased development, with some impacts similar to or less than the proposed project. Operational air quality, GHG emissions, energy, utilities, and off-site operational noise impacts would be increased due to the increased development associated with Alternative 2, while on-site operational noise would be slightly reduced due to the removal of the Social Club use and associated events involving amplified noise. As a whole, Alternative 2 would have increased impacts when compared to the proposed project, as shown in Table 6-2.

6.6.4 Relationship of the Alternative to the Project Objectives

By providing a mix of residential and commercial uses, Alternative 2 would meet the underlying purpose of the project to revitalize and transform the project site from a primarily vehicular zone to a pedestrian-oriented zone by creating a mixed-use, compact and pedestrian-friendly development. Alternative 2 would also meet the majority of the project objectives, as described below.

Alternative 2 would meet the following objectives:

- Require the preservation and adaptive reuse of the Saks Women’s Building at an anchor location on Wilshire Boulevard and ensure its structural stability (including seismic requirements), economic viability, and accessibility by requiring its rehabilitation in accordance with the Secretary of the Interior’s Standards for the Treatment of Historic Properties.
 - The Saks Women’s Building would be rehabilitated and adaptively reused in accordance with the SOI Standards and brought to current code standards (including seismic requirements).
- Enact development standards that meet or satisfy City design standards as further articulated in the Specific Plan, while also allowing for transit-adjacent and pedestrian-friendly development.
 - Alternative 2 would comply with the City’s design standards and would include transit-adjacent and pedestrian-friendly development.
- Support neighborhood character, transition, and connectivity by replacing commercial surface parking lots and sparsely planted alleyways with a cohesive blend of commercial and residential uses, as well as enhanced landscaping along South Bedford Drive, South Peck Drive, and South Camden Drive to create an appealing transition between the Specific Plan Area and the existing multi-family residential neighborhood to the south.
 - Alternative 2 would support the neighborhood transition, character, and connectivity by developing a mix of residential, commercial, and retail uses on the existing parking lots, as well as enhanced landscaping along South Bedford Drive, South Peck Drive, and South Camden Drive, similar to the proposed project.
- Improve the streetscape along South Peck Drive, South Camden Drive, and South Bedford Drive in keeping with the City’s Complete Streets Plan and in a manner that both calms traffic and creates a safe pedestrian environment for neighbors to walk to and enjoy, while discouraging cut-through traffic on residential streets by incorporating improved landscaping, canopy trees, raised crosswalks, sidewalk enhancements, and specialized paving.
 - Alternative 2 would implement traffic calming features and pedestrian improvements similar to the proposed project.

9600 Wilshire Boulevard Specific Plan

- Implement a parking strategy that reduces the visual impact of parking spaces by emphasizing subterranean parking in lieu of large expanses of surface parking.
 - Alternative 2 would include a subterranean parking structure, similar to with the proposed project.
- Enhance the architectural and aesthetic character of Wilshire Boulevard by providing a contextual and contiguous building edge condition along each of the two blocks on Wilshire Boulevard, informed by the massing and height of the approximately 98-foot-tall historic Saks Women’s Building.
 - Alternative 2 would have similar building footprint, building heights and massing, and architectural/visual characteristics as the proposed project. A contextual and contiguous building edge condition along each of the two blocks on Wilshire Boulevard would be developed under Alternative 2 that complements the massing and height of the Saks Women’s Building.
- Concentrate new housing and amenities near existing and anticipated transportation nodes and stations to encourage the use of alternative modes of transportation to automobile travel.
 - Alternative 2 would add new housing and amenities near existing and anticipated transportation nodes and stations, thereby encouraging the use of alternative modes of transportation.
- Introduce high-quality housing options designed to cater to residents wanting to stay in Beverly Hills as their housing needs change over time, with the convenience of full-service, amenitized housing.
 - Alternative 2 would introduce 239 high-quality housing units with amenities similar to those of the proposed project.
- Protect and enhance the residential character of existing neighborhoods south of the Specific Plan Area by replacing surface commercial parking lots with a newly established Neighborhood District between Wilshire Boulevard and the existing multi-family residences south of the Specific Plan Area, and transforming existing alleys along the southern boundary of the Specific Plan Area into an enhanced South Drive featuring improved landscaping.
 - Under Alternative 2, the existing surface parking lots would be replaced with residential buildings and South Drive would be treated with similar improvements and landscaping features as the proposed project.
- Develop buildings that will integrate active and passive sustainability practices, including drought-tolerant landscaping, high-efficiency equipment, gray water systems, and other sustainable strategies to reduce city and regional dependency on fossil fuels, minimize the use of water, and achieve a Leadership in Energy and Environmental Design (“LEED”) Silver V4.1 equivalency.

- Alternative 2 would implement the same active and passive sustainability features as the proposed project.

Alternative 2 would meet the following objectives but to a lesser extent than the proposed project:

- Respond to the reality that retail department stores and office have experienced substantial modification in their utilization of physical space due to changing consumer and other economic demands by creating a framework for a range of new uses that can evolve over time in response to further changes in the economic landscape; facilitate retention of existing landmark structures in an economically viable manner; restore economic activity to the Specific Plan Area; and provide for uses that will serve the needs of the nearby community, including (among others) cafes, restaurants, artisanal food, clothiers and similar uses, and neighborhood services.
 - Alternative 2 would retain the existing Saks Women’s Building and provide for new economic activity on the project site, including retail and restaurant uses. However, Alternative 2 would not establish a Specific Plan that would create a framework for a range of new uses that can evolve over time and would not provide for the same level of variety of neighborhood services and uses to serve the community as the proposed project.
- Generate additional annual tax revenues for the City of Beverly Hills, including property taxes, sales taxes, and transient occupancy taxes.
 - Alternative 2 would generate additional annual tax revenues for the City through the new commercial and residential land uses; however, unlike the proposed project, no transient occupancy taxes would be generated by Alternative 2.
- Create an environment accessible from the City’s major shopping areas and close to the City’s major streets that can attract high-quality, major employers to support and attract new businesses and sustain employment, well-paying jobs, and a high level of economic activity.
 - Alternative 2 would introduce new restaurant and retail uses accessible from the City’s major shopping areas and streets that would bring new business and employment to Beverly Hills; however, the amount and variety of new commercial uses would be reduced in comparison to the proposed project, which would develop a mix of restaurant, retail, boutique hotel, and office uses on the site. The limited commercial square footage under Alternative 2 would result in a reduction in economic activity and jobs, and this objective would not be achieved to the same extent as the proposed project.
- Create a pedestrian-friendly environment by developing well-designed and attractive buildings, streets, sidewalks and publicly accessible open space. To achieve this broad goal, the Specific Plan is intended to provide for each of the following: an identifiable sense of place through development standards that are unique to the Specific Plan Area; open space areas that can facilitate programs that serve the local neighborhood

9600 Wilshire Boulevard Specific Plan

(including but not limited to farmer’s markets), as well as residents, restaurants, retailers, and other uses within the Specific Plan Area; and pedestrian-friendly street designs that include appropriately-scaled sidewalks, attractive landscaping, and neighborhood-serving ground floor commercial and restaurant.

- Alternative 2 would include similar pedestrian improvements to the proposed project including a new continental crosswalk, street furniture and landscaping, new commercial and restaurant uses, and open space amenities. However, Alternative 2 would not include development of a Specific Plan that would provide for an identifiable sense of place through development standards that are unique to the Specific Plan Area, facilitate programs to serve the local neighborhood, and neighborhood-serving ground floor commercial and restaurant uses throughout the site.
- Support the growth of the City’s economic base by creating new construction jobs and permanent jobs.
 - Alternative 2 would create new construction jobs and introduce new restaurant and retail uses to the project site that would bring new permanent jobs to Beverly Hills; however, the amount and variety of new commercial uses would be reduced in comparison to the proposed project. The limited commercial square footage under Alternative 2 would result in a reduction in permanent jobs, and this objective would not be achieved to the same extent as the proposed project.

6.7 Alternative 3: Reduced Density

6.7.1 Description

Alternative 3 would involve adoption of a specific plan nearly identical to the proposed 9600 Wilshire Boulevard Specific Plan, except that the maximum amounts of new development would be reduced by 25 percent compared to the proposed project. As with the proposed project, the building at 9570 Wilshire Boulevard would remain in place as a retail department store, and the Saks Women’s Building would be rehabilitated in accordance with the SOI Standards and adaptively reused for a mix of retail, boutique hotel, social club, and spa uses. Both buildings would maintain their existing floor areas and the Shoe Building would be demolished, consistent with the proposed 9600 Wilshire Boulevard Specific Plan. In Alternative 3, two commercial buildings would be developed on Parcel A and Parcel B and two new mixed-use residential buildings would be developed in the Neighborhood District. In total, Alternative 3 would include 358,500 sf of commercial uses within the Wilshire Boulevard District (including the 9570 Wilshire Building) and 52 residential units and 11,250 sf of Small Shop/Boutique Retail within the Neighborhood District. Table 6-6 provides a development summary of the proposed uses under Alternative 3.

The overall footprint of development and types of land uses under Alternative 3 would be consistent with the proposed project, but the heights for new construction would be reduced (six-stories for new commercial and five-stories for new multi-family residential

buildings). Although parking would be reduced under this alternative, Alternative 3 would still result in the same number of parking levels within the new subterranean parking structure as the proposed project (four levels). The open space amenities, sustainability features, landscaping, roadway improvements, and site access and circulation would also be consistent with the proposed project, as would the operational restrictions and requirements. Additionally, construction activities under Alternative 3, such as equipment used, excavation and haul quantities, and construction hours, would be consistent with those described in Section 2, *Project Description*, except that the building construction and architectural coating phase lengths would be slightly reduced to account for the reduced building heights and square footage.

Table 6-6 Alternative 3 Development Summary

Building Area	Land Use¹	Square Footage	Residential Units/ Boutique Hotel Rooms
Parcel A	Restaurant/Retail	30,000	–
	Office	30,000	–
	Total	60,000	–
Parcel B	Restaurant/Retail	8,250	–
	Office	56,250	–
	Total	64,500	–
Saks Rehabilitation	Restaurant/Retail	33,000	–
	Boutique Hotel	55,000	38 rooms
	Social Club	16,000	–
	Spa	23,000	–
	Total	127,000	38 rooms
9570 Wilshire	Retail	107,000	–
Wilshire Boulevard District Commercial	Total	358,500	38 rooms
Neighborhood East	Residential	75,977	23 units
	Small Shop/Boutique Retail	5,625	–
	Lobby/Amenity	2,447	–
	Circulation	4,724	–
	Total	88,773	23 units
Neighborhood West	Residential	75,773	29 units
	Small Shop/Boutique Retail	5,625	–
	Lobby/Amenity	2,471	–
	Circulation	4,830	–
	Total	88,698	23 units
Neighborhood District	Total	177,471	52 units
Site Total		535,971	38 boutique hotel rooms/52 units

sf = square feet

¹ As used throughout this table, “Circulation” refers to building areas such as corridors, ground floor lobby, ground floor lobby amenities, stair vestibules.

6.7.2 Impact Analysis

a. Air Quality

Regional Criteria Pollutant Emissions

Construction

As with the proposed project, construction of Alternative 3 has the potential to create air quality impacts through the use of heavy-duty construction equipment and through vehicle trips generated from construction workers traveling to and from the project site. In addition, fugitive dust emissions would result from demolition and construction activities. Under Alternative 3, daily construction activities would be substantially the same as those of the proposed project, although the overall construction schedule would be slightly shorter due to the reduced square footage. Therefore, the maximum daily air pollutant emissions under Alternative 3 would be similar to those of the proposed project. As described in Section 4.1, *Air Quality*, regional air pollutant emissions during construction would be less than significant with implementation of Mitigation Measure AQ-1. Alternative 3 would also be required to implement Mitigation Measure AQ-1, and impacts would be less than significant with mitigation similar to the proposed project, although impacts would be slightly reduced due to the shorter construction schedule and reduced square footage.

Operation

Operation of Alternative 3 would involve the same types of land uses as the proposed project, which would generate operational criteria pollutant emissions associated with vehicle trips, energy consumption, area sources, and stationary sources, with the largest contributor to regional emissions during operation from vehicle trips. As described in Section 4.1, *Air Quality*, regional air pollutant emissions during project operation would be the greatest under Specific Plan Build-Out Scenario 1, Maximum Buildout of the Specific Plan with No Residential Conversion, and would be less than significant. The square footage of commercial uses and number of residential units under Alternative 3 would be decreased compared to Specific Plan Build-Out Scenario 1 of the proposed project. As such, the number of net new daily vehicle trips and associated vehicle emissions generated by Alternative 3 would be less than those of the proposed project. Additionally, the reduced building sizes would result in lower operational air pollutant emissions related to energy consumption and area sources. Thus, operational impacts to regional air quality under Alternative 3 would be less than significant, similar to the proposed project, but impacts would be reduced compared to the proposed project due to the reduction in development.

Localized Criteria Pollutant Emissions

Construction

As with the proposed project, construction of Alternative 3 has the potential to create localized air quality impacts through the use of heavy-duty construction equipment and through vehicle trips generated from construction workers traveling to and from the project site. In addition, fugitive dust emissions would result from demolition and construction activities. Although construction of Alternative 3 would occur over a shorter duration due to the reduced square footage, the daily construction activities and distance to sensitive receptors would be substantially the same as those of the proposed project. Therefore, the maximum daily localized air pollutant emissions under Alternative 3 would be similar to those of the proposed project. As described in Section 4.1, *Air Quality*, the proposed project would result in a less than significant impact related to localized construction emissions with implementation of Mitigation Measure AQ-1. Alternative 3 would result in similar localized air pollutant emissions and would also be required to implement Mitigation Measure AQ-1. Impacts would be less than significant with mitigation, similar to the proposed project.

Operation

Similar to the proposed project, localized operational air pollutant emissions would occur under Alternative 3 primarily due to vehicle emissions and emissions from the regular testing and maintenance of emergency generators. As described in Section 4.1, *Air Quality*, the proposed project would result in a less than significant impact related to localized operational emissions with implementation of Mitigation Measure AQ-2, which establishes limits for the maintenance testing of the project's emergency generators. Alternative 3 would include the same emissions as the proposed project from regular testing and maintenance of emergency generators and would be required to implement Mitigation Measure AQ-2. Alternative 3 would result in reduced vehicle trips and VMT compared to the proposed project, as described above. Alternative 3 would therefore result in reduced localized operational air emissions from mobile sources. As such, under Alternative 3, localized air pollutant emissions during operation would be less than significant with mitigation, similar to the proposed project, but impacts would be reduced compared to the proposed project due to the reduced development.

Toxic Air Contaminants

Construction

As with the proposed project, construction of Alternative 3 would generate TACs associated with heavy equipment use. Under Alternative 3, daily construction activities would be substantially the same as those of the proposed project, but the total duration of construction would be slightly shortened compared to the proposed project. Therefore, total construction TAC emissions under Alternative 3 would be slightly reduced compared to those of the proposed project. As described in Section 4.1, *Air Quality*, construction TAC

emissions and associated impacts to sensitive receptors would be less than significant with implementation of Mitigation Measure AQ-1. Alternative 3 would also be required to implement Mitigation Measure AQ-1 and impacts to sensitive receptors due to construction TAC emissions would be less than significant with mitigation, similar to the proposed project, but impacts would be reduced compared to the proposed project due to the reduced construction length.

Operation

As described in Section 4.1, *Air Quality*, operation of the proposed project would result in TAC emissions from delivery truck trips, typical residential and commercial maintenance activities (e.g., cleaning solvents, paints, landscape pesticides, etc.), and the emergency use of the seven life safety generators. These TAC emissions would be less than significant with implementation of Mitigation Measure AQ-2. Operation of Alternative 3 would include the same sources of TAC emissions and would similarly require implementation of Mitigation Measure AQ-2. With implementation of Mitigation Measure AQ-2, impacts to sensitive receptors due to operational TAC emissions from Alternative 3 would be less than significant and similar to the proposed project.

Odors

Construction

Like the proposed project, construction of Alternative 3 would generate odors from the use of heavy equipment. These odors would be intermittent and temporary, and odors disperse with distance. These odors would cease upon completion of construction, and the overall construction period would be slightly reduced in comparison to the proposed project. Overall, construction of Alternative 3 would not generate other emissions, such as those leading to odors, affecting a substantial number of people. Construction-related odor impacts under Alternative 3 would be less than significant, similar to the proposed project, but impacts would be reduced in comparison to the proposed project due to the reduced construction length.

Operation

Operation of Alternative 3 would involve the same types of uses as the proposed project. As further described in Section 4.1, *Air Quality*, these land uses are not ones known to generate substantial odors. However, restaurant uses may generate odors associated with cooking. Such odors would be minimal, and these uses would be predominantly located in the Wilshire Boulevard District of the Specific Plan area, away from residential uses to which such odors could be considered a nuisance, although bakery, café and similar uses could prepare food within the Small Shop/Boutique Retail uses in the Neighborhood District. In addition, in accordance with the 9600 Wilshire Specific Plan, mechanical venting of the restaurant and other food-serving commercial uses would be designed to face away from residential uses, thereby directing vented air and potential odors away from sensitive receivers. Restaurant uses would be slightly reduced under Alternative 3, as compared to

the proposed project. Therefore, operation of Alternative 3 would not generate objectionable odors affecting a substantial number of people. Impacts would be less than significant, similar to the proposed project, but impacts would be reduced compared to the proposed project due to the reduction in restaurant uses.

b. Biological Resources

Under Alternative 3, construction activities would be similar to the proposed project. As discussed in Section 4.2, *Biological Resources*, birds and bats protected by the CFGC and MBTA may nest on the project site and in adjacent properties and could be disturbed by construction activities. However, construction of the proposed project would result in less than significant impacts to protected birds and bats with implementation of Mitigation Measures BIO-1 through BIO-3. Construction activities under Alternative 3 would also be required to implement Mitigation Measures BIO-1 through BIO-3, and construction impacts would be less than significant with mitigation incorporated, similar to the proposed project.

Operation of Alternative 3 would involve the same types of land uses and activities as the proposed project. During operation of Alternative 3, there would be no ongoing construction activities that could potentially affect nesting birds or roosting bats. New street trees and landscaping would be provided on the project site that could serve as potential nesting habitat for migratory birds and raptors, and structures on the project site would provide potential roosting habitat for bats. Therefore, operation of Alternative 3 would result in less than significant impacts to biological resources, similar to the proposed project.

c. Cultural Resources

Historical Resources

As discussed in Section 4.3, *Cultural Resources*, the Saks Women's Building is eligible for listing in the NRHP and the CRHR and for local designation as a City of Beverly Hills Landmark under Criteria A/1 for its association with pre- and post-World War II commercial development in Beverly Hills and under C/3 as an example of Neoclassical and Regency Revival architecture applied to a retail building by master architects Parkinson & Parkinson and Paul Revere Williams. Consistent with the proposed project, Alternative 3 would include demolition of the Shoe Building and rehabilitation and adaptive reuse of the Saks Women's Building in accordance with the SOI Standards. Alternative 3 would also include development of four new buildings on the project site. Similar to the proposed project, Alternative 3 would result in modifications to the Saks Women's Building and its setting, which could potentially result in significant impacts. Additionally, there is the potential for groundborne vibration produced during construction activities to result in impacts to the Saks Women's Building in addition to other potential historical resources (buildings dating to the historic period) in the vicinity of the project site. As described in Section 4.3, *Cultural Resources*, with implementation of Mitigation Measures CUL-1, CUL-2, and NOI-2, impacts to historical resources would be less than significant. Alternative 3 would also be required

to implement these mitigation measures and impacts to historical resources would be less than significant with mitigation, similar to the proposed project.

Archaeological Resources

Construction of Alternative 3 would include grading and excavation activities similar to the proposed project. As discussed in Section 4.3, *Cultural Resources*, the project site has low archaeological sensitivity due to its developed and disturbed nature. Nonetheless, unanticipated archaeological deposits could be encountered and damaged during the ground-disturbing construction activities. Therefore, Alternative 3 would be required to implement Mitigation Measures CUL-3 through CUL-5 to reduce the potential for impacts to archaeological resources during construction. With implementation of mitigation, construction of Alternative 3 would result in less than significant impacts to archaeological resources, similar to the proposed project.

Upon completion of construction, Alternative 3 would not involve ongoing ground-disturbing activities. Operation of Alternative 3 would result in less than significant impacts to archaeological resources, similar to the proposed project.

d. Energy

Construction

Construction of Alternative 3 would consume energy including petroleum fuels to power construction equipment, haul trucks, and worker vehicles and electricity to power electric construction equipment and construction offices and to provide water for construction site watering. Construction activities under Alternative 3 would be similar to those of the proposed project, with a slightly shorter overall construction duration due to the reduced square footage of uses. Due to the reduced construction period, Alternative 3 would result in reduced consumption of energy sources during construction compared to the proposed project. Similar to the proposed project, the use of energy sources during construction would be temporary and short-term and would not substantially affect the capacity or energy supplies. Additionally, similar to the proposed project, construction of Alternative 3 would comply with the applicable policies, regulations, and plans related to energy efficiency, including CCR Title 13 Sections 2449 and 2485, USEPA Construction Equipment Fuel Efficiency Standard, and 2022 CALGreen. Therefore, construction of Alternative 3 would result in less than significant energy impacts, similar to the proposed project, but impacts would be reduced in comparison to the proposed project due to the reduced construction length and energy consumption.

Operation

Operation of Alternative 3 would consume vehicle fuels for residents, visitors, and workers traveling to the site, as well as electricity and natural gas to power the buildings and appliances. Operational energy use under Alternative 3 would be reduced compared to the proposed project due to the reduction in overall development. In addition, as described in Section 4.4, *Energy*, the proposed project would implement PDF E-1, which includes energy

efficient heating, HVAC systems, exceedance of the energy efficiency requirements of the 2022 Title 24, use of EnergyStar appliances, and other features that would result in reduced energy use. Alternative 3 would similarly implement this PDF. Therefore, operation of Alternative 3 would not result in potentially significant environmental effects due to the wasteful, inefficient, or unnecessary consumption of energy and impacts would be less than significant and reduced in comparison to the proposed project.

Similar to the proposed project, Alternative 3 would implement energy efficiency measures and would not conflict with the applicable plans for energy efficiency. These plans include the Beverly Hills Sustainable City Plan and Beverly Hills Green Building Standards Code, which contain measures intended to increase energy efficiency and expand the use of renewable energy in Beverly Hills, as well as CALGreen and the 2022 Title 24. Development and operation of Alternative 3 would comply with CALGreen, Title 24, and Beverly Hills Green Building Standards. Additionally, as with the proposed project, this alternative would be consistent with the City's Sustainable City Plan Energy Policy 2 by incorporating PV provisions consistent with the 2022 Title 24, installing electric vehicle (EV) charging parking spaces, and including all-electric HVAC systems. Similar to the proposed project, this alternative would eventually be powered by renewable energy as mandated by SB 1020 and would not conflict with the requirements of SB 1020. Alternative 3 would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Overall operational energy-related impacts under Alternative 3 would be less than significant, similar to the proposed project, but impacts would be reduced in comparison to the proposed project due to the reduced development and energy use.

e. Geology and Soils

Seismic and Soil Hazards

As described in Section 4.5, *Geology and Soils*, the project site is partially within an Alquist-Priolo Fault Zone and is subject to seismic activity. To address seismic and soils hazards, Alternative 3 would be required to comply with State and local regulations such as the Alquist-Priolo Earthquake Fault Zoning Act, Seismic Safety Act, Seismic Hazards Mapping Act, UBC, CBC, and the Beverly Hills Building Code. Similar to the proposed project, Alternative 3 would be required to comply with the plan review and permitting requirements of the Development Services Division, including the recommendations provided in final site-specific geotechnical reports subject to review and approval by the City. The impact to people, buildings, or structures on the project site from strong seismic ground shaking and soil hazards during project operation would be reduced by the required conformance with applicable building codes and accepted engineering practices. Therefore, impacts related to seismic and soil hazards under Alternative 3 would be less than significant, similar to the proposed project.

Paleontological Resources

Under Alternative 3, construction and earthmoving activities, including excavation depths, would be similar to the proposed project. As with the proposed project, this alternative

could potentially disturb previously undiscovered paleontological resources. Mitigation Measures GEO-1 and GEO-2 would continue to be required, ensuring construction worker training, construction monitoring, and proper procedures are implemented in the event that paleontological resources are encountered during ground disturbing activities. Therefore, construction of Alternative 3 would result in less than significant impacts to paleontological resources with mitigation, and impacts would be similar to the proposed project.

Upon completion of construction, Alternative 3 would not involve ongoing ground-disturbing activities. Operation of Alternative 3 would result in less than significant impacts to paleontological resources, similar to the proposed project.

f. Greenhouse Gas Emissions

As with the proposed project, construction of Alternative 3 would generate GHG emissions through the use of heavy-duty construction equipment and through vehicle and haul trips generated from construction workers and haul trucks traveling to and from the project site. Under Alternative 3, construction activities would be slightly reduced in comparison to the project due to the reduction of development, thereby reducing construction-related GHG emissions. Operation of Alternative 3 would result in GHG emissions through vehicle trips, energy use to power the proposed new buildings, water consumption, waste production, testing and maintenance of the emergency generators, and from area sources and refrigerant use. Alternative 3 would result in reduced operational GHG emissions compared to the proposed project due to the reduction in development.

Although construction and operation under Alternative 3 would generate GHG emissions, Alternative 3 would incorporate features, such as PDF E-1, that would reduce GHG emissions and align with the goals of the applicable plans, policies, and regulations related to GHG emissions, similar to the proposed project. Operation of Alternative 3 would comply with CALGreen, Title 24, and the Beverly Hills Green Building Standards Code. Therefore, Alternative 3 would not conflict with the applicable plans, policies, and regulations adopted for the purpose of reducing GHG emissions, and impacts related to GHG emissions under Alternative 3 would be less than significant, similar to the proposed project, but impacts would be reduced in comparison to the proposed project due to the reduced development and operational GHG emissions.

g. Hazards and Hazardous Materials

As described in Section 4.7, *Hazards and Hazardous Materials*, the project site is not within the immediate vicinity of any designated disaster routes. Nonetheless, construction of Alternative 3 would result in temporary delays and lane closures along South Bedford Drive, South Camden Drive, South Peck Drive, and Wilshire Boulevard. Similar to the proposed project, Alternative 3 would implement Mitigation Measure T-1, which requires development of a construction management plan that would reduce the potential construction impacts to emergency response and evacuation. With implementation of Mitigation Measure T-1, construction of Alternative 3 would result in less than significant

impacts to emergency response and evacuation, similar to the proposed project, but impacts would be reduced compared to the proposed project due to the reduced construction schedule.

Following the completion of construction activities, all temporary lane closures would be reopened for use and vehicular access to the roadways within and surrounding the project site would be maintained. Additionally, the design of Alternative 3 would comply with City and BHFD requirements regarding site access and emergency vehicle access. Compliance with applicable City Building Code and Fire Code requirements, including emergency vehicle access, would be confirmed as part of BHFD's fire/life safety plan review and BHFD's fire/life safety inspection for new construction projects. As such, operational impacts related to impairing implementation of or physically interfering with an adopted emergency response plan or emergency evacuation plan would be less than significant under Alternative 3, similar to the proposed project.

h. Land Use and Planning

Under Alternative 3, the project site would be developed similarly to the proposed project, with the same types of uses, development footprint, circulation and roadway improvements, publicly accessible open space, and sustainability features, with the only difference being a reduction in the amount of new development and resulting height reduction for the new buildings. The same discretionary approvals would be required as under the proposed project, including adoption of a new specific plan and amendments to the general plan land use and zoning designations.

Similar to the proposed project, Alternative 3 would not conflict with the applicable goals and policies of the City's General Plan adopted for the purpose of avoiding or mitigating environmental effects, nor would it conflict with the goals of the SCAG 2020-2045 RTP/SCS. As with the proposed project, Alternative 3 would be inconsistent with the BHMC permitted uses, heights, and development densities based on the current site zoning, but with approval of a specific plan and the discretionary actions required for the project, Alternative 3 would not conflict with the BHMC. Although Alternative 3 would not directly conflict with the applicable goals and policies of the Beverly Hills General Plan, this alternative would result in reduced residential units compared to the proposed project and would not support the General Plan Housing Element goals related to increasing housing within the City to the extent of the proposed project. Likewise, the 2020-2045 RTP/SCS goals and strategies for reducing VMT emphasize increasing mixed-use density on infill sites with good access to public transit opportunities, such as the project site. The reduced density under Alternative 3 would not support these goals and strategies to the same extent as the proposed project. Therefore, Alternative 3 would result in less than significant impacts related to a conflict with land use plans, policies, and regulations adopted for the purpose of avoiding or mitigating environmental effects, but impacts would be increased compared to the proposed project.

i. Noise and Vibration

Noise

Construction

Under this alternative, the types of construction activities, including 24-hour foundation pours, and equipment which would generate noise would be similar to the proposed project, although the duration of the construction schedule would be reduced due to the reduction in floor area. Under Alternative 3, as with the proposed project, construction activities that occur outside the City's permitted construction hours during continuous foundation pours would result in an increase of at least 5 dBA above ambient noise levels and potentially significant noise impacts. Mitigation Measure NOI-1, which requires noise barriers, equipment mufflers, and other measures to address construction noise, would be implemented by Alternative 3 to reduce noise from construction activities. Additionally, Alternative 3 would be required to implement Mitigation Measure NOI-3, which requires coordination during construction with the nearest cumulative project, to reduce the potential for cumulative construction noise impacts. Similar to the proposed project, construction noise levels under this alternative would still exceed the City's noise thresholds even with implementation of Mitigation Measures NOI-1 and NOI-3. Although the reduced construction schedule would slightly reduce temporary construction noise impacts in comparison to the proposed project, impacts would remain significant and unavoidable.

Operation

Alternative 3 would include the same uses and operational sources of noise as the proposed project. On-site noise sources would include HVAC units, the commercial loading dock, and recreational and community activities such as farmers' markets and special events at the Social Club and/or Boutique Hotel. In addition, off-site operational noise would be generated by vehicles traveling to and from the project site. As described in Section 4.9, *Noise*, operation of the proposed project, including on-site and off-site sources of noise, would result in less than significant noise impacts to the surrounding land uses. As Alternative 3 would reduce development on the project site, operational noise would be anticipated to be reduced compared to the proposed project, and operation of Alternative 3 would result in less than significant noise impacts.

Vibration

Construction

Construction of Alternative 3 would involve similar construction activities as the proposed project and would have the potential to produce groundborne vibration that could cause architectural damage to nearby buildings including the Saks Women's Building, 9570 Wilshire Building, and residential buildings to south of the project site. Similar to the proposed project, Mitigation Measure NOI-2 would be implemented, which requires implementation of a construction vibration monitoring plan. With implementation of

mitigation, construction vibration impacts would be less than significant, similar to the proposed project, but impacts would be reduced in comparison to the proposed project due to the shorter construction duration of Alternative 3.

Operation

Operation of Alternative 3, would not include substantial vibration sources. Therefore, operation would not generate excessive groundborne vibration or groundborne noise levels and no impact would occur, similar to the proposed project.

j. Population and Housing

Alternative 3 would result in reduced commercial development and residential units on the project site as compared to the proposed project. As described in Section 4.10, *Population and Housing*, household, population, and employment growth generated by the proposed project would not exceed the SCAG 2020-2045 RTP/SCS projections and the 2021-2029 Regional Housing Needs Assessment. Likewise, Alternative 3 would not result in an exceedance of the applicable housing, population, and employment projections for Beverly Hills. Additionally, Alternative 3 would not include new infrastructure or increase the capacity of existing infrastructure that could result in indirect population growth. Alternative 3 would result in less than significant impacts related to population and housing, similar to the proposed project, but impacts would be reduced compared to the proposed project due to the reduced development.

k. Transportation

Conflict with Plans, Policies, and Programs

The plans, policies, and programs applicable to the proposed project would also apply to Alternative 3. With regard to construction, the types of construction activities under Alternative 3 would be similar to the project, although the total length of the construction period would be reduced due to the reduced square footage. As with the project, construction of Alternative 3 would generate construction-related traffic from haul trucks and construction workers and would also require the delivery and staging of construction and materials and equipment. As such, potential construction-related transportation impacts could result during construction of Alternative 3. Alternative 3 would also implement Mitigation Measure T-1 which requires a Construction Management Plan to minimize potential impacts to the surrounding circulation system. Therefore, as with the project, construction-related transportation impacts would be less than significant with mitigation, and impacts would be reduced compared to the proposed project due to the reduced construction period.

Under Alternative 3, the primary movement of vehicles would be along Wilshire Boulevard, South Peck Drive, South Camden Drive, South Bedford Drive, South Drive, and the Via, similar to the proposed project. Alternative 3 would also include the same circulation improvements as the proposed project, including pedestrian enhancements, landscaping, street lighting, bicycle racks, street furniture, traffic calming features, and a new continental

crosswalk at the south leg of the intersection of Wilshire Boulevard and South Peck Drive. Overall, as with the project, Alternative 3 would be consistent with the goals, policies, and requirements of the City of Beverly Hills General Plan, the City's Complete Streets Plan, the LA Metro First Last Mile Strategic Plan and Wilshire/Rodeo Pathway Plan, and the SCAG 2020-2045 RTP/SCS. Similar to the project, Alternative 3 would improve the streetscape and promote pedestrian activity and reduce vehicle trips and VMT by encouraging the use of alternative modes of transportation, providing convenient and adequate bicycling facilities, and enhancing pedestrian amenities along the streets surrounding the project site. As such, operation of Alternative 3 would comply with the programs and policies set forth in the City of Beverly Hills General Plan, the City's Draft Complete Streets Plan, and the LA Metro First Last Mile Strategic Plan, and the SCAG 2020-2045 RTP/SCS. However, these plans emphasize higher density, mixed-use development in high-quality transit areas, such as the project area. Alternative 3 would develop the project site at a lower density and with reduced mixed-uses when compared to the proposed project. Therefore, although Alternative 3 would not specifically conflict with circulation system plans, it would be less compatible with these plans than the proposed project. Alternative 3 would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities and impacts would be less than significant, but increased compared to the proposed project.

Vehicle Miles Traveled

With respect to VMT, similar to the project, Alternative 3 meets the City's VMT Screening Criteria 3 and Screening Criteria 4, discussed in detail in Section 4.11, *Transportation*. Based on the screening criteria, Alternative 3 would have a less than significant VMT impact and is screened out from further VMT analysis. Therefore, Alternative 3 would result in less than significant impacts with respect to conflicts with CEQA Guidelines Section 15064.3, subdivision (b), similar to the proposed project.

Design Hazards

Under Alternative 3, alterations to the existing roadways, including traffic calming features and the new crosswalk, and new internal roadways such as the Via and South Drive, would be similar to the proposed project. Under Alternative 3, project site access locations would be designed in accordance with City standards to provide adequate sight distance, sidewalks, crosswalks, and pedestrian movement controls. Several circulation enhancements would be introduced under Alternative 3, similar to the proposed project, to reduce the potential for hazards. Pedestrian safety improvements would include a continental crosswalk at the south leg of the intersection of Wilshire Boulevard and South Peck Drive and various improvement along South Peck Drive such as raising and eliminating curbs and gutters to allow for priority movement of pedestrians, installation of truncated domes or another mechanism to signal grade changes and distinguish pedestrian-only versus shared pedestrian and vehicular zones within the right-of-way, and bollards to identify changes in usage across the right-of-way. No incompatible uses, sharp intersections, or dangerous curves would be added under Alternative 3. Therefore,

Alternative 3 would result in less than significant impacts related to geometric design hazards, similar to the proposed project.

Emergency Access

The project site is located in an established urban area that is well served by the surrounding roadway network, and multiple routes exist in the area for emergency vehicles. Emergency access to the project site and surroundings is currently provided by Wilshire Boulevard, South Peck Drive, South Bedford Drive, and South Camden Drive. As with the proposed project, Alternative 3 would include Mitigation Measure T-1, which would ensure that adequate emergency access to the project site and surroundings is maintained throughout construction. Therefore, construction of Alternative 3 would result in less than significant impacts to emergency access with mitigation, similar to the proposed project.

Transportation and access components under Alternative 3 would be designed to meet all applicable City Building Code and Fire Code requirements regarding site access, including the provision of adequate emergency vehicle access. Compliance with City requirements would be confirmed as part of the BHFD fire/life safety plan review and inspection for new projects. Adherence to City policies would ensure Alternative 3 would not result in inadequate emergency access. Therefore, operation of Alternative 3 would result in less than significant impacts to emergency access and impacts would be similar to the proposed project.

I. Tribal Cultural Resources

Under Alternative 3, the amount of excavation and grading required during construction would be similar to the proposed project. As with the proposed project, this alternative would result in ground-disturbing construction activities which could potentially unearth previously undiscovered tribal cultural resources. Mitigation Measures TCR-1 through TCR-3, which implement construction monitoring by a Native American monitor and procedures in the event that tribal cultural resources are encountered, would continue to be required under Alternative 3. With implementation of mitigation, construction impacts would be less than significant, similar to the proposed project.

Upon completion of construction, Alternative 3 would not involve ongoing ground-disturbing activities. Operation of Alternative 3 would result in less than significant impacts to tribal cultural resources, similar to the proposed project.

m. Utilities and Service Systems

Water

Construction

Similar to the proposed project, Alternative 3 would construct necessary on-site water infrastructure within the disturbance area of the project and in compliance with applicable City requirements to accommodate the proposed new buildings. The potential environmental effects associated with new water infrastructure under Alternative 3 are

analyzed throughout this section, concurrently with this alternative as a whole. As such, under Alternative 3, impacts to water infrastructure during construction would be less than significant.

As described in Section 4.13, *Utilities and Service Systems*, construction activities would require water for dust suppression, equipment washing, and cleaning of restroom facilities. Construction water consumption under Alternative 3 would be slightly reduced in comparison to the proposed project due to the shorter construction duration. Given the temporary and minimal nature of construction water demand, impacts related to construction water consumption would be less than significant, and slightly reduced in comparison to the proposed project.

Operation

Upon completion of construction activities, the water distribution system serving the project site would be adequate to accommodate Alternative 3. Occasional minor maintenance activities may be required to repair infrastructure as it ages. However, future relocation and expansion of the water distribution system during operation are not anticipated. Therefore, operational impacts with respect to new or expanded water facilities would be less than significant.

Alternative 3 would require water consumption during operation of the proposed uses, as well as water consumption for landscaping irrigation. Alternative 3 would implement the water conservation features included in the proposed project and discussed in Section 2, *Project Description*, including water efficient bathroom and kitchen appliances, landscaping irrigation where feasible from alternative water supply (such as graywater), water efficient landscape irrigation technologies, and use of drought resistant landscaping. As described in Section 4.13, *Utilities and Service Systems*, the City is anticipated to have sufficient water supplies available to serve the proposed project. Alternative 3 would result in a reduction in residential units and nonresidential square footage in comparison to the proposed project, thereby reducing operational water use. As such, operation of Alternative 3 would result in less than significant impacts related to water consumption and supplies, similar to the proposed project, but impacts would be reduced in comparison to the proposed project due to the reduced water use.

Wastewater

Construction

Similar to the proposed project, construction of Alternative 3 would involve the installation of new or reconstructed sewer mains and connections within the project site. These activities would be confined to trenching to place the sewer lines below surface and would occur within the disturbance area of the project; therefore, the construction of these infrastructure improvements would not substantially increase this alternative's disturbance area, associated emissions, or otherwise cause significant environmental effects beyond those identified throughout this section. As such, under Alternative 3, impacts to wastewater infrastructure during construction would be less than significant.

During construction of Alternative 3, a minimal amount of wastewater would be generated by the construction employees. Portable toilets would be provided by a private company and the wastewater would be disposed off-site. Furthermore, no new connections to the sewer system would be required to accommodate construction. Overall, there would be a negligible impact on sewer facilities and there would not be an increase in wastewater flows beyond the available capacity of the existing conveyance and treatment systems during construction of Alternative 3. Construction impacts related to wastewater treatment would be less than significant and reduced in comparison to the proposed project due to the shorter construction period.

Operation

Upon completion of construction activities, the wastewater conveyance system serving the project site would be adequate to accommodate Alternative 3. Occasional minor maintenance activities may be required to repair infrastructure as it ages. However, future relocation and expansion of the wastewater conveyance system during operation are not anticipated. Therefore, operational impacts with respect to new or expanded wastewater facilities would be less than significant.

Operation of Alternative 3 would generate a net increase in wastewater flows from the project site. However, based on the reduction in total floor area and population growth in comparison to the proposed project, operational wastewater generated by Alternative 3 would be reduced in comparison to the proposed project. Wastewater generated during operation of the proposed project would be accommodated by the existing capacity of the HTP. As the operational wastewater generation under Alternative 3 would be less than the proposed project, the existing capacity of the HTP would also be adequate to serve Alternative 3. Impacts related to wastewater generation and infrastructure capacity would be less than significant under Alternative 3. Due to the reduced wastewater flows, Alternative 3 would result in reduced impacts in comparison to the proposed project.

Stormwater Drainage

Construction

Similar to the proposed project, Alternative 3 would include installation of a stormwater cistern to pretreat and retain stormwater. New storm drain lines would also be constructed to connect the cistern to the existing storm drain facilities within Wilshire Boulevard, South Camden Drive, and South Bedford Drive. The stormwater drainage would adhere to LID requirements. As with water and wastewater facilities, the storm drain infrastructure would be constructed within the disturbance area of the project and would not result in additional environmental impacts beyond those contemplated throughout this analysis. As such, under Alternative 3, impacts to storm drainage infrastructure during construction would be less than significant, similar to the proposed project.

Operation

As the development footprint would be the same, Alternative 3 would result in the same amounts of impervious and pervious surfaces as the proposed project and would not result in increased stormwater runoff. The existing storm drainage system was found to have adequate capacity for the proposed project, and the storm drainage system would similarly have adequate capacity to serve Alternative 3 (Kimley Horn 2023; Appendix H). Upon completion of construction activities, the stormwater drainage and conveyance system serving the project site would be adequate to accommodate Alternative 3. Occasional minor maintenance activities may be required to repair infrastructure as it ages. However, future relocation and expansion of stormwater drainage infrastructure during operation are not anticipated. As such, operational impacts related to new or expanded stormwater facilities would be less than significant, similar to the proposed project.

Electric Power, Natural Gas, and Telecommunications Infrastructure

Construction

Similar to the proposed project, Alternative 3 would involve the removal of overhead electric utility lines and poles and relocation of electric and natural gas utility lines. As with water, wastewater, and stormwater facilities, relocated electric and natural gas utility lines would be installed during construction and within the disturbance area of the project; therefore, the construction of these infrastructure improvements under Alternative 3 would not substantially increase disturbance area, associated emissions, or otherwise cause significant environmental effects beyond those identified throughout this document.

Construction-related activities of Alternative 3 would not involve consumption of natural gas or result in impacts on telecommunication services. Minor quantities of electric power for lighting, power tools, and other support equipment would be required; however, energy consumed during construction of Alternative 3 would be finite and limited and would not result in the need for relocation or construction of new or expanded electric power facilities. Because Alternative 3 would require a shorter construction period due to the reduced development in comparison to the proposed project, the overall amount of electricity required during construction would be reduced. As such, under Alternative 3, construction impacts on electric power, natural gas, and telecommunications infrastructure would be less than significant, and would be reduced in comparison to the proposed project.

Operation

Upon completion of construction activities, the electric power, natural gas, and telecommunications systems serving the project site would be adequate to accommodate Alternative 3. Occasional minor maintenance activities may be required to repair infrastructure as it ages. However, future relocation and expansion of electric power, natural gas, and telecommunications infrastructure during project operation are not anticipated. Due to the reduction in development under Alternative 3, overall demand for electric power, natural gas, and telecommunications infrastructure would be reduced in

comparison to the proposed project. The proposed project would result in less than significant impacts to electric power, natural gas, and telecommunications facilities. Given the reduced development in comparison to the proposed project, Alternative 3 similarly would not require the relocation or reconstruction of new or expanded electric power, natural gas, or telecommunications facilities, and impacts would be less than significant, similar to the proposed project. Due to the reduced demand for electric power, natural gas, and telecommunications, Alternative 3 would result in reduced impacts compared to the proposed project.

Solid Waste

Construction

Solid waste would be generated during demolition, grading, and construction activities under Alternative 3. Construction solid waste output would be similar to the proposed project, as the square footage of demolished buildings and extent of soil excavation would be the same under Alternative 3 as the proposed project. Demolished materials and excavated soil would be reused or recycled to the maximum extent feasible and in accordance with the requirements of CALGreen and LEED certification, and all remaining materials would be transported to a Los Angeles County Landfill that accepts construction and demolition debris. As with the proposed project, disposal of construction waste and soil from demolition and grading under Alternative 3 would not exceed the capacity of local solid waste disposal facilities.

In accordance with the requirements of SB 1374 and CALGreen, 75 percent of non-hazardous demolition and construction debris would be recycled or salvaged, and soil material may be used beneficially as landfill cover or imported fill material at other construction sites. Construction of Alternative 3 would also comply with the solid waste regulations in BHMC Sections 6-1-401 through 6-1-512 and with the City's waste collection policies and waste reduction and recycling programs outlined in Goals CON 13, CON 14, and CON 16 of the General Plan. Therefore, construction impacts related to solid waste under Alternative 3 would be less than significant and similar to the proposed project.

Operation

As discussed in Section 4.13, *Utilities and Service Systems*, the proposed project would not generate solid waste in excess of the capacity of local infrastructure and would not require the expansion or construction of a new solid waste disposal or recycling facility to handle project-generated waste. Due to the reduced number of residential units and commercial square footage under Alternative 3, Alternative 3 would generate less solid waste than the proposed project. Additionally, in compliance with State and City requirements, Alternative 3 would include trash enclosures with clearly marked, source-sorted receptacles for disposing of mixed solid waste and recyclables (which are later separated by the City's waste hauler, Athens), with a separate receptacle for and organic waste, and would contract with Athens services for solid waste, recycling, and organics recycling services. Athens handles solid waste consistent with the State waste reduction policies,

requirements of BHMC Sections 6-1-401 through 6-1-512, and the goals set forth by the City's General Plan. Through the provisioning of the required source-separated bins and solid waste hauling services, Alternative 3 would be consistent with the Statewide organic waste and recycling goals and requirements established by AB 341, AB 939, AB 1826, SB 1383, and CALGreen Code, as well as General Plan Goals CON 13, CON 14, and CON 16. Therefore, because Alternative 3 would comply with applicable solid waste policies and objectives and would not generate solid waste in excess of the capacity of local infrastructure, impacts related to solid waste would be less than significant, similar to the proposed project, but impacts would be reduced in comparison to the proposed project due to the reduced operational waste production.

6.7.3 Comparison of Impacts

Alternative 3 would reduce construction noise impacts in comparison to the proposed project due to the reduced overall construction schedule but would still result in significant and unavoidable impacts due to nighttime construction required for continuous foundation pours. As shown in Table 6-2, the significance of impacts associated with the remaining environmental issues would be similar to or less than those of the proposed project due to the reduced development and construction schedule, except for consistency with land use plans and policies and transportation plans and policies where the impacts would be greater for Alternative 3 as compared to the proposed project.

6.7.4 Relationship of the Alternative to Project Objectives

With the same mix of uses and general characteristics as the proposed project, Alternative 3 would generally meet the underlying purpose of the project to revitalize and transform the project site from a primarily vehicular zone to a pedestrian-oriented zone by creating a mixed-use, compact and pedestrian-friendly development, though to a lesser extent than the proposed project due to the reduced development density and mix of uses. Alternative 3 would also generally meet the majority of the project objectives, as described below.

Alternative 3 would meet the following objectives:

- Respond to the reality that retail department stores and office have experienced substantial modification in their utilization of physical space due to changing consumer and other economic demands by creating a framework for a range of new uses that can evolve over time in response to further changes in the economic landscape; facilitate retention of existing landmark structures in an economically viable manner; restore economic activity to the Specific Plan Area; and provide for uses that will serve the needs of the nearby community, including (among others) cafes, restaurants, artisanal food, clothiers and similar uses, and neighborhood services.
 - Alternative 3 would establish a specific plan similar to the proposed project that would establish a framework for a range of new uses that can evolve over time in response to changes in the economic landscape and bring new economic activity, commercial uses, and neighborhood services to the project site..

- Require the preservation and adaptive reuse of the Saks Women’s Building at an anchor location on Wilshire Boulevard and ensure its structural stability (including seismic requirements), economic viability, and accessibility by requiring its rehabilitation in accordance with the Secretary of the Interior’s Standards for the Treatment of Historic Properties.

 - The Saks Women’s Building would be rehabilitated and adaptively reused in accordance with the SOI Standards and brought to current code standards (including seismic standards).
- Enact development standards that meet or satisfy City design standards as further articulated in the Specific Plan, while also allowing for transit-adjacent and pedestrian-friendly development.

 - Alternative 3 would establish a new specific plan that would meet or satisfy City’s design standards, similar to the proposed project, and would include transit-adjacent and pedestrian-friendly development.
- Create a pedestrian-friendly environment by developing well-designed and attractive buildings, streets, sidewalks and publicly accessible open space. To achieve this broad goal, the Specific Plan is intended to provide for each of the following: an identifiable sense of place through development standards that are unique to the Specific Plan Area; open space areas that can facilitate programs that serve the local neighborhood (including but not limited to farmer’s markets), as well as residents, restaurants, retailers, and other uses within the Specific Plan Area; and pedestrian-friendly street designs that include appropriately-scaled sidewalks, attractive landscaping, and neighborhood-serving ground floor commercial and restaurant uses.

 - Alternative 3 would develop a specific plan similar to the proposed project, and would include similar pedestrian improvements to the proposed project including a new continental crosswalk, street furniture and landscaping, new commercial and restaurant uses on the ground floor level, and open space amenities in the Terrace.
- Support neighborhood character, transition, and connectivity by replacing commercial surface parking lots and sparsely planted alleyways with a cohesive blend of commercial and residential uses, as well as enhanced landscaping along South Bedford Drive, South Peck Drive, and South Camden Drive to create an appealing transition between the Specific Plan Area and the existing multi-family residential neighborhood to the south.

 - Alternative 3 would support the neighborhood transition, character, and connectivity by developing a mix of residential, commercial, and retail uses on the existing parking lots, as well as enhanced landscaping along South Bedford Drive, South Peck Drive, and South Camden Drive, similar to the proposed project.
- Improve the streetscape along South Peck Drive, South Camden Drive, and South Bedford Drive in keeping with the City’s Complete Streets Plan and in a manner that both calms traffic and creates a safe pedestrian environment for neighbors to walk to and enjoy, while discouraging cut-through traffic on residential streets by incorporating

9600 Wilshire Boulevard Specific Plan

improved landscaping, canopy trees, raised crosswalks, sidewalk enhancements, and specialized paving.

- Alternative 3 would implement traffic calming features and pedestrian improvements similar to the proposed project.
- Implement a parking strategy that reduces the visual impact of parking spaces by emphasizing subterranean parking in lieu of large expanses of surface parking.
 - Alternative 3 would include a subterranean parking structure, similar to the proposed project.
- Concentrate new housing and amenities near existing and anticipated transportation nodes and stations to encourage the use of alternative modes of transportation to automobile travel.
 - Alternative 3 would add new housing and amenities near existing and anticipated transportation nodes and stations, thereby encouraging the use of alternative modes of transportation.
- Protect and enhance the residential character of existing neighborhoods south of the Specific Plan Area by replacing surface commercial parking lots with a newly established Neighborhood District between Wilshire Boulevard and the existing multi-family residences south of the Specific Plan Area, and transforming existing alleys along the southern boundary of the Specific Plan Area into an enhanced South Drive featuring improved landscaping.
 - Under Alternative 3, the existing surface parking lots would be replaced with a Neighborhood District and South Drive would be treated with similar improvements and landscaping features as the proposed project.
- Develop buildings that will integrate active and passive sustainability practices, including drought-tolerant landscaping, high-efficiency equipment, gray water systems, and other sustainable strategies to reduce city and regional dependency on fossil fuels, minimize the use of water, and achieve a Leadership in Energy and Environmental Design (“LEED”) Silver V4.1 equivalency.
 - Alternative 3 would implement the same active and passive sustainability features as the proposed project.

Alternative 3 would meet the following objectives but to a lesser extent than the proposed project:

- Enhance the architectural and aesthetic character of Wilshire Boulevard by providing a contextual and contiguous building edge condition along each of the two blocks on Wilshire Boulevard, informed by the massing and height of the approximately 98-foot-tall historic Saks Women’s Building.
 - The architectural and aesthetic character of Wilshire Boulevard would be enhanced through the development of the additional structures on Parcel A and Parcel B, but

the new buildings would be one story shorter than the historic Sak’s Women’s Building.

- Introduce high-quality housing options designed to cater to residents wanting to stay in Beverly Hills as their housing needs change over time, with the convenience of full-service, amenitized housing.
 - Alternative 3 would introduce high-quality amenitized housing to the project site but would only include 52 units in the Neighborhood District in comparison to the 70 units of the proposed project. Therefore, this objective would not be met to the same extent as the proposed project.
- Generate additional annual tax revenues for the City of Beverly Hills, including property taxes, sales taxes, and transient occupancy taxes.
 - Alternative 3 would generate additional annual tax revenues for the City, but these revenues would be reduced in comparison to the proposed project due to the reduction in commercial and residential development. Therefore, this objective would not be met to the same extent as the proposed project.
- Create an environment accessible from the City’s major shopping areas and close to the City’s major streets that can attract high-quality, major employers to support and attract new businesses and sustain employment, well-paying jobs, and a high level of economic activity.
 - Alternative 3 would introduce new commercial uses accessible from the City’s major shopping areas and streets that would bring new business and employment to Beverly Hills; however, the amount of new commercial uses would be reduced in comparison to the proposed project. The limited commercial square footage under Alternative 3 would result in a reduction in economic activity and jobs, and this objective would not be achieved to the same extent as the proposed project.
- Support the growth of the City’s economic base by creating new construction jobs and permanent jobs.
 - Alternative 3 would create new construction jobs and introduce new commercial uses to the project site that would bring new permanent jobs to Beverly Hills; however, the amount of new commercial uses would be reduced in comparison to the proposed project. The limited commercial square footage under Alternative 3 would result in a reduction in permanent jobs, and this objective would not be achieved to the same extent as the proposed project.

6.8 Alternative 4: Increased Residential Conversion

6.8.1 Description

Alternative 4 would involve adoption of a specific plan nearly identical to the proposed 9600 Wilshire Boulevard Specific Plan, except that the specific plan would permit up to 100 Residential Conversion Units (at a ratio of 2,000 sf of commercial area per each Residential

9600 Wilshire Boulevard Specific Plan

Conversion Unit) within the Wilshire Boulevard District, as compared to the 75 residential conversion units permitted under the proposed project. As with the proposed project, the Shoe Building would be demolished, the building at 9570 Wilshire would remain in place as a retail department store, and the Saks Women's Building would be rehabilitated in accordance with the SOI Standards and adaptively reused. In addition, two new buildings would be developed on Parcel A and Parcel B and two new buildings would be developed in the Neighborhood District.

Under Alternative 4, with the 100 Residential Conversion Units implemented, the project site would be developed with a mix of retail, restaurant, spa, and residential uses only. Alternative 4 would eliminate the Social Club and Boutique Hotel uses. In the Wilshire Boulevard District, Alternative 4 would include 200,000 sf of commercial uses (which includes approximately 107,000 sf of existing floor area at 9570 Wilshire) and 100 Residential Conversion Units (200,000 sf) above the ground floor across the Saks Rehabilitation, Parcel A, and Parcel B subareas. In the Neighborhood District, 70 residential units and 15,000 sf of ground floor Small Shop/Boutique Retail would be developed. In total, 215,000 sf of commercial use and 170 residential units would be developed. Table 6-7 provides a development summary of the proposed uses under Alternative 4.

The overall footprint of development, total square footage, and building heights under Alternative 4 would be consistent with the development permitted under the proposed project. Parking for Alternative 4 would be provided by a new four-level subterranean structure, as well as the existing three-level subterranean parking structure at 9570 Wilshire, consistent with the proposed project. The open space amenities, sustainability features, landscaping, roadway improvements, and site access and circulation would also be consistent with the proposed project, as would the operational restrictions and requirements. Additionally, construction activities under Alternative 4, such as equipment used, excavation and haul quantities, and construction hours, would be consistent with those described in Section 2, *Project Description*.

Table 6-7 Alternative 4 Development Summary

Building Area	Land Use¹	Square Footage	Residential Units
Parcel A	Restaurant/Retail	20,000 sf	–
	Residential Conversion Units	60,000 sf	30
	Total	80,000 sf	–
Parcel B	Restaurant/Retail	21,000 sf	–
	Total	21,000 sf	–
Saks Rehabilitation	Restaurant/Retail	33,000 sf	–
	Spa	19,000 sf	–
	Total	52,000 sf	–
Parcel B/Saks Rehab	Residential Conversion Units	140,000 sf	70
9570 Wilshire	Retail	107,000	–
Wilshire Boulevard District Commercial	Total	400,000 sf	100
Neighborhood East	Dwellings	101,303 sf	31
	Small Shop/Boutique Retail	7,500 sf	–
	Lobby/Amenity	3,262 sf	–
	Circulation	6,299 sf	–
	Total	118,364 sf	31
Neighborhood West	Dwellings	101,030 sf	39
	Small Shop/Boutique Retail	7,500 sf	–
	Lobby/Amenity	3,294 sf	–
	Circulation	6,440 sf	–
	Total	118,264 sf	39
Neighborhood District	Total	236,628 sf	70
Site Total²		636,628 sf	170

sf = square feet

¹ As used throughout this table, “Circulation” refers to building areas such as corridors, ground floor lobby, ground floor lobby amenities, stair vestibules.

² Site total includes a total of 17 affordable housing units in accordance with the City’s inclusionary housing requirements.

6.8.2 Impact Analysis

a. Air Quality

Regional Criteria Pollutant Emissions

Construction

As with the proposed project, construction of Alternative 4 has the potential to create air quality impacts through the use of heavy-duty construction equipment and through vehicle trips generated from construction workers traveling to and from the project site. In addition, fugitive dust emissions would result from demolition and construction activities.

9600 Wilshire Boulevard Specific Plan

Under Alternative 4, construction activities and the construction schedule would be identical to the proposed project; therefore, the maximum daily emissions during construction would be similar to those of the proposed project. As described in Section 4.1, *Air Quality*, regional air pollutant emissions during construction would be less than significant with implementation of Mitigation Measure AQ-1. Alternative 4 would also be required to implement Mitigation Measure AQ-1, and impacts would be less than significant with mitigation, similar to the proposed project.

Operation

Operation of Alternative 4 would generate criteria pollutant emissions associated with vehicle trips, energy consumption, area sources, and stationary sources, with the vehicle trips comprising the largest contributor to regional emissions during operation. Operational emissions for Alternative 4 were modeled in CalEEMod. As shown in Table 6-8, operation of Alternative 4 would not exceed the SCAQMD regional thresholds, and impacts would be less than significant. As described in Section 4.1, *Air Quality*, regional air pollutant emissions during project operation would be the greatest under Specific Plan Buildout Scenario 1, Maximum Buildout of the Specific Plan with No Residential Conversion, and would be less than significant. Under Alternative 4, certain pollutant emissions would be slightly increased while others would be slightly decreased in comparison to Specific Plan Buildout Scenario 1 of the proposed project. Therefore, operational impacts related to regional air pollutant emissions under Alternative 4 would generally be similar to the proposed project, and less than significant.

Table 6-8 Alternative 4 Operational Emissions

Emission Source	Maximum Daily Emissions (lbs/day)					
	VOC	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Unmitigated						
Mobile	25	17	162	<1	34	9
Area	19	<1	35	<1	<1	<1
Energy	<1	2	1	<1	<1	<1
Stationary	8	34	19	<1	1	1
<i>Existing Emissions</i>	<i>(9)</i>	<i>(2)</i>	<i>(31)</i>	<i>(<1)</i>	<i>(3)</i>	<i>(1)</i>
Alternative 4 Net Emissions	43	51	186	<1	32	9
SCAQMD Regional Thresholds	55	55	550	150	150	55
Threshold Exceeded?	No	No	No	No	No	No

lbs/day = pounds per day; VOC = volatile organic compounds; NO_x = nitrogen oxide; CO = carbon monoxide; PM₁₀ = particulate matter with a diameter no more than 10 microns; PM_{2.5} = particulate matter with a diameter no more than 2.5 microns; SO_x = sulfur oxide

Notes: Some numbers may not add up precisely due to rounding considerations.

Source: See Appendix B for CalEEMod worksheets, Table 2.5 “Operations Emissions by Sector, Unmitigated” emissions. Highest of Summer and Winter emissions results are shown for all emissions. The mitigated emissions account for project sustainability features and/or compliance with specific regulatory standards.

Localized Criteria Pollutant Emissions

Construction

As with the proposed project, construction of Alternative 4 has the potential to create localized air quality impacts through the use of heavy-duty construction equipment and through vehicle trips generated from construction workers traveling to and from the project site. In addition, fugitive dust emissions would result from demolition and construction activities. Under Alternative 4, the construction activities, construction timeline, and distance to sensitive receptors would be substantially the same as those of the proposed project. Therefore, the maximum daily localized air pollutant emissions under Alternative 4 would be similar to those of the proposed project. As described in Section 4.1, *Air Quality*, the proposed project would result in a less than significant impact related to localized construction emissions with implementation of Mitigation Measure AQ-1. Alternative 4 would result in similar localized air pollutant emissions and would be required to implement Mitigation Measure AQ-1. Impacts would be less than significant with mitigation, similar to the proposed project.

Operation

Similar to the proposed project, localized operational air pollutant emissions would occur under Alternative 4 primarily due to vehicle emissions and emissions from the regular

testing and maintenance of emergency generators. As described in Section 4.1, *Air Quality*, localized criteria air pollutant emissions during project operation would be the greatest under Specific Plan Buildout Scenario 1, Maximum Buildout of the Specific Plan with No Residential Conversion, and would be less than significant with implementation of Mitigation Measure AQ-2. Table 6-9 shows the localized air pollutant emissions under Alternative 4. As shown therein, the PM_{2.5} threshold would be exceeded, but by slightly less than the proposed project.

Table 6-9 Alternative 4 LST Operational Emissions

Year	Pollutant (lbs/day)			
	NO _x	CO	PM ₁₀	PM _{2.5}
Unmitigated				
Maximum Operational Onsite Emissions	36	55	1	1 ¹
SCAQMD LST	82	827	2	1
Threshold Exceeded?	No	No	No	Yes
Mitigated				
Maximum Operational Onsite Emissions	22	44	<1	<1
SCAQMD LST	82	827	2	1
Threshold Exceeded?	No	No	No	No

lbs/day = pounds per day; NO_x = nitrogen oxide; CO = carbon monoxide; PM₁₀ = particulate matter with a diameter no more than 10 microns; PM_{2.5} = particulate matter with a diameter no more than 2.5 microns.

Notes: Some numbers may not add up precisely due to rounding considerations. Maximum onsite emissions are the highest emissions that would occur on the project site from onsite sources, such as fireplaces, emergency generators, natural gas use, architectural coatings, and excludes mobile sources.

¹On-site operational activity would generate 1.13 lbs./day of PM_{2.5} emissions.

Source: See CalEEMod worksheets in Appendix B, Table 2.5, Operational Emissions by Sector, Unmitigated.

As described in Section 4.1, *Air Quality*, the proposed project would result in a less than significant impact related to localized operational emissions with implementation of Mitigation Measure AQ-2, which establishes limits for the maintenance testing of the project’s emergency generators. The emissions from regular testing and maintenance of emergency generators in Alternative 4 would be identical to those of the proposed project. Alternative 4 would be required to implement Mitigation Measure AQ-2, which would reduce PM_{2.5} emissions below the applicable threshold. As such, under Alternative 4, localized air pollutant emissions during operation would be less than significant with mitigation and reduced compared to the proposed project.

Toxic Air Contaminants

Construction

As with the proposed project, construction of Alternative 4 would generate TACs associated with heavy equipment use. Under Alternative 4, construction activities would be

substantially the same as the proposed project. Therefore, construction TAC emissions under Alternative 4 would be similar to those of the proposed project. As described in Section 4.1, *Air Quality*, construction TAC emissions and associated impacts to sensitive receptors would be less than significant with implementation of Mitigation Measure AQ-1. Alternative 4 would also be required to implement Mitigation Measure AQ-1, and impacts to sensitive receptors due to construction TAC emissions would be less than significant with mitigation, similar to the proposed project.

Operation

As described in Section 4.1, *Air Quality*, operation of the proposed project would result in TAC emissions from delivery truck trips, typical residential and commercial maintenance activities (e.g., cleaning solvents, paints, landscape pesticides, etc.), and the emergency use of the seven life safety generators. These TAC emissions would be less than significant with implementation of Mitigation Measure AQ-2. Operation of Alternative 4 would include the same sources of TAC emissions and would similarly require implementation of Mitigation Measure AQ-2. With implementation of Mitigation Measure AQ-2, impacts to sensitive receptors due to operational TAC emissions from Alternative 4 would be less than significant and similar to the proposed project.

Odors

Construction

Similar to the proposed project, construction of Alternative 4 would generate odors from the use of heavy equipment. These odors would be intermittent and temporary, and odors disperse with distance. These odors would cease upon completion of construction. Overall, construction of Alternative 4 would not generate other emissions, such as those leading to odors, affecting a substantial number of people. Construction-related impacts would be less than significant, similar to the proposed project.

Operation

Operation of Alternative 4 would involve the same types of uses as the proposed project. As further described in Section 4.1, *Air Quality*, these land uses are not ones known to generate substantial odors. However, restaurant uses may generate odors associated with cooking. Such odors would be minimal, and these uses would be located in the Wilshire Boulevard District of the Specific Plan area, away from residential uses to which such odors could be considered a nuisance. In addition, in accordance with the 9600 Wilshire Specific Plan, mechanical venting of the restaurant and other food-serving commercial uses would be designed to face away from residential uses, thereby directing vented air and potential odors away from sensitive receivers. Therefore, operation of Alternative 4 would not generate objectionable odors affecting a substantial number of people. Operational impacts related to odors would be less than significant and similar to the proposed project.

b. Biological Resources

Under Alternative 4, construction activities would be similar to the proposed project. As discussed in Section 4.2, *Biological Resources*, birds and bats protected by the CFGC and MBTA may nest on the project site and in adjacent properties and could be disturbed by construction activities. However, construction of the proposed project would result in less than significant impacts to protected birds and bats with implementation of Mitigation Measures BIO-1 through BIO-3. Construction activities under Alternative 4 would also be required to implement Mitigation Measures BIO-1 through BIO-3, and construction impacts would be less than significant with mitigation incorporated, similar to the proposed project.

Operation of Alternative 4 would involve similar types of land uses and activities as the proposed project. During operation of Alternative 4, there would be no ongoing construction activities that could potentially affect nesting birds or roosting bats. New street trees and landscaping would be provided on the project site that could serve as potential nesting habitat for migratory birds and raptors, and structures on the project site would provide potential roosting habitat for bats. Therefore, operation of Alternative 4 would result in less than significant impacts to biological resources, similar to the proposed project.

c. Cultural Resources

Historical Resources

As discussed in Section 4.3, *Cultural Resources*, the Saks Women's Building is eligible for listing in the NRHP and the CRHR and for local designation as a City of Beverly Hills Landmark under Criteria A/1 for its association with pre- and post-World War II commercial development in Beverly Hills and under C/3 as an example of Neoclassical and Regency Revival architecture applied to a retail building by master architects Parkinson & Parkinson and Paul Revere Williams. Consistent with the proposed project, Alternative 4 would include demolition of the Shoe Building and rehabilitation and adaptive reuse of the Saks Women's Building in accordance with the SOI Standards. Alternative 4 would also include development of four new buildings on the project site. Similar to the proposed project, Alternative 4 would result in modifications to the Saks Women's Building and its setting, which could potentially result in significant impacts. Additionally, there is the potential for groundborne vibration produced during construction activities to result in impacts to the Saks Women's Building in addition to other potential historical resources (buildings dating to the historic period) in the vicinity of the project site. As described in Section 4.3, *Cultural Resources*, with implementation of Mitigation Measures CUL-1, CUL-2, and NOI-2, impacts to historical resources would be less than significant. Alternative 4 would also be required to implement these mitigation measures and impacts to historical resources would be less than significant with mitigation, similar to the proposed project.

Archaeological Resources

Construction of Alternative 4 would include grading and excavation activities similar to the proposed project. As discussed in Section 4.3, *Cultural Resources*, the project site has low

archaeological sensitivity due to its developed and disturbed nature. Nonetheless, unanticipated archaeological deposits could be encountered and damaged during the ground-disturbing construction activities. Therefore, Alternative 4 would be required to implement Mitigation Measures CUL-3 through CUL-5 to reduce the potential for impacts to archaeological resources during construction. With implementation of mitigation, construction of Alternative 4 would result in less than significant impacts to archaeological resources, similar to the proposed project.

Upon completion of construction, Alternative 4 would not involve ongoing ground-disturbing activities. Operation of Alternative 4 would result in less than significant impacts to archaeological resources, similar to the proposed project.

d. Energy

Construction

Construction of Alternative 4 would consume energy including petroleum fuels to power construction equipment, haul trucks, and worker vehicles and electricity to power electric construction equipment and construction offices and to provide water for construction site watering. Under Alternative 4, the construction activities, equipment, and schedule would be identical to the proposed project; therefore, construction energy consumption would be similar to the proposed project. Similar to the proposed project, the use of energy sources during construction would be temporary and short-term and would not substantially affect the capacity or energy supplies. Additionally, similar to the proposed project, construction of Alternative 4 would comply with the applicable policies, regulations, and plans related to energy efficiency, including CCR Title 13 Sections 2449 and 2485, the USEPA Construction Equipment Fuel Efficiency Standard, and 2022 CALGreen. Therefore, construction of Alternative 4 would result in less than significant energy impacts, similar to the proposed project.

Operation

Operation of Alternative 4 would consume vehicle fuels for residents, visitors, and workers traveling to the site, as well as electricity and natural gas to power the buildings and appliances. As with the project, operation of Alternative 4 would generate an increased consumption of electricity, natural gas, and petroleum-based fuels relative to existing conditions. According to CalEEMod estimates, operation of Alternative 4 would consume approximately 4.9 gigawatt hours per year (GWr/year) and 71,489 U.S. therms of natural gas. As described in Section 4.4, *Energy*, the proposed project would implement PDF E-1, which includes energy efficient HVAC systems, exceedance of the energy efficiency requirements of the 2022 Title 24, use of EnergyStar appliances, and other features that would result in reduced energy use. Alternative 4 would similarly implement this PDF. Due to the reduced commercial square footage, Alternative 4 would result in slightly reduced demand for electricity and natural gas, and reduced vehicle fuel use compared to the proposed project (California Air Pollution Control Officers Association [CAPCOA] 2022).

As discussed in Section 4.4, *Energy*, operation of the proposed project would not result in wasteful, inefficient, or unnecessary consumption of energy or exceed the local and regional energy supply and capacity. As Alternative 4 would reduce electricity and petroleum fuel consumption compared to the proposed project, consumption of these energy sources would likewise not result in wasteful, inefficient, or unnecessary consumption or exceed the local and regional energy supply and capacity. As detailed in Section 4.4, *Energy*, natural gas demand for the proposed project would account for less than one percent of Southern California Gas' (SoCalGas) forecasted daily capacity in 2027, and gas demand is projected to decline in the upcoming decade (SoCalGas 2023). Therefore, the slightly increased natural gas consumption under Alternative 4 as compared to the proposed project would not be considered wasteful, inefficient, or unnecessary or exceed SoCalGas' supply and capacity. Therefore, operation of Alternative 4 would not result in potentially significant environmental effects due to the wasteful, inefficient, or unnecessary consumption of energy and impacts would be less than significant, similar to the proposed project, but impacts would be reduced due to the reduced energy use.

Similar to the proposed project, Alternative 4 would implement energy efficiency measures and would not conflict with the applicable plans for energy efficiency. These plans include the Beverly Hills Sustainable City Plan and Beverly Hills Green Building Standards Code, which contain measures intended to increase energy efficiency and expand the use of renewable energy in Beverly Hills, as well as CALGreen and the 2022 Title 24. Development and operation of Alternative 4 would comply with CALGreen, Title 24, and Beverly Hills Green Building Standards. Additionally, as with the proposed project, this alternative would be consistent with the City's Sustainable City Plan Energy Policy 2 by incorporating PV provisions consistent with the 2022 Title 24, installing EV charging parking spaces, and including all-electric HVAC systems. Similar to the proposed project, this alternative would eventually be powered by renewable energy as mandated by SB 1020 and would not conflict with the requirements of SB 1020. Alternative 4 would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency, and impacts related to a conflict with energy plans and policies would be less than significant, and similar to the proposed project.

e. Geology and Soils

Seismic and Soil Hazards

As described in Section 4.5, *Geology and Soils*, the project site is partially within an Alquist-Priolo Fault Zone and is subject to seismic activity. To address seismic and soils hazards, Alternative 4 would be required to comply with State and local regulations such as the Alquist-Priolo Earthquake Fault Zoning Act, Seismic Safety Act, Seismic Hazards Mapping Act, UBC, CBC, and the Beverly Hills Building Code. Similar to the proposed project, Alternative 4 would be required to comply with the plan review and permitting requirements of the Development Services Division, including the recommendations provided in final site-specific geotechnical reports subject to review and approval by the City. The impact to people, buildings, or structures on the project site from strong seismic

ground shaking and soil hazards during project operation would be reduced to a similar level as the proposed project through conformance with applicable building codes and accepted engineering practices. Therefore, impacts related to seismic and soil hazards under Alternative 4 would be less than significant, similar to the proposed project.

Paleontological Resources

Under Alternative 4, construction and earthmoving activities, including excavation depths, would be similar to the proposed project. As with the proposed project, this alternative could potentially disturb previously undiscovered paleontological resources. Mitigation Measures GEO-1 and GEO-2 would continue to be required, ensuring construction worker training, construction monitoring, and proper procedures are implemented in the event that paleontological resources are encountered during ground disturbing activities. Therefore, construction of Alternative 4 would result in less than significant impacts to paleontological resources with mitigation, and impacts would be similar to the proposed project.

Upon completion of construction, Alternative 4 would not involve ongoing ground-disturbing activities. Operation of Alternative 4 would result in less than significant impacts to paleontological resources, similar to the proposed project.

f. Greenhouse Gas Emissions

As with the proposed project, construction of Alternative 4 would generate GHG emissions through the use of heavy-duty construction equipment and vehicle and haul trips generated from construction workers and haul trucks traveling to and from the project site. Construction activities and resulting GHG emissions under Alternative 4 would be similar to the proposed project. Operation of Alternative 4 would result in GHG emissions through vehicle trips, energy use to power the proposed new buildings, water consumption, waste production, testing and maintenance of the emergency generators, and from area sources and refrigerant use. Alternative 4 would reduce the amount of commercial square footage, with a concomitant increase in residential units on the project site, which would result in reduced vehicle trips and VMT in comparison to the proposed project. The decreased VMT under Alternative 4 would result in reduced operational GHG emissions compared to the proposed project, with estimated annual GHG emissions of 5,958 metric tons of carbon dioxide equivalent (MT of CO₂e) during operation.

Although construction and operation under Alternative 4 would generate GHG emissions, Alternative 4 would incorporate features, such as PDF E-1, that would reduce GHG emissions and align with the goals of the applicable plans, policies, and regulations related to GHG emissions, similar to the proposed project. Operation of Alternative 4 would comply with CALGreen, Title 24, and the Beverly Hills Green Building Standards Code. Therefore, Alternative 4 would not conflict with the applicable plans, policies, and regulations adopted for the purpose of reducing GHG emissions, and impacts related to GHG emissions under Alternative 4 would be less than significant and reduced in comparison to the proposed project.

g. Hazards and Hazardous Materials

As described in Section 4.7, *Hazards and Hazardous Materials*, the project site is not within the immediate vicinity of any designated disaster routes. Nonetheless, construction of Alternative 4 would result in temporary delays and lane closures along South Bedford Drive, South Camden Drive, South Peck Drive, and Wilshire Boulevard. Similar to the proposed project, Alternative 4 would implement Mitigation Measure T-1, which requires development of a construction management plan that would reduce the potential construction impacts to emergency response and evacuation. With implementation of Mitigation Measure T-1, construction of Alternative 4 would result in less than significant impacts to emergency response and evacuation, similar to the proposed project.

Following the completion of construction activities, all temporary lane closures would be reopened for use and vehicular access to the roadways within and surrounding the project site would be maintained. Additionally, the design of Alternative 4 would comply with City and BHFD requirements regarding site access and emergency vehicle access. Compliance with applicable City Building Code and Fire Code requirements, including emergency vehicle access, would be confirmed as part of BHFD's fire/life safety plan review and BHFD's fire/life safety inspection for new construction projects. As such, operational impacts related to impairing implementation of or physically interfering with an adopted emergency response plan or emergency evacuation plan would be less than significant under Alternative 4, similar to the proposed project.

h. Land Use and Planning

Under Alternative 4, the project site would be developed similarly to the proposed project, with the same types of uses, development footprint, building heights, circulation and roadway improvements, publicly accessible open space, and sustainability features, with the only difference being an increase in the number of Residential Conversion Units. The same discretionary approvals would be required as under the proposed project, including adoption of a new specific plan and amendments to the general plan land use and zoning designations.

Similar to the proposed project, Alternative 4 would not conflict with the applicable goals and policies of the City's General Plan adopted for the purpose of avoiding or mitigating environmental effects, nor would it conflict with the goals of SCAG 2020-2045 RTP/SCS. As with the proposed project, Alternative 4 would be inconsistent with the BHMC permitted uses, heights, and development densities based on the current site zoning. However, with approval of a specific plan and potential discretionary actions required for the project, Alternative 4 would not conflict with the BHMC. Therefore, Alternative 4 would result in less than significant impacts related to a conflict with land use plans, policies, and regulations adopted for the purpose of avoiding or mitigating environmental effects, similar to the proposed project.

i. Noise and Vibration

Noise

Construction

Under this alternative, the length of construction, types of construction activities, including 24-hour foundation pours, and equipment which would generate noise would be similar to the proposed project. Under Alternative 4, as with the proposed project, construction activities that occur outside the City's permitted construction hours during continuous foundation pours would result in an increase of at least 5 dBA above ambient noise levels and potentially significant noise impacts. Mitigation Measure NOI-1, which requires noise barriers, equipment mufflers, and other measures to address construction noise, would be implemented by Alternative 4 to reduce noise from construction activities. Additionally, Alternative 4 would be required to implement Mitigation Measure NOI-3, which requires coordination during construction with the nearest cumulative project, to reduce the potential for cumulative construction noise impacts. Similar to the proposed project, construction noise levels under this alternative would still exceed the City's noise thresholds even with implementation of Mitigation Measures NOI-1 and NOI-3. Therefore, construction noise impacts under Alternative 4 would remain significant and unavoidable, similar to the proposed project.

Operation

On-site noise sources under Alternative 4 would include HVAC units, the commercial loading dock, and recreational and community activities such as farmers' markets at the Via. In addition, off-site operational noise would be generated by vehicles traveling to and from the project site. As described in Section 4.9, *Noise*, operation of the proposed project, including on-site and off-site sources of noise, would result in less than significant noise impacts to the surrounding land uses. Alternative 4 would reduce the amount of commercial development on the project site and would eliminate the Social Club and Boutique Hotel uses, thereby eliminating operation noise from special events. Therefore, operational noise would be reduced compared to the proposed project, and operation of Alternative 4 would result in less than significant noise impacts.

Vibration

Construction

Construction of Alternative 4 would involve similar construction activities as the proposed project and would have the potential to produce groundborne vibration that could cause architectural damage to nearby buildings including the Saks Women's Building, 9570 Wilshire Building, and residential buildings to south of the project site. Similar to the proposed project, Mitigation Measures NOI-2 would be implemented, which requires implementation of a construction vibration monitoring plan. With implementation of

mitigation, construction vibration impacts would be less than significant, similar to the proposed project.

Operation

Operation of Alternative 4 would not include substantial vibration sources. Therefore, operation would not generate excessive groundborne vibration or groundborne noise levels and no impact would occur, similar to the proposed project.

j. Population and Housing

Alternative 4 would result in reduced commercial development and increased residential units compared to the proposed project. Based on the DOF estimate of 2.17 persons per household in Beverly Hills, Alternative 4 would generate up to a maximum of 170 households with 369 residents (DOF 2023). SCAG forecasts that Beverly Hills will reach approximately 15,173 households and 35,155 residents by 2028, an increase of 671 households and 3,497 residents from the city's estimated 2023 baseline (SCAG 2020; DOF 2023). The addition of up to 170 households and 369 residents facilitated by Alternative 4 would account for approximately 25 percent of the growth in households and 11 percent of the population growth projected for 2028. Household growth generated by the residential units under Alternative 4 would therefore not exceed the SCAG 2020-2045 RTP/SCS projections. This estimate is conservative in that it assumes all project residents would be new residents to Beverly Hills, and because the current SCAG projections do not account for the latest RHNA results for Beverly Hills, which establish a requirement of 3,104 new housing units in Beverly Hills by 2030 (SCAG 2021). The 170 residential units proposed under Alternative 4 would account for approximately 5 percent of the housing units identified in the RHNA.

Alternative 4 would result in 215,000 sf of commercial uses on the project site, as compared to the up to 415,000 sf of commercial uses under the proposed project. As described in Section 4.10, *Population and Housing*, the proposed project would not result in employment growth that exceeds the SCAG 2020-2045 RTP/SCS projections for Beverly Hills. Therefore, Alternative 4 also would not result in employment growth that exceeds the SCAG projections. Additionally, Alternative 4 would not include new infrastructure or increase the capacity of existing infrastructure that could result in indirect population growth. Alternative 4 would result in less than significant impacts related to population and housing, similar to the proposed project.

k. Transportation

Conflict with Plans, Policies, and Programs

The plans, policies, and programs applicable to the proposed project would also apply to Alternative 4. With regard to construction, the types of construction activities and construction timeline under Alternative 4 would be similar to the project. As with the project, construction of Alternative 4 would generate construction-related traffic from haul trucks and construction workers and would also require the delivery and staging of

construction and materials and equipment. As such, similar to the project, potential construction-related transportation impacts could result during construction of Alternative 4. Alternative 4 would also implement Mitigation Measure T-1 which requires a Construction Management Plan to minimize potential impacts to the surrounding circulation system. Therefore, as with the project, construction-related transportation impacts would be less than significant with mitigation, similar to the proposed project.

Under Alternative 4, the primary movement of vehicles would be along Wilshire Boulevard, South Peck Drive, South Camden Drive, South Bedford Drive, South Drive, and the Via, similar to the proposed project. Alternative 4 would also include the same circulation improvements as the proposed project, including pedestrian enhancements, landscaping, street lighting, bicycle racks, street furniture, traffic calming features, and a new continental crosswalk at the south leg of the intersection of Wilshire Boulevard and South Peck Drive. Overall, as with the project, Alternative 4 would be consistent with the goals, policies, and requirements of the City of Beverly Hills General Plan, the City's Complete Streets Plan, the LA Metro First Last Mile Strategic Plan and Wilshire/Rodeo Pathway Plan, and the SCAG 2020-2045 RTP/SCS. Similar to the proposed project, Alternative 4 would improve the streetscape and promote pedestrian activity and reduce vehicle trips and VMT by encouraging the use of alternative modes of transportation, providing convenient and adequate bicycling facilities, and enhancing pedestrian amenities along the streets surrounding the project site. As such, operation of Alternative 4 would comply with the programs and policies set forth in the City of Beverly Hills General Plan, the City's Draft Complete Streets Plan, and the LA Metro First Last Mile Strategic Plan, and the SCAG 2020-2045 RTP/SCS to the same extent as the proposed project. Therefore, Alternative 4 would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities and impacts would be less than significant, similar to the proposed project.

Vehicle Miles Traveled

With respect to VMT, and similar to the proposed project, Alternative 4 meets the City's VMT Screening Criteria 3 and Screening Criteria 4, discussed in detail in Section 4.11, *Transportation*. Based on the screening criteria, Alternative 4 would have a less than significant VMT impact and is screened out from further VMT analysis. Therefore, Alternative 4 would result in less than significant impacts with respect to conflicts with CEQA Guidelines Section 15064.3, subdivision (b), similar to the proposed project.

Design Hazards

Under Alternative 4, alterations to the existing roadways, including traffic calming features and the new crosswalk, and new internal roadways such as the Via and South Drive, would be similar to the proposed project. Under Alternative 4, project site access locations would be designed in accordance with City standards to provide adequate sight distance, sidewalks, crosswalks, and pedestrian movement controls. Several circulation enhancements would be introduced under Alternative 4, similar to the proposed project, to reduce the potential for hazards. Pedestrian safety improvements would include a

continental crosswalk at the south leg of the intersection of Wilshire Boulevard and South Peck Drive and various improvement along South Peck Drive such as raising and eliminating curbs and gutters to allow for priority movement of pedestrians, installation of truncated domes or another mechanism to signal grade changes and distinguish pedestrian-only versus shared pedestrian and vehicular zones within the right-of-way, and bollards to identify changes in usage across the right-of-way. No incompatible uses, sharp intersections, or dangerous curves would be added under Alternative 4. Therefore, Alternative 4 would result in less than significant impacts related to geometric design hazards, similar to the proposed project.

Emergency Access

The project site is located in an established urban area that is well served by the surrounding roadway network, and multiple routes exist in the area for emergency vehicles. Emergency access to the project site and surroundings is currently provided by Wilshire Boulevard, South Peck Drive, South Bedford Drive, and South Camden Drive. As with the proposed project, Alternative 4 would include Mitigation Measure T-1, which would ensure that adequate emergency access to the project site and surroundings is maintained throughout construction. Therefore, construction of Alternative 4 would result in less than significant impacts to emergency access with mitigation, similar to the proposed project.

Transportation and access components under Alternative 4 would be designed to meet all applicable City Building Code and Fire Code requirements regarding site access, including the provision of adequate emergency vehicle access. Compliance with City requirements would be confirmed as part of the BHFD fire/life safety plan review and inspection for new projects. Adherence to City policies would ensure Alternative 4 would not result in inadequate emergency access. Therefore, operation of Alternative 4 would result in less than significant impacts to emergency access and impacts would be similar to the proposed project.

I. Tribal Cultural Resources

Under Alternative 4, the amount of excavation and grading required during construction would be similar to the proposed project. As with the proposed project, this alternative would result in ground-disturbing construction activities which could potentially unearth previously undiscovered tribal cultural resources. Mitigation Measures TCR-1 through TCR-3, which implement construction monitoring by a Native American monitor and procedures in the event that tribal cultural resources are encountered, would continue to be required under Alternative 4. With implementation of mitigation, construction impacts would be less than significant, similar to the proposed project.

Upon completion of construction, Alternative 4 would not involve ongoing ground-disturbing activities. Operation of Alternative 4 would result in less than significant impacts to tribal cultural resources, similar to the proposed project.

m. Utilities and Service Systems

Water

Construction

Similar to the proposed project, Alternative 4 would construct necessary on-site water infrastructure within the disturbance area of the project and in compliance with applicable City requirements to accommodate the proposed new buildings. The potential environmental effects associated with new water infrastructure under Alternative 4 are analyzed throughout this section, concurrently with this alternative as a whole. As such, under Alternative 4, impacts to water infrastructure during construction would be less than significant.

As described in Section 4.13, *Utilities and Service Systems*, construction activities would require water for dust suppression, equipment washing, and cleaning of restroom facilities. Construction activities and construction water consumption under Alternative 4 would be similar to the proposed project. Given the temporary and minimal nature of construction water demand, impacts related to construction water consumption would be less than significant, similar to the proposed project.

Operation

Upon completion of construction activities, the water distribution system serving the project site would be adequate to accommodate Alternative 4. Occasional minor maintenance activities may be required to repair infrastructure as it ages. However, future relocation and expansion of the water distribution system during operation are not anticipated. Therefore, operational impacts with respect to new or expanded water facilities would be less than significant. Alternative 4 would require water consumption during operation of the proposed uses, as well as water consumption for landscaping irrigation. Alternative 4 would implement the water conservation features included in the proposed project and discussed in Section 2, *Project Description*, including water efficient bathroom and kitchen appliances, landscaping irrigation where feasible from alternative water supply (such as graywater), water efficient landscape irrigation technologies, and use of drought resistant landscaping. Water demand would be an estimated 30,468,544 gallons per year based on CalEEMod outputs, and would be reduced in comparison to the proposed project due to the reduction in commercial square footage. As described in Section 4.13, *Utilities and Service Systems*, the City is anticipated to have sufficient water supplies available to serve the proposed project and impacts would be less than significant. As such, operation of Alternative 4 would result in less than significant impacts related to water consumption and supplies, similar to the propose project, but impacts would be reduced in comparison to the proposed project due to the reduced water consumption.

Wastewater

Construction

Similar to the proposed project, construction of Alternative 4 would involve the installation of new or reconstructed sewer mains and connections within the project site. These activities would be confined to trenching to place the sewer lines below surface and would occur within the disturbance area of the project; therefore, the construction of these infrastructure improvements would not substantially increase this alternative's disturbance area, associated emissions, or otherwise cause significant environmental effects beyond those identified throughout this section. As such, under Alternative 4, impacts to wastewater infrastructure during construction would be less than significant.

During construction of Alternative 4, a minimal amount of wastewater would be generated by the construction employees. Portable toilets would be provided by a private company and the wastewater would be disposed off-site. Furthermore, no new connections to the sewer system would be required to accommodate construction. Overall, there would be a negligible impact on sewer facilities and there would not be an increase in wastewater flows beyond the available capacity of the existing conveyance and treatment systems during construction of Alternative 4. Construction impacts related to wastewater treatment would be less than significant, similar to the proposed project.

Operation

Upon completion of construction activities, the wastewater conveyance system serving the project site would be adequate to accommodate Alternative 4. Occasional minor maintenance activities may be required to repair infrastructure as it ages. However, future relocation and expansion of the wastewater conveyance system during operation are not anticipated. Therefore, operational impacts with respect to new or expanded wastewater facilities would be less than significant. Operation of Alternative 4 would generate approximately 0.08 MGD based on CalEEMod outputs (Appendix B). As with water consumption, operational wastewater generated by Alternative 4 would be reduced in comparison to the proposed project due to the reduction in commercial square footage. The increase in average daily wastewater flow would represent approximately 0.05 percent of the current estimated remaining available capacity at HTP. Impacts related to wastewater generation and infrastructure capacity would be less than significant under Alternative 4, similar to the proposed project, but impacts would be reduced in comparison to the proposed project due to the reduced wastewater flows.

Stormwater Drainage

Construction

Similar to the proposed project, Alternative 4 would include installation of a stormwater cistern to pretreat and retain stormwater. New storm drain lines would also be constructed to connect the cistern to the existing storm drain facilities within Wilshire Boulevard, South Camden Drive, and South Bedford Drive. The stormwater drainage would adhere to LID

requirements. As with water and wastewater facilities, the storm drain infrastructure would be constructed within the disturbance area of the project and would not result in additional environmental impacts beyond those contemplated throughout this analysis. As such, under Alternative 4, impacts to storm drainage infrastructure during construction would be less than significant, similar to the proposed project.

Operation

As the development footprint would be the same, Alternative 4 would result in the same amounts of impervious and pervious surfaces as the proposed project and would not result in increased stormwater runoff. The existing storm drainage system was found to have adequate capacity for the proposed project, and the storm drainage system would similarly have adequate capacity to serve Alternative 4 (Kimley Horn 2023; Appendix H). Upon completion of construction activities, the stormwater drainage and conveyance system serving the project site would be adequate to accommodate Alternative 4. Occasional minor maintenance activities may be required to repair infrastructure as it ages. However, future relocation and expansion of stormwater drainage infrastructure during operation are not anticipated. As such, operational impacts related to new or expanded stormwater facilities would be less than significant, similar to the proposed project.

Electric Power, Natural Gas, and Telecommunications Infrastructure

Construction

Similar to the proposed project, Alternative 4 would involve the removal of overhead electric utility lines and poles and relocation of electric and natural gas utility lines. As with water, wastewater, and stormwater facilities, relocated electric and natural gas utility lines would be installed during construction and within the disturbance area of the project; therefore, the construction of these infrastructure improvements would not substantially increase Alternative 4's disturbance area, associated emissions, or otherwise cause significant environmental effects beyond those identified throughout this document.

Construction-related activities of Alternative 4 would not involve consumption of natural gas or result in impacts on telecommunication services. Minor quantities of electric power for lighting, power tools, and other support equipment would be required; however, energy consumed during construction of Alternative 4 would be finite and limited and would not result in the need for relocation or construction of new or expanded electric power facilities. The overall amount of electricity required during construction of Alternative 4 would be similar to the proposed project. As such, under Alternative 4, construction impacts on electric power, natural gas, and telecommunications infrastructure would be less than significant, similar to the proposed project.

Operation

Upon completion of construction activities, the electric power, natural gas, and telecommunications systems serving the project site would be adequate to accommodate Alternative 4. Occasional minor maintenance activities may be required to repair

infrastructure as it ages. However, future relocation and expansion of electric power, natural gas, and telecommunications infrastructure during project operation are not anticipated.

Although there would be slight differences in the amount of energy consumption between Alternative 4 and the proposed project, as described further under 6.8.2d, *Energy*, this alternative's requirements for electricity, natural gas, and telecommunications infrastructure would be similar to the proposed project. The nominal increase in energy demand under Alternative 4, as with the proposed project, would not be anticipated to require additional electric substations or natural gas storage/transmission facilities beyond those currently serving the project area. It is not anticipated that new or expanded gas supply facilities would be required to service the site. As discussed in Section 4.13, *Utilities and Service Systems*, the proposed project would result in less than significant impacts to electric power, natural gas, and telecommunications facilities. Given the similar demand for these services, Alternative 4 would not require the relocation or construction of new or expanded electric power, natural gas, or telecommunications facilities, and impacts would be less than significant, similar to the proposed project.

Solid Waste

Construction

Solid waste would be generated during demolition, grading, and construction activities under Alternative 4. Construction solid waste output would be substantially the same as the proposed project, as the square footage of demolished buildings and extent of soil excavation would be the same under Alternative 4 as the proposed project. Demolished materials and excavated soil would be reused or recycled to the maximum extent feasible and in accordance with the requirements of CALGreen and LEED certification, and all remaining materials would be transported to a Los Angeles County Landfill that accepts construction and demolition debris. As with the proposed project, disposal of construction waste and soil from demolition and grading under Alternative 4 would not exceed the capacity of local solid waste disposal facilities.

In accordance with the requirements of SB 1374 and CALGreen, 75 percent of non-hazardous demolition and construction debris would be recycled or salvaged, and soil material may be used beneficially as landfill cover or imported fill material at other construction sites. Construction of Alternative 4 would also comply with the solid waste regulations in BHMC Sections 6-1-401 through 6-1-512 and with the City's waste collection policies and waste reduction and recycling programs outlined in Goals CON 13, CON 14, and CON 16 of the General Plan. Therefore, construction impacts related to solid waste under Alternative 4 would be less than significant, similar to the proposed project.

Operation

As discussed in Section 4.13, *Utilities and Service Systems*, the proposed project would not generate solid waste in excess of the capacity of local infrastructure and would not require the expansion or construction of a new solid waste disposal or recycling facility to handle

project-generated waste. Based on CalEEMod outputs, Alternative 4 would generate approximately 435 tons of solid waste per year, which represents less than one percent of the remaining capacity of landfills serving the city. As with water and wastewater, due to the reduced commercial square footage under Alternative 4, Alternative 4 would generate less solid waste than the proposed project. Additionally, in compliance with State and City requirements, Alternative 4 would include trash enclosures with clearly marked, source-sorted receptacles for disposing of mixed solid waste and recyclables (which are later separated by the City's waste hauler, Athens), with a separate receptacle for and organic waste, and would contract with Athens services for solid waste, recycling, and organics recycling services. Athens handles solid waste consistent with the State waste reduction policies, requirements of BPMC Sections 6-1-401 through 6-1-512, and the goals set forth by the City's General Plan. Through the provisioning of the required source-separated bins and solid waste hauling services, Alternative 4 would be consistent with the Statewide organic waste and recycling goals and requirements established by AB 341, AB 939, AB 1826, SB 1383, and CALGreen Code, as well as General Plan Goals CON 13, CON 14, and CON 16. Therefore, since Alternative 4 would comply with applicable solid waste policies and objectives and would not generate solid waste in excess of the capacity of local infrastructure, impacts related to solid waste would be less than significant, similar to the proposed project, but impacts would be reduced in comparison to the proposed project due to the reduced solid waste generation.

6.8.3 Comparison of Impacts

As with the proposed project, Alternative 4 would result in significant and unavoidable impacts due to nighttime construction required for continuous foundation pours. The significance of impacts associated with the remaining environmental issues would be similar to or less than those of the proposed project due to the decreased commercial uses, as shown in Table 6-2.

6.8.4 Relationship of the Alternative to Project Objectives

With a similar mix of uses and general characteristics as the proposed project, Alternative 4 would meet the underlying purpose of the project to revitalize and transform the project site from a primarily vehicular zone to a pedestrian-oriented zone by creating a mixed-use, compact and pedestrian-friendly development. Alternative 4 would also meet the majority of the project objectives, as described below.

Alternative 4 would meet the following objectives:

- Respond to the reality that retail department stores and office have experienced substantial modification in their utilization of physical space due to changing consumer and other economic demands by creating a framework for a range of new uses that can evolve over time in response to further changes in the economic landscape; facilitate retention of existing landmark structures in an economically viable manner; restore economic activity to the Specific Plan Area; and provide for uses that will serve the needs of the nearby community, including (among others) cafes, restaurants, artisanal food, clothiers and similar uses, and neighborhood services.
 - Alternative 4 would establish a specific plan similar to the proposed project that would establish a framework for a range of new uses that can evolve over time in response to changes in the economic landscape and bring new economic activity, commercial uses, and neighborhood services to the project site.
- Require the preservation and adaptive reuse of the Saks Women’s Building at an anchor location on Wilshire Boulevard and ensure its structural stability (including seismic requirements), economic viability, and accessibility by requiring its rehabilitation in accordance with the Secretary of the Interior’s Standards for the Treatment of Historic Properties.
 - The Saks Women’s Building would be rehabilitated and adaptively reused in accordance with the SOI Standards and brought to current code standards (including seismic standards).
- Enact development standards that meet or satisfy City design standards as further articulated in the Specific Plan, while also allowing for transit-adjacent and pedestrian-friendly development.
 - Alternative 4 would establish a new specific plan that would meet or satisfy City’s design standards, similar to the proposed project, and would include transit-adjacent and pedestrian-friendly development.
- Create a pedestrian-friendly environment by developing well-designed and attractive buildings, streets, sidewalks and publicly accessible open space. To achieve this broad goal, the Specific Plan is intended to provide for each of the following: an identifiable sense of place through development standards that are unique to the Specific Plan Area; open space areas that can facilitate programs that serve the local neighborhood (including but not limited to farmer’s markets), as well as residents, restaurants, retailers, and other uses within the Specific Plan Area; and pedestrian-friendly street designs that include appropriately-scaled sidewalks, attractive landscaping, and neighborhood-serving ground floor commercial and restaurant uses.
 - Alternative 4 would develop a specific plan similar to the proposed project, and would include similar pedestrian improvements to the proposed project including a new continental crosswalk, street furniture and landscaping, new commercial and restaurant uses on the ground floor level, and open space amenities in the Terrace.

- Support neighborhood character, transition, and connectivity by replacing commercial surface parking lots and sparsely planted alleyways with a cohesive blend of commercial and residential uses, as well as enhanced landscaping along South Bedford Drive, South Peck Drive, and South Camden Drive to create an appealing transition between the Specific Plan Area and the existing multi-family residential neighborhood to the south.

 - Alternative 4 would support the neighborhood transition, character, and connectivity by developing a mix of residential, commercial, and retail uses on the existing parking lots, as well as enhanced landscaping along South Bedford Drive, South Peck Drive, and South Camden Drive, similar to the proposed project.
- Improve the streetscape along South Peck Drive, South Camden Drive, and South Bedford Drive in keeping with the City’s Complete Streets Plan and in a manner that both calms traffic and creates a safe pedestrian environment for neighbors to walk to and enjoy, while discouraging cut-through traffic on residential streets by incorporating improved landscaping, canopy trees, raised crosswalks, sidewalk enhancements, and specialized paving.

 - Alternative 4 would implement traffic calming features and pedestrian improvements similar to the proposed project.
- Implement a parking strategy that reduces the visual impact of parking spaces by emphasizing subterranean parking in lieu of large expanses of surface parking.

 - Alternative 4 would include a subterranean parking structure, similar to the proposed project.
- Concentrate new housing and amenities near existing and anticipated transportation nodes and stations to encourage the use of alternative modes of transportation to automobile travel.

 - Alternative 4 would add new housing and amenities near existing and anticipated transportation nodes and stations, thereby encouraging the use of alternative modes of transportation.
- Develop buildings that will integrate active and passive sustainability practices, including drought-tolerant landscaping, high-efficiency equipment, gray water systems, and other sustainable strategies to reduce city and regional dependency on fossil fuels, minimize the use of water, and achieve a Leadership in Energy and Environmental Design (“LEED”) Silver V4.1 equivalency.

 - Alternative 4 would implement the same active and passive sustainability features as the proposed project.
- Enhance the architectural and aesthetic character of Wilshire Boulevard by providing a contextual and contiguous building edge condition along each of the two blocks on Wilshire Boulevard, informed by the massing and height of the approximately 98-foot-tall historic Saks Women’s Building.

9600 Wilshire Boulevard Specific Plan

- Alternative 4 would have the same building footprint, building heights and massing, and architectural/visual characteristics as the proposed project. A contextual and contiguous building edge condition along each of the two blocks on Wilshire Boulevard would be developed under Alternative 4 that complements the massing and height of the Saks Women’s Building.
- Introduce high-quality housing options designed to cater to residents wanting to stay in Beverly Hills as their housing needs change over time, with the convenience of full-service, amenitized housing.
 - Alternative 4 would introduce 170 high-quality housing units with amenities similar to those of the proposed project.
- Protect and enhance the residential character of existing neighborhoods south of the Specific Plan Area by replacing surface commercial parking lots with a newly established Neighborhood District between Wilshire Boulevard and the existing multi-family residences south of the Specific Plan Area, and transforming existing alleys along the southern boundary of the Specific Plan Area into an enhanced South Drive featuring improved landscaping.
 - Under Alternative 4, the existing surface parking lots would be replaced with a Neighborhood District and South Drive would be treated with similar improvements and landscaping features as the proposed project.

Alternative 4 would meet the following objectives but to a lesser extent than the proposed project:

- Generate additional annual tax revenues for the City of Beverly Hills, including property taxes, sales taxes, and transient occupancy taxes.
 - Alternative 4 would generate additional annual tax revenues for the City through the new commercial and residential land uses; however, unlike the proposed project, no transient occupancy taxes would be generated by Alternative 4.
- Create an environment accessible from the City’s major shopping areas and close to the City’s major streets that can attract high-quality, major employers to support and attract new businesses and sustain employment, well-paying jobs, and a high level of economic activity.
 - Alternative 4 would introduce new commercial uses accessible from the City’s major shopping areas and streets that would bring new business and employment to Beverly Hills; however, the amount and variety of new commercial uses would be reduced in comparison to the proposed project, which would develop a mix of restaurant, retail, boutique hotel, and office uses on the site. The limited commercial square footage under Alternative 4 would result in a reduction in economic activity and jobs, and this objective would not be achieved to the same extent as the proposed project.

- Support the growth of the City’s economic base by creating new construction jobs and permanent jobs.
 - Alternative 4 would create new construction jobs and introduce new commercial uses to the project site that would bring new permanent jobs to Beverly Hills; however, the amount of new commercial uses would be reduced in comparison to the proposed project. The limited commercial square footage under Alternative 4 would result in a reduction in permanent jobs, and this objective would not be achieved to the same extent as the proposed project.

6.9 Alternative 5: Reduced Nighttime Construction

6.9.1 Description

Alternative 5 would result in identical build out as the proposed project, with the one exception that during construction activities, the number of days of required continuous nighttime foundation pours would be reduced from 27 days under the proposed project to 22 days under this alternative. The reduction in the number of days with nighttime construction would result in a slightly longer overall construction period, though this increase would be nominal. There would be no changes to the project characteristics including footprint, proposed uses, square footage, parking, circulation improvements, open space and landscaping, and sustainability features, as described in Section 2, *Project Description*.

6.9.2 Impact Analysis

a. Air Quality

Regional Criteria Pollutant Emissions

Construction

Under Alternative 5, construction activities that would generate criteria air pollutants (e.g., number of construction vehicle trips and heavy equipment use) would remain the same as the proposed project. Rather, the time of day at which such activities would occur, would change. Therefore, because the types and intensity of construction activities would be identical to the proposed project, the maximum daily emissions during construction would be similar to those of the proposed project. As described in Section 4.1, *Air Quality*, regional air pollutant emissions during construction would be less than significant with implementation of Mitigation Measure AQ-1. Alternative 5 would also be required to implement Mitigation Measure AQ-1, and impacts would be less than significant with mitigation, similar to the proposed project.

Operation

Operation of Alternative 5 would generate criteria pollutant emissions associated with vehicle trips, energy consumption, area sources, and stationary sources, with the vehicle

trips comprising the largest contributor to regional emissions during operation. As described in Section 4.1, *Air Quality*, regional air pollutant emissions during project operation would be less than significant. Operational activities and characteristics of Alternative 5 would be identical to the proposed project. Thus, operational impacts to regional air quality under Alternative 5 would be less than significant, similar to the proposed project.

Localized Criteria Pollutant Emissions

Construction

As with the proposed project, construction of Alternative 5 has the potential to create localized air quality impacts through the use of heavy-duty construction equipment and through vehicle trips generated from construction workers traveling to and from the project site. In addition, fugitive dust emissions would result from demolition and construction activities. Under Alternative 5, the construction activities and distance to sensitive receptors would be substantially the same as those of the proposed project, other than the time of day at which some of the emissions would occur. Therefore, the maximum daily localized air pollutant emissions under Alternative 5 would be similar to those of the proposed project. As described in Section 4.1, *Air Quality*, the proposed project would result in a less than significant impact related to localized construction emissions with implementation of Mitigation Measure AQ-1. Alternative 5 would also be required to implement Mitigation Measure AQ-1, and impacts related to localized air pollutant emissions would be less than significant.

Operation

Similar to the proposed project, localized operational air pollutant emissions would occur under Alternative 5 primarily due to vehicle emissions and emissions from the regular testing and maintenance of emergency generators. As described in Section 4.1, *Air Quality*, the proposed project would result in a less than significant impact related to localized operational emissions with implementation of Mitigation Measure AQ-2, which establishes limits for the maintenance testing of the project's emergency generators. Alternative 5 would include the same emissions as the proposed project from regular testing and maintenance of emergency generators and would be required to implement Mitigation Measure AQ-2. Operational activities and characteristics of Alternative 5 would be identical to the proposed project. Therefore, under Alternative 5, localized air pollutant emissions during operation would be less than significant with mitigation, similar to the proposed project.

Toxic Air Contaminants

Construction

As with the proposed project, construction of Alternative 5 would generate TACs associated with heavy equipment use. Under Alternative 5, construction activities would be

substantially the same as the proposed project, other than the time of day at which some of the emissions would occur. Therefore, construction TAC emissions under Alternative 5 would be similar to those of the proposed project. As described in Section 4.1, *Air Quality*, construction TAC emissions and associated impacts to sensitive receptors would be less than significant with implementation of Mitigation Measure AQ-1. Alternative 5 would also be required to implement Mitigation Measure AQ-1 and impacts to sensitive receptors due to construction TAC emissions would be less than significant with mitigation, similar to the proposed project.

Operation

As described in Section 4.1, *Air Quality*, operation of the proposed project would result in TAC emissions from delivery truck trips, typical residential and commercial maintenance activities (e.g., cleaning solvents, paints, landscape pesticides, etc.), and the emergency use of the seven life safety generators. These TAC emissions would be less than significant with implementation of Mitigation Measure AQ-2. Operation of Alternative 5 would include the same sources of TAC emissions and would similarly require implementation of Mitigation Measure AQ-2. With implementation of Mitigation Measure AQ-2, impacts to sensitive receptors due to operational TAC emissions from Alternative 5 would be less than significant and similar to the proposed project.

Odors

Construction

Similar to the proposed project, construction of Alternative 5 would generate odors from the use of heavy equipment. These odors would be intermittent and temporary, and odors disperse with distance. These odors would cease upon completion of construction. Overall, construction of Alternative 5 would not generate other emissions, such as those leading to odors, affecting a substantial number of people. Construction of Alternative 5 would be slightly lengthened in comparison to the proposed project due to the reduction in nighttime construction, but this change would be nominal, and construction-related impacts would be less than significant, similar to the proposed project.

Operation

Operation of Alternative 5 would involve the same types of uses as the proposed project. As further described in Section 4.1, *Air Quality*, these land uses are not ones known to generate substantial odors. However, restaurant uses may generate odors associated with cooking. Such odors would be minimal, and these uses would be located in the Wilshire Boulevard District of the Specific Plan area, away from residential uses to which such odors could be considered a nuisance. In addition, in accordance with the requirements of the 9600 Wilshire Specific Plan, mechanical venting of the restaurant and other food-serving commercial uses would be designed to face away from residential uses, thereby directing vented air and potential odors away from sensitive receivers. Therefore, operation of Alternative 5 would not generate objectionable odors affecting a substantial number of

people. Operational impacts related to odors would be less than significant and similar to the proposed project.

b. Biological Resources

Under Alternative 5, construction activities would be similar to the proposed project. As discussed in Section 4.2, *Biological Resources*, birds and bats protected by the CFGC and MBTA may nest on the project site and in adjacent properties and could be disturbed by construction activities. However, construction of the proposed project would result in less than significant impacts to protected birds and bats with implementation of Mitigation Measures BIO-1 through BIO-3. Construction activities under Alternative 5 would also be required to implement Mitigation Measures BIO-1 through BIO-3, and construction impacts would be less than significant with mitigation incorporated, similar to the proposed project.

Operation of Alternative 5 would involve the same land uses and activities as the proposed project. During operation of Alternative 5, there would be no ongoing construction activities that could potentially affect nesting birds or roosting bats. New street trees and landscaping would be provided on the project site that could serve as potential nesting habitat for migratory birds and raptors, and structures on the project site would provide potential roosting habitat for bats. Therefore, operation of Alternative 5 would result in less than significant impacts to biological resources, similar to the proposed project.

c. Cultural Resources

Historical Resources

As discussed in Section 4.3, *Cultural Resources*, the Saks Women's Building is eligible for listing in the NRHP and the CRHR and for local designation as a City of Beverly Hills Landmark under Criteria A/1 for its association with pre- and post-World War II commercial development in Beverly Hills and under C/3 as an example of Neoclassical and Regency Revival architecture applied to a retail building by master architects Parkinson & Parkinson and Paul Revere Williams. Consistent with the proposed project, Alternative 5 would include demolition of the Shoe Building and rehabilitation and adaptive reuse of the Saks Women's Building in accordance with the SOI Standards. Alternative 5 would also include development of four new buildings on the project site similar to the proposed project. As with the proposed project, Alternative 5 would result in modifications to the Saks Women's Building and its setting, which could potentially result in significant impacts. Additionally, there is the potential for groundborne vibration produced during construction activities to result in impacts to the Saks Women's Building in addition to other potential historical resources (buildings dating to the historic period) in the vicinity of the project site. As described in Section 4.3, *Cultural Resources*, with implementation of Mitigation Measures CUL-1, CUL-2, and NOI-2, impacts to historical resources would be less than significant. Alternative 5 would also be required to implement these mitigation measures and impacts to historical resources would be less than significant with mitigation, similar to the proposed project.

Archaeological Resources

Construction of Alternative 5 would include grading and excavation activities similar to the proposed project. As discussed in Section 4.3, *Cultural Resources*, the project site has low archaeological sensitivity due to its developed and disturbed nature. Nonetheless, unanticipated archaeological deposits could be encountered and damaged during the ground-disturbing construction activities. Therefore, Alternative 5 would be required to implement Mitigation Measures CUL-3 through CUL-5 to reduce the potential for impacts to archaeological resources during construction. With implementation of mitigation, construction of Alternative 5 would result in less than significant impacts to archaeological resources, similar to the proposed project.

Upon completion of construction, Alternative 5 would not involve ongoing ground-disturbing activities. Operation of Alternative 5 would result in less than significant impacts to archaeological resources, similar to the proposed project.

d. Energy

Construction

Construction of Alternative 5 would consume energy including petroleum fuels to power construction equipment, haul trucks, and worker vehicles and electricity to power electric construction equipment and construction offices and to provide water for construction site watering. Under Alternative 5, the construction activities and equipment use would be identical to the proposed project; therefore, construction energy consumption would be similar to the proposed project. Similar to the proposed project, the use of energy sources during construction would be temporary and short-term and would not substantially affect the capacity or energy supplies. Additionally, similar to the proposed project, construction of Alternative 5 would comply with the applicable policies, regulations, and plans related to energy efficiency, including CCR Title 13 Sections 2449 and 2485, the USEPA Construction Equipment Fuel Efficiency Standard, and 2022 CALGreen. Therefore, construction of Alternative 5 would result in less than significant energy impacts, similar to the proposed project.

Operation

Operation of Alternative 5 would consume vehicle fuels for residents, visitors, and workers traveling to the site, as well as electricity and natural gas to power the buildings and appliances. As with the proposed project, operation of Alternative 5 would generate an increased consumption of electricity, natural gas, and petroleum-based fuels relative to existing conditions. As described in Section 4.4, *Energy*, the proposed project would implement PDF E-1, which includes energy efficient HVAC systems, exceedance of the energy efficiency requirements of the 2022 Title 24, use of EnergyStar appliances, and other features that would result in reduced energy use. Alternative 5 would similarly implement this PDF. Alternative 5 would develop the project site identical to the proposed project and would result in the same operational demand for electricity and transportation vehicle fuels.

As discussed in Section 4.4, *Energy*, operation of the proposed project would not result in wasteful, inefficient, or unnecessary consumption of energy or exceed the local and regional energy supply and capacity. As Alternative 5 would result in the same energy consumption as the proposed project, Alternative 5 would likewise not result in wasteful, inefficient, or unnecessary consumption or exceed the local and regional energy supply and capacity. Impacts would be less than significant, similar to the proposed project.

Alternative 5 would also implement the same energy efficiency measures as the proposed project and would not conflict with the applicable plans for energy efficiency. These plans include the Beverly Hills Sustainable City Plan and Beverly Hills Green Building Standards Code, which contain measures intended to increase energy efficiency and expand the use of renewable energy in Beverly Hills, as well as CALGreen and the 2022 Title 24. Development and operation of Alternative 5 would comply with CALGreen, Title 24, and Beverly Hills Green Building Standards. Additionally, as with the proposed project, this alternative would be consistent with the City's Sustainable City Plan Energy Policy 2 by incorporating PV provisions consistent with the 2022 Title 24, installing EV charging parking spaces, and including all-electric HVAC systems. Similar to the proposed project, this alternative would eventually be powered by renewable energy as mandated by SB 1020 and would not conflict with the requirements of SB 1020. Alternative 5 would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Overall operational energy-related impacts would be under Alternative 5 would be less than significant, similar to the proposed project.

e. Geology and Soils

Seismic and Soil Hazards

As described in Section 4.5, *Geology and Soils*, the project site is partially within an Alquist-Priolo Fault Zone and is subject to seismic activity. To address seismic and soils hazards, Alternative 5 would be required to comply with State and local regulations such as the Alquist-Priolo Earthquake Fault Zoning Act, Seismic Safety Act, Seismic Hazards Mapping Act, UBC, CBC, and the Beverly Hills Building Code. Similar to the proposed project, Alternative 5 would be required to comply with the plan review and permitting requirements of the Development Services Division, including the recommendations provided in final site-specific geotechnical reports subject to review and approval by the City. The impact to people, buildings, or structures on the project site from strong seismic ground shaking and soil hazards during project operation would be minimized by the required conformance with applicable building codes and accepted engineering practices. Therefore, impacts related to seismic and soil hazards under Alternative 5 would be less than significant, similar to the proposed project.

Paleontological Resources

Under Alternative 5, construction and earthmoving activities, including excavation depths, would be similar to the proposed project. As with the proposed project, this alternative could potentially disturb previously undiscovered paleontological resources. Mitigation

Measures GEO-1 and GEO-2 would continue to be required, ensuring construction worker training, construction monitoring, and proper procedures are implemented in the event that paleontological resources are encountered during ground disturbing activities. Therefore, construction of Alternative 5 would result in less than significant impacts to paleontological resources with mitigation, and impacts would be similar to the proposed project.

Upon completion of construction, Alternative 5 would not involve ongoing ground-disturbing activities. Operation of Alternative 5 would result in less than significant impacts to paleontological resources, similar to the proposed project.

f. Greenhouse Gas Emissions

As with the proposed project, construction of Alternative 5 would generate GHG emissions through the use of heavy-duty construction equipment and vehicle and haul trips generated from construction workers and haul trucks traveling to and from the project site. Construction activities and resulting GHG emissions under Alternative 5 would be similar to the proposed project. Operation of Alternative 5 would result in GHG emissions through vehicle trips, energy use to power the proposed new buildings, water consumption, waste production, testing and maintenance of the emergency generators, and from area sources and refrigerant use. Alternative 5 would develop the project site with the same uses and square footage as the proposed project and would result in the same amount of operational GHG emissions.

Although construction and operation under Alternative 5 would generate GHG emissions, Alternative 5 would incorporate features, such as PDF E-1, that would reduce GHG emissions and align with the goals of the applicable plans, policies, and regulations related to GHG emissions, similar to the proposed project. Operation of Alternative 5 would comply with CALGreen, Title 24, and the Beverly Hills Green Building Standards Code. Therefore, Alternative 5 would not conflict with the applicable plans, policies, and regulations adopted for the purpose of reducing GHG emissions, and impacts related to GHG emissions under Alternative 5 would be less than significant and similar to the proposed project.

g. Hazards and Hazardous Materials

As described in Section 4.7, *Hazards and Hazardous Materials*, the project site is not within the immediate vicinity of any designated disaster routes. Nonetheless, construction of Alternative 5 would result in temporary delays and lane closures along South Bedford Drive, South Camden Drive, South Peck Drive, and Wilshire Boulevard. Similar to the proposed project, Alternative 5 would implement Mitigation Measure T-1, which requires development of a construction management plan that would reduce the potential construction impacts to emergency response and evacuation. Alternative 5 may slightly increase the number of days with daytime construction due to the reduction in nighttime construction, thereby resulting in a few extra days of temporary delay and roadway closures, but this change would be minor. With implementation of Mitigation Measure T-1,

construction of Alternative 5 would result in less than significant impacts to emergency response and evacuation, similar to the proposed project.

Following the completion of construction activities, all temporary lane closures would be reopened for use and vehicular access to the roadways within and surrounding the project site would be maintained. Additionally, the design of Alternative 5 would comply with City and BHFD requirements regarding site access and emergency vehicle access. Compliance with applicable City Building Code and Fire Code requirements, including emergency vehicle access, would be confirmed as part of BHFD's fire/life safety plan review and BHFD's fire/life safety inspection for new construction projects. As such, operational impacts related to impairing implementation of or physically interfering with an adopted emergency response plan or emergency evacuation plan would be less than significant under Alternative 5, similar to the proposed project.

h. Land Use and Planning

Under Alternative 5, the project site would be developed identically to the proposed project, with the same types of uses, development footprint, building heights, circulation and roadway improvements, publicly accessible open space, and sustainability features. The same discretionary approvals would be required as under the proposed project, including adoption of a new specific plan and amendments to the general plan land use and zoning designations.

Similar to the proposed project, Alternative 5 would not conflict with the applicable goals and policies of the City's General Plan adopted for the purpose of avoiding or mitigating environmental effects, nor would it conflict with the goals of SCAG 2020-2045 RTP/SCS. As with the proposed project, Alternative 5 would be inconsistent with the BHMC permitted uses, heights, and development densities based on the current site zoning, but with approval of a specific plan and the discretionary actions required for the project, Alternative 5 would not conflict with the BHMC. Therefore, Alternative 5 would result in less than significant impacts related to a conflict with land use plans, policies, and regulations adopted for the purpose of avoiding or mitigating environmental effects, similar to the proposed project.

i. Noise and Vibration

Noise

Construction

Under this alternative, construction characteristics would be similar to the proposed project except that there would be 22 days with continuous foundation pours rather than 27 days. Under Alternative 5, as with the proposed project, construction activities that occur outside the City's permitted construction hours during continuous foundation pours would result in an increase of at least 5 dBA above ambient noise levels and potentially significant noise impacts. Mitigation Measure NOI-1, which requires noise barriers, equipment mufflers, and other measures to address construction noise, would be implemented by Alternative 5 to

reduce noise from construction activities. Additionally, Alternative 5 would be required to implement Mitigation Measure NOI-3, which requires coordination during construction with the nearest cumulative project, to reduce the potential for cumulative construction noise impacts. Similar to the proposed project, construction noise levels under this alternative would still exceed the City's noise thresholds even with implementation of Mitigation Measures NOI-1 and NOI-3. Therefore, construction noise impacts under Alternative 5 would remain significant and unavoidable but would be reduced in comparison to the proposed project due to the reduced number of days with nighttime construction activity.

Operation

Alternative 5 would build-out the project site similar to the proposed project. On-site noise sources would include HVAC units, the commercial loading dock, and recreational and community activities such as farmers' markets and special events at the Social Club and/or Boutique Hotel. In addition, off-site operational noise would be generated by vehicles traveling to and from the project site. As described in Section 4.9, *Noise*, operation of the proposed project, including on-site and off-site sources of noise, would result in less than significant noise impacts to the surrounding land uses. As Alternative 5 would build the same land uses and operational noise sources as the proposed project, this alternative would result in less than significant noise impacts, similar to the proposed project.

Vibration

Construction

Construction of Alternative 5 would involve similar construction activities as the proposed project and would have the potential to produce groundborne vibration that could cause architectural damage to nearby buildings including the Saks Women's Building, 9570 Wilshire Building, and residential buildings to south of the project site. Similar to the proposed project, Mitigation Measure NOI-2 would be implemented, which requires implementation of a construction vibration monitoring plan. With implementation of mitigation, construction vibration impacts would be less than significant, similar to the proposed project.

Operation

Operation of Alternative 5 would not include substantial vibration sources. Therefore, operation would not generate excessive groundborne vibration or groundborne noise levels and no impact would occur, similar to the proposed project.

j. Population and Housing

Alternative 5 would build out the project site similar to the proposed project and would have the potential to result in substantial unplanned population, housing, and employment growth. Population and household growth generated by the residential units and employment growth generated by new commercial uses under Alternative 5 would be identical to the proposed project. As described in Section 4.10, *Population and Housing*, the

proposed project and would not exceed the SCAG 2020-2045 RTP/SCS population and housing projections or the housing needs identified in the latest RHNA. Likewise, employment generated under the proposed project would not exceed SCAG projections for the city. As with the proposed project, Alternative 5 would not include new infrastructure or increase the capacity of existing infrastructure that could result in indirect population growth. Impacts under Alternative 5 would be less than significant, similar to the proposed project.

k. Transportation

Conflict with Plans, Policies, and Programs

The plans, policies, and programs applicable to the proposed project would also apply to Alternative 5. With regard to construction, the types of construction activities and construction timeline under Alternative 5 would be similar to the project. As with the project, construction of Alternative 5 would generate construction-related traffic from haul trucks and construction workers and would also require the delivery and staging of construction and materials and equipment. As such, similar to the project, potential construction-related transportation impacts could result during construction of Alternative 5. Alternative 5 would also implement Mitigation Measure T-1 which requires a Construction Management Plan to minimize potential impacts to the surrounding circulation system. Alternative 5 may slightly increase the number of days with daytime construction due to the reduction in nighttime construction, thereby resulting in a few extra days of temporary impacts to the circulation system, but this change would be minor. As with the project, construction-related transportation impacts under Alternative 5 would be less than significant with mitigation, similar to the proposed project.

Under Alternative 5, the primary movement of vehicles would be along Wilshire Boulevard, South Peck Drive, South Camden Drive, South Bedford Drive, South Drive, and the Via, similar to the proposed project. Alternative 5 would also include the same circulation improvements as the proposed project, including pedestrian enhancements, landscaping, street lighting, bicycle racks, street furniture, traffic calming features, and a new continental crosswalk at the south leg of the intersection of Wilshire Boulevard and South Peck Drive. Overall, as with the project, Alternative 5 would be consistent with the goals, policies, and requirements of the City of Beverly Hills General Plan, the City's Complete Streets Plan, the LA Metro First Last Mile Strategic Plan and Wilshire/Rodeo Pathway Plan, and the SCAG 2020-2045 RTP/SCS. Alternative 5 would improve the streetscape and promote pedestrian activity and reduce vehicle trips and VMT by encouraging the use of alternative modes of transportation, providing convenient and adequate bicycling facilities, and enhancing pedestrian amenities along the streets surrounding the project site. As such, operation of Alternative 5 would comply with the programs and policies set forth in the City of Beverly Hills General Plan, the City's Draft Complete Streets Plan, and the LA Metro First Last Mile Strategic Plan, and the SCAG 2020-2045 RTP/SCS to the same extent as the project. Therefore, Alternative 5 would not conflict with a program, plan, ordinance, or policy

addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities and impacts would be less than significant, similar to the proposed project.

Vehicle Miles Traveled

With respect to VMT, as with the project, Alternative 5 meets the City's VMT Screening Criteria 3 and Screening Criteria 4, discussed in detail in Section 4.11, *Transportation*. Based on the screening criteria, Alternative 5 would have a less than significant VMT impact and is screened out from further VMT analysis. Therefore, Alternative 5 would result in less than significant impacts with respect to conflicts with CEQA Guidelines Section 15064.3, subdivision (b), similar to the proposed project.

Design Hazards

Under Alternative 5, alterations to the existing roadways, including traffic calming features and the new crosswalk, and new internal roadways such as the Via and South Drive, would be similar to the proposed project. Under Alternative 5, project site access locations would be designed in accordance with City standards to provide adequate sight distance, sidewalks, crosswalks, and pedestrian movement controls. Several circulation enhancements would be introduced under Alternative 5 to reduce the potential for hazards. Pedestrian safety improvements would include a continental crosswalk at the south leg of the intersection of Wilshire Boulevard and South Peck Drive and various improvement along South Peck Drive such as raising and eliminating curbs and gutters to allow for priority movement of pedestrians, installation of truncated domes or another mechanism to signal grade changes and distinguish pedestrian-only versus shared pedestrian and vehicular zones within the right-of-way, and bollards to identify changes in usage across the right-of-way. No incompatible uses, sharp intersections, or dangerous curves would be added under Alternative 5. Therefore, Alternative 5 would result in less than significant impacts related to geometric design hazards, similar to the proposed project.

Emergency Access

The project site is located in an established urban area that is well served by the surrounding roadway network, and multiple routes exist in the area for emergency vehicles. Emergency access to the project site and surroundings is currently provided by Wilshire Boulevard, South Peck Drive, South Bedford Drive, and South Camden Drive. As with the proposed project, Alternative 5 would include Mitigation Measure T-1, which would ensure that adequate emergency access to the project site and surroundings is maintained throughout construction. Therefore, construction of Alternative 5 would result in less than significant impacts to emergency access with mitigation, similar to the proposed project.

Transportation and access components under Alternative 5 would be designed to meet all applicable City Building Code and Fire Code requirements regarding site access, including the provision of adequate emergency vehicle access. Compliance with City requirements would be confirmed as part of the BHFD fire/life safety plan review and inspection for new projects. Adherence to City policies would ensure operation of Alternative 5 would not

result in inadequate emergency access. Therefore, operation of Alternative 5 would result in less than significant impacts to emergency access and impacts would be similar to the proposed project.

I. Tribal Cultural Resources

Under Alternative 5, the amount of excavation and grading required during construction would be similar to the proposed project. As with the proposed project, this alternative would result in ground-disturbing construction activities which could potentially unearth previously undiscovered tribal cultural resources. Mitigation Measures TCR-1 through TCR-3, which implement construction monitoring by a Native American monitor and procedures in the event that tribal cultural resources are encountered, would continue to be required under Alternative 5. With implementation of mitigation, construction impacts would be less than significant, similar to the proposed project.

Upon completion of construction, Alternative 5 would not involve ongoing ground-disturbing activities. Operation of Alternative 5 would result in less than significant impacts to tribal cultural resources, similar to the proposed project.

m. Utilities and Service Systems

Water

Construction

Similar to the proposed project, Alternative 5 would construct necessary on-site water infrastructure within the disturbance area of the project and in compliance with applicable City requirements to accommodate the proposed new buildings. The potential environmental effects associated with new water infrastructure under Alternative 5 are analyzed throughout this section, concurrently with this alternative as a whole. As such, under Alternative 5, impacts to water infrastructure during construction would be less than significant.

As described in Section 4.13, *Utilities and Service Systems*, construction activities would require water for dust suppression, equipment washing, and cleaning of restroom facilities. Construction activities and construction water consumption under Alternative 5 would be similar to the proposed project. Given the temporary and minimal nature of construction water demand, impacts related to construction water consumption would be less than significant, similar to the proposed project.

Operation

Upon completion of construction activities, the water distribution system serving the project site would be adequate to accommodate Alternative 5. Occasional minor maintenance activities may be required to repair infrastructure as it ages. However, future relocation and expansion of the water distribution system during operation are not anticipated. Therefore, operational impacts with respect to new or expanded water facilities would be less than significant.

Alternative 5 would require water consumption during operation of the proposed uses, as well as water consumption for landscaping irrigation. Alternative 5 would develop the project site identically to the proposed project and would also implement the water conservation features included in the proposed project and discussed in Section 2, *Project Description*, including water efficient bathroom and kitchen appliances, landscaping irrigation where feasible from alternative water supply (such as graywater), water efficient landscape irrigation technologies, and use of drought resistant landscaping. As described in Section 4.13, *Utilities and Service Systems*, the City is anticipated to have sufficient water supplies available to serve the proposed project. Since Alternative 5 would result in identical operational water use as the proposed project, it would result in less than significant impacts related to water consumption and supplies, similar to the proposed project.

Wastewater

Construction

Similar to the proposed project, construction of Alternative 5 would involve the installation of new or reconstructed sewer mains and connections within the project site. These activities would be confined to trenching to place the sewer lines below surface and would occur within the disturbance area of the project; therefore, the construction of these infrastructure improvements would not substantially increase this alternative's disturbance area, associated emissions, or otherwise cause significant environmental effects beyond those identified throughout this section. As such, under Alternative 5, impacts to wastewater infrastructure during construction would be less than significant.

During construction of Alternative 5, a minimal amount of wastewater would be generated by the construction employees. Portable toilets would be provided by a private company and the wastewater would be disposed off-site. Furthermore, no new connections to the sewer system would be required to accommodate construction. Overall, there would be a negligible impact on sewer facilities and there would not be an increase in wastewater flows beyond the available capacity of the existing conveyance and treatment systems during construction of Alternative 5. Construction impacts related to wastewater treatment would be less than significant, similar to the proposed project.

Operation

Upon completion of construction activities, the wastewater conveyance system serving the project site would be adequate to accommodate Alternative 5. Occasional minor maintenance activities may be required to repair infrastructure as it ages. However, future relocation and expansion of the wastewater conveyance system during operation are not anticipated. Therefore, operational impacts with respect to new or expanded wastewater facilities would be less than significant.

Operation of Alternative 5 would involve identical uses as the proposed project and would generate the same amount of wastewater as the project. As discussed in Section 4.13, *Utilities and Service Systems*, wastewater generated during operation of the proposed

project would be accommodated by the existing capacity of the HTP. As the operational wastewater generation under Alternative 5 would be the same as the proposed project, the existing capacity of the HTP would also be adequate to serve Alternative 5. Impacts related to wastewater generation and infrastructure capacity would be less than significant under Alternative 5, similar to the proposed project.

Stormwater Drainage

Construction

Similar to the proposed project, Alternative 5 would include installation of a stormwater cistern to pretreat and retain stormwater. New storm drain lines would also be constructed to connect the cistern to the existing storm drain facilities within Wilshire Boulevard, South Camden Drive, and South Bedford Drive. The stormwater drainage would adhere to LID requirements. As with water and wastewater facilities, the storm drain infrastructure would be constructed within the disturbance area of the project and would not result in additional environmental impacts beyond those contemplated throughout this analysis. As such, under Alternative 5, impacts to storm drainage infrastructure during construction would be less than significant, similar to the proposed project.

Operation

As the development would be the same, Alternative 5 would result in the same amounts of impervious and pervious surfaces as the proposed project and would not result in increased stormwater runoff. The existing storm drainage system was found to have adequate capacity for the proposed project, and the storm drainage system would similarly have adequate capacity to serve Alternative 5 (Kimley Horn 2023; Appendix H). Upon completion of construction activities, the stormwater drainage and conveyance system serving the project site would be adequate to accommodate Alternative 5. Occasional minor maintenance activities may be required to repair infrastructure as it ages. However, future relocation and expansion of stormwater drainage infrastructure during operation are not anticipated. As such, operational impacts related to new or expanded stormwater facilities would be less than significant, similar to the proposed project.

Electric Power, Natural Gas, and Telecommunications Infrastructure

Construction

Similar to the proposed project, Alternative 5 would involve the removal of overhead electric utility lines and poles and relocation of electric and natural gas utility lines. As with water, wastewater, and stormwater facilities, relocated electric and natural gas utility lines would be installed during construction and within the disturbance area of the project; therefore, the construction of these infrastructure improvements would not substantially increase Alternative 5's disturbance area, associated emissions, or otherwise cause significant environmental effects beyond those identified throughout this document.

Construction-related activities of Alternative 5 would not involve consumption of natural gas or result in impacts on telecommunication services. Minor quantities of electric power for lighting, power tools, and other support equipment would be required; however, energy consumed during construction of Alternative 5 would be finite and limited and would not result in the need for relocation or construction of new or expanded electric power facilities. The overall amount of electricity required during construction of Alternative 5 would be similar to the proposed project. As such, under Alternative 5, construction impacts on electric power, natural gas, and telecommunications infrastructure would be less than significant, similar to the proposed project.

Operation

Upon completion of construction activities, the electric power, natural gas, and telecommunications systems serving the project site would be adequate to accommodate Alternative 5. Occasional minor maintenance activities may be required to repair infrastructure as it ages. However, future relocation and expansion of electric power, natural gas, and telecommunications infrastructure during project operation are not anticipated.

Alternative 5 would develop the site identically to the proposed project, and operational electricity, natural gas, and telecommunications use would be similar to the proposed project. As discussed in Section 4.13, *Utilities and Service Systems*, the proposed project would result in less than significant impacts to electric power, natural gas, and telecommunications facilities. Given the identical demand for these services, Alternative 5 would not require the relocation or construction of new or expanded electric power, natural gas, or telecommunications facilities, and impacts would be less than significant, similar to the proposed project.

Solid Waste

Construction

Solid waste would be generated during demolition, grading, and construction activities under Alternative 5. Construction solid waste output would be similar to the proposed project, as the square footage of demolished buildings and extent of soil excavation would be the same under Alternative 5 as the proposed project. Demolished materials and excavated soil would be reused or recycled to the maximum extent feasible and in accordance with the requirements of CALGreen and LEED certification, and all remaining materials would be transported to a Los Angeles County Landfill that accepts construction and demolition debris. As with the proposed project, disposal of construction waste and soil from demolition and grading under Alternative 5 would not exceed the capacity of local solid waste disposal facilities.

In accordance with the requirements of SB 1374 and CALGreen, 75 percent of non-hazardous demolition and construction debris would be recycled or salvaged, and soil material may be used beneficially as landfill cover or imported fill material at other construction sites. Construction of Alternative 5 would also comply with the solid waste

regulations in BHMC Sections 6-1-401 through 6-1-512 and with the City's waste collection policies and waste reduction and recycling programs outlined in Goals CON 13, CON 14, and CON 16 of the General Plan. Therefore, construction impacts related to solid waste under Alternative 5 would be less than significant, similar to the proposed project.

Operation

As discussed in Section 4.13, *Utilities and Service Systems*, the proposed project would not generate solid waste in excess of the capacity of local infrastructure and would not require the expansion or construction of a new solid waste disposal or recycling facility to handle project-generated waste. Alternative 5 would develop the site consistent with the proposed project and would generate the same amount of solid waste during operation. In compliance with State and City requirements, Alternative 5 would include trash enclosures with clearly marked, source-sorted receptacles for disposing of mixed solid waste and recyclables (which are later separated by the City's waste hauler, Athens), with a separate receptacle for and organic waste, and would contract with Athens services for solid waste, recycling, and organics recycling services. Athens handles solid waste consistent with the State waste reduction policies, requirements of BHMC Sections 6-1-401 through 6-1-512, and the goals set forth by the City's General Plan. Through the provisioning of the required source-separated bins and solid waste hauling services, Alternative 5 would be consistent with the Statewide organic waste and recycling goals and requirements established by AB 341, AB 939, AB 1826, SB 1383, and CALGreen Code, as well as General Plan Goals CON 13, CON 14, and CON 16. Therefore, because Alternative 5 would comply with applicable solid waste policies and objectives and would not generate solid waste in excess of the capacity of local infrastructure, impacts related to solid waste would be less than significant, similar to the proposed project.

6.9.3 Comparison of Impacts

As with the proposed project, Alternative 5 would result in significant and unavoidable impacts due to nighttime construction required for continuous foundation pours, although this impact would be slightly reduced due to the reduction in the number of days of nighttime. Alternative 5 would develop the site identically to the proposed project, and the significance of impacts associated with the remaining environmental issues would be the same as those of the proposed project, as shown in Table 6-2.

6.9.4 Relationship of the Alternative to Project Objectives

Alternative 5 would develop the same mix of uses as the proposed project and would meet the underlying purpose of the project to revitalize and transform the project site from a primarily vehicular zone to a pedestrian-oriented zone by creating a mixed-use, compact and pedestrian-friendly development. As Alternative 5 would be identical to the proposed project other than the change to the number of days with nighttime construction activity, Alternative 5 would also meet all of the project objectives.

6.10 Alternative 6: Retail Emphasis with Reduced Restaurant and Office

6.10.1 Description

Under Alternative 6, the 9600 Wilshire Specific Plan would be substantially the same as the proposed project but would limit the maximum amount of restaurant use permitted and assume a corresponding increase in the amount of retail. The maximum permitted development and permitted land uses within the subareas would be the same, but an increased proportion of the commercial square footage would be occupied by retail uses rather than restaurant and office uses. As with the proposed project, the Shoe Building would be demolished, the building at 9570 Wilshire would remain in place as a retail department store, and the Saks Women's Building would be rehabilitated in accordance with the SOI Standards and adaptively reused. In addition, two new buildings would be developed on Parcel A and Parcel B and two new buildings would be developed in the Neighborhood District.

Under Alternative 6, 25 percent of the maximum "Restaurant/Retail" category on Parcel A, Parcel B, and Saks Rehabilitation would be developed with restaurants and 75 percent of the maximum commercial square footage on Parcel A, Parcel B, and Saks Rehabilitation would be used for retail purposes. In addition, office uses on Parcel A under the proposed project would instead be retail. In addition to the maximum restaurant allocation referenced above and shown in the accompanying table (Table 6-10), under this alternative, the Specific Plan would include a requirement that a minimum of 3,600 sf of food and beverage would be provided within the Wilshire Boulevard District to promote a variety of commercial uses and activation of the ground floor. The land uses within the Neighborhood District would be consistent with the maximum buildout under the proposed project. In total, 215,000 sf of retail, 75,000 sf of office, 31,000 sf of restaurant, 55,000 sf of boutique hotel, 16,000 sf of social club uses, and 23,000 sf of spa uses would be developed, along with 70 residential units. This analysis is used for the purpose of studying aggregated maximum impacts across the Specific Plan area. Precise allocations could vary within individual parcels.

Development under this alternative would not result in changes to the project footprint, overall maximum development, and building heights. The open space amenities, sustainability features, landscaping, subterranean parking structure, roadway improvements, and site access and circulation would also be consistent with the proposed project, as would the operational restrictions and requirements. Additionally, construction activities under Alternative 6, such as equipment used, excavation and haul quantities, and construction hours, would be consistent with those described in Section 2, *Project Description*. Table 6-10 provides a development summary of the proposed uses.

Table 6-10 Alternative 6 Development Summary

Building Area	Land Use	Square Footage	Residential Units/ Boutique Hotel Rooms
Parcel A	Restaurant	20,000	–
	Retail	60,000	–
	Total	80,000	–
Parcel B	Restaurant	2,750	–
	Retail	8,250	–
	Office	75,000	–
	Total	86,000	–
Saks Rehabilitation	Retail	24,750	–
	Restaurant	8,250	–
	Boutique Hotel	55,000 sf	50 rooms
	Social Club	16,000	–
	Spa	23,000	–
	Total	127,000	–
9570 Wilshire	Retail	107,000	–
Wilshire Boulevard District	Total	400,000	50 rooms
Neighborhood East	Dwellings	101,303	31 units
	Small shop/boutique retail	7,500	–
	Lobby/Amenity	3,262	–
	Circulation	6,299	–
	Total	118,364	31 units
Neighborhood West	Dwellings	101,030	39 units
	Small shop/boutique retail	7,500	–
	Lobby/Amenity	3,294	–
	Circulation	6,440	–
Total	118,264	39 units	
Neighborhood District	Total	236,628	70 units
Total Site		636,628	50 boutique hotel rooms/70 residential units

sf = square feet

6.10.2 Impact Analysis

a. Air Quality

Regional Criteria Pollutant Emissions

Construction

As with the proposed project, construction of Alternative 6 has the potential to create air quality impacts through the use of heavy-duty construction equipment and through vehicle trips generated from construction workers traveling to and from the project site. In addition, fugitive dust emissions would result from demolition and construction activities. Under Alternative 6, construction activities would be substantially the same as those of the proposed project. Therefore, the maximum daily air pollutant emissions under Alternative 6 would be similar to those of the proposed project. As described in Section 4.1, *Air Quality*, regional air pollutant emissions during construction would be less than significant with implementation of Mitigation Measure AQ-1. Alternative 6 would also be required to implement Mitigation Measure AQ-1, and impacts would be less than significant with mitigation, similar to the proposed project.

Operation

Operation of Alternative 6 would involve the same types of land uses as the proposed project, which would generate operational criteria pollutant emissions associated with vehicle trips, energy consumption, area sources, and stationary sources, with the vehicle trips comprising the largest contributor to regional emissions during operation. The same amount of overall development would occur under Alternative 6 as the proposed project, but the amount of retail use would be increased, and the amount of office and restaurant use would be decreased compared to the proposed project. Operational emissions for Alternative 6 were modeled in CalEEMod. As shown in Table 6-11, operation of Alternative 6 would not exceed the SCAQMD regional significance thresholds. Therefore, operational impacts related to regional air pollutant emissions under Alternative 6 would be less than significant but increased in comparison to the proposed project.

Table 6-11 Alternative 6 Operational Emissions

Emission Source	Maximum Daily Emissions (lbs/day)					
	VOC	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Unmitigated						
Mobile	31	21	195	<1	41	10
Area	20	<1	38	<1	<1	<1
Energy	<1	2	2	<1	<1	<1
Stationary	8	34	19	<1	1	1
<i>Existing Emissions</i>	<i>(9)</i>	<i>(2)</i>	<i>(31)</i>	<i>(<1)</i>	<i>(3)</i>	<i>(1)</i>
Net Project Emissions	50	55¹	223	<1	39	10
SCAQMD Regional Thresholds	55	55	550	150	150	55
Threshold Exceeded?	No	No	No	No	No	No

lbs/day = pounds per day; VOC = volatile organic compounds; NO_x = nitrogen oxide; CO = carbon monoxide; PM₁₀ = particulate matter with a diameter no more than 10 microns; PM_{2.5} = particulate matter with a diameter no more than 2.5 microns; SO_x = sulfur oxide

Notes: Some numbers may not add up precisely due to rounding considerations.

¹ Total is 54.69

Source: See Appendix B for CalEEMod worksheets, Table 2.5 “Operations Emissions by Sector, Unmitigated” emissions. Highest of Summer and Winter emissions results are shown for all emissions. The mitigated emissions account for project sustainability features and/or compliance with specific regulatory standards.

Localized Criteria Pollutant Emissions

Construction

As with the proposed project, construction of Alternative 6 has the potential to create air quality impacts through the use of heavy-duty construction equipment and through vehicle trips generated from construction workers traveling to and from the project site. In addition, fugitive dust emissions would result from demolition and construction activities. Under Alternative 6, construction activities would occur at a similar distance to sensitive receptors and construction activities would be substantially the same as those of the proposed project. Therefore, the maximum daily air pollutant emissions under Alternative 6 would be similar to those of the proposed project. As described in Section 4.1, *Air Quality*, the proposed project would result in a less than significant impact related to localized construction emissions with implementation of Mitigation Measure AQ-1. Alternative 6 would also be required to implement Mitigation Measure AQ-1, and impacts related to localized criteria air pollutant emissions would be less than significant with mitigation, similar to the proposed project.

Operation

Similar to the proposed project, localized operational air pollutant emissions would occur under Alternative 6 primarily due to vehicle emissions and emissions from the regular testing and maintenance of emergency generators. Table 6-12 shows the localized air pollutant emissions under Alternative 6. As shown therein, the PM_{2.5} threshold would be exceeded, but by slightly less than the proposed project.

Table 6-12 Alternative 6 LST Operational Emissions

Year	Pollutant (lbs/day)			
	NO _x	CO	PM ₁₀	PM _{2.5}
Unmitigated				
Maximum Operational Onsite Emissions	36	55	1	1 ¹
SCAQMD LST	82	827	2	1
Threshold Exceeded?	No	No	No	Yes
Mitigated				
Maximum Operational Onsite Emissions	22	44	<1	<1
SCAQMD LST	82	827	2	1
Threshold Exceeded?	No	No	No	No

lbs/day = pounds per day; NO_x = nitrogen oxide; CO = carbon monoxide; PM₁₀ = particulate matter with a diameter no more than 10 microns; PM_{2.5} = particulate matter with a diameter no more than 2.5 microns.

Notes: Some numbers may not add up precisely due to rounding considerations. Maximum onsite emissions are the highest emissions that would occur on the project site from onsite sources, such as fireplaces, emergency generators, natural gas use, architectural coatings, and excludes mobile sources.

¹On-site operational activity would generate 1.13 lbs./day of PM_{2.5} emissions.

Source: See CalEEMod worksheets in Appendix B, Table 2.5, Operational Emissions by Sector, Unmitigated.

As described in Section 4.1, *Air Quality*, the proposed project would result in a less than significant impact related to localized operational emissions with implementation of Mitigation Measure AQ-2, which establishes limits for the maintenance testing of the project’s emergency generators. Alternative 6 would include the same emissions as the proposed project from regular testing and maintenance of emergency generators and would be required to implement Mitigation Measure AQ-2. As shown in Table 6-12, localized air pollutant emissions during operation of Alternative 6 would be less than significant with mitigation, similar to the proposed project, but reduced compared to the proposed project due to the reduced localized air pollutant emissions.

Toxic Air Contaminants

Construction

As with the proposed project, construction of Alternative 6 would generate TACs associated with heavy equipment use. Under Alternative 6, construction activities would be

substantially the same as those of the proposed project. Therefore, the construction TAC emissions under Alternative 6 would be similar to those of the proposed project. As described in Section 4.1, *Air Quality*, construction TAC emissions and associated impacts to sensitive receptors would be less than significant with implementation of Mitigation Measure AQ-1. Alternative 6 would also be required to implement Mitigation Measure AQ-1 and impacts to sensitive receptors due to construction TAC emissions would be less than significant with mitigation, similar to the proposed project.

Operation

As described in Section 4.1, *Air Quality*, operation of the proposed project would result in TAC emissions from delivery truck trips, typical residential and commercial maintenance activities (e.g., cleaning solvents, paints, landscape pesticides, etc.), and the emergency use of the seven life safety generators. These TAC emissions would be less than significant with implementation of Mitigation Measure AQ-2. Operation of Alternative 6 would include the same sources of TAC emissions and would similarly require implementation of Mitigation Measure AQ-2. With implementation of Mitigation Measure AQ-2, impacts to sensitive receptors due to operational TAC emissions from Alternative 6 would be less than significant, similar to the proposed project.

Odors

Construction

Similar to the proposed project, construction of Alternative 6 would generate odors from the use of heavy equipment. These odors would be intermittent and temporary, and odors disperse with distance. These odors would cease upon completion of construction. Overall, construction of Alternative 6 would not generate other emissions, such as those leading to odors, affecting a substantial number of people. Construction-related impacts would be less than significant, similar to the proposed project.

Operation

Operation of Alternative 6 would involve the same types of uses as the proposed project. As further described in Section 4.1, *Air Quality*, these land uses are not ones known to generate substantial odors. However, restaurant uses may generate odors associated with cooking. Such odors would be minimal, and these uses would be located in the Wilshire Boulevard District of the Specific Plan area, away from residential uses to which such odors could be considered a nuisance. In addition, in accordance with the 9600 Wilshire Specific Plan, mechanical venting of the restaurant and other food-serving commercial uses would be designed to face away from residential uses, thereby directing vented air and potential odors away from sensitive receivers. Restaurant use would be reduced under Alternative 6 as compared to the proposed project. Therefore, operation of Alternative 6 would not generate objectionable odors affecting a substantial number of people. Impacts would be less than significant, similar to the proposed project, but slightly reduced compared to the proposed project due to the reduced restaurant uses.

b. Biological Resources

Under Alternative 6, construction activities would be similar to the proposed project. As discussed in Section 4.2, *Biological Resources*, birds and bats protected by the CFGC and MBTA may nest on the project site and in adjacent properties and could be disturbed by construction activities. However, construction of the proposed project would result in less than significant impacts to protected birds and bats with implementation of Mitigation Measures BIO-1 through BIO-3. Construction activities under Alternative 6 would also be required to implement Mitigation Measures BIO-1 through BIO-3, and construction impacts would be less than significant with mitigation incorporated, similar to the proposed project.

Operation of Alternative 6 would involve similar types of land uses and activities as the proposed project. During operation of Alternative 6, there would be no ongoing construction activities that could potentially affect nesting birds or roosting bats. New street trees and landscaping would be provided on the project site that could serve as potential nesting habitat for migratory birds and raptors, and structures on the project site would provide potential roosting habitat for bats. Therefore, operation of Alternative 6 would result in less than significant impacts to biological resources, similar to the proposed project.

c. Cultural Resources

Historical Resources

As discussed in Section 4.3, *Cultural Resources*, the Saks Women's Building is eligible for listing in the NRHP and the CRHR and for local designation as a City of Beverly Hills Landmark under Criteria A/1 for its association with pre- and post-World War II commercial development in Beverly Hills and under C/3 as an example of Neoclassical and Regency Revival architecture applied to a retail building by master architects Parkinson & Parkinson and Paul Revere Williams. Consistent with the proposed project, Alternative 6 would include demolition of the Shoe Building and rehabilitation and adaptive reuse of the Saks Women's Building in accordance with the SOI Standards. Alternative 6 would also include development of four new buildings on the project site. Similar to the proposed project, Alternative 6 would result in modifications to the Saks Women's Building and its setting, which could potentially result in significant impacts. Additionally, there is the potential for groundborne vibration produced during construction activities to result in impacts to the Saks Women's Building in addition to other potential historical resources (buildings dating to the historic period) in the vicinity of the project site. As described in Section 4.3, *Cultural Resources*, with implementation of Mitigation Measures CUL-1, CUL-2, and NOI-2, impacts to historical resources would be less than significant. Alternative 6 would also be required to implement these mitigation measures and impacts to historical resources would be less than significant with mitigation, similar to the proposed project.

Archaeological Resources

Construction of Alternative 6 would include grading and excavation activities similar to the proposed project. As discussed in Section 4.3, *Cultural Resources*, the project site has low

archaeological sensitivity due to its developed and disturbed nature. Nonetheless, unanticipated archaeological deposits could be encountered and damaged during the ground-disturbing construction activities. Therefore, Alternative 6 would be required to implement Mitigation Measures CUL-3 through CUL-5 to reduce the potential for impacts to archaeological resources during construction. With implementation of mitigation, construction of Alternative 6 would result in less than significant impacts to archaeological resources, similar to the proposed project.

Upon completion of construction, Alternative 6 would not involve ongoing ground-disturbing activities. Operation of Alternative 6 would result in less than significant impacts to archaeological resources, similar to the proposed project.

d. Energy

Construction

Construction of Alternative 6 would consume energy including petroleum fuels to power construction equipment, haul trucks, and worker vehicles and electricity to power electric construction equipment and construction offices and to provide water for construction site watering. Under Alternative 6, the construction activities, equipment, and schedule would be identical to the proposed project; therefore, construction energy consumption would be similar to the proposed project. Similar to the proposed project, the use of energy sources during construction would be temporary and short-term and would not substantially affect the capacity or energy supplies. Additionally, similar to the proposed project, construction of Alternative 6 would comply with the applicable policies, regulations, and plans related to energy efficiency, including CCR Title 13 Sections 2449 and 2485, the USEPA Construction Equipment Fuel Efficiency Standard, and 2022 CALGreen. Therefore, construction of Alternative 6 would result in less than significant energy impacts, similar to the proposed project.

Operation

Operation of Alternative 6 would consume vehicle fuels for residents, visitors, and workers traveling to the site, as well as electricity and natural gas to power the buildings and appliances. As with the project, operation of Alternative 6 would generate an increased consumption of electricity, natural gas, and petroleum-based fuels relative to existing conditions. According to CalEEMod estimates, operation of Alternative 6 would consume approximately 6.4 GWh/year and 78,852 U.S. therms of natural gas. As described in Section 4.4, *Energy*, the proposed project would implement PDF E-1, which includes energy efficient HVAC systems, exceedance of the energy efficiency requirements of the 2022 Title 24, use of EnergyStar appliances, and other features that would result in reduced energy use. Alternative 6 would similarly implement this PDF. Due to the reduced restaurant and office use and increased retail use, Alternative 6 would result in slightly increased demand for electricity and reduced demand for natural gas and transportation vehicle fuel compared to the proposed project.

As discussed in Section 4.4, *Energy*, operation of the proposed project would not result in wasteful, inefficient, or unnecessary consumption of energy or exceed the local and regional energy supply and capacity. Similarly, Alternative 6 would not result in wasteful, inefficient, or unnecessary consumption of energy or exceed the local and regional energy supply and capacity. As detailed in Section 4.4, *Energy*, electricity would be supplied by SCE or CPA, and Alternative 6's electricity demand would account for less than 0.003 percent of the projected electricity demand for these providers.' As such, existing and planned electricity, natural gas, and transportation fuel supplies would be sufficient to serve Alternative 6's demand. The slightly increased electricity consumption under Alternative 6 as compared to the proposed project would not be considered wasteful, inefficient, or unnecessary or exceed the region's supply and capacity. Therefore, operation of Alternative 6 would not result in potentially significant environmental effects due to the wasteful, inefficient, or unnecessary consumption of energy and impacts would be less than significant, similar to the proposed project.

e. Geology and Soils

Seismic and Soil Hazards

As described in Section 4.5, *Geology and Soils*, the project site is partially within an Alquist-Priolo Fault Zone and is subject to seismic activity. To address seismic and soils hazards, Alternative 6 would be required to comply with State and local regulations such as the Alquist-Priolo Earthquake Fault Zoning Act, Seismic Safety Act, Seismic Hazards Mapping Act, UBC, CBC, and the Beverly Hills Building Code. Similar to the proposed project, Alternative 6 would be required to comply with the plan review and permitting requirements of the Development Services Division, including the recommendations provided in final site-specific geotechnical reports subject to review and approval by the City. The impact to people, buildings, or structures on the project site from strong seismic ground shaking and soil hazards during project operation would be reduced by the required conformance with applicable building codes and accepted engineering practices. Therefore, impacts related to seismic and soil hazards under Alternative 6 would be less than significant, similar to the proposed project.

Paleontological Resources

Under Alternative 6, construction and earthmoving activities, including excavation depths, would be similar to the proposed project. As with the proposed project, this alternative could potentially disturb previously undiscovered paleontological resources. Mitigation Measures GEO-1 and GEO-2 would continue to be required, ensuring construction worker training, construction monitoring, and proper procedures are implemented in the event that paleontological resources are encountered during ground disturbing activities. Therefore, construction of Alternative 6 would result in less than significant impacts to paleontological resources with mitigation, and impacts would be similar to the proposed project.

Upon completion of construction, Alternative 6 would not involve ongoing ground-disturbing activities. Operation of Alternative 6 would result in less than significant impacts to paleontological resources, similar to the proposed project.

f. Greenhouse Gas Emissions

As with the proposed project, construction of Alternative 6 would generate GHG emissions through the use of heavy-duty construction equipment and vehicle and haul trips generated from construction workers and haul trucks traveling to and from the project site. Construction activities and resulting GHG emissions under Alternative 6 would be similar to the proposed project. Operation of Alternative 6 would result in GHG emissions through vehicle trips, energy use to power the proposed new buildings, water consumption, waste production, testing and maintenance of the emergency generators, and from area sources and refrigerant use. Alternative 6 would reduce the amount of restaurant and office square footage, with a concomitant increase in retail use on the project site, which would result in slightly increased operational GHG emissions in comparison to the proposed project. Based on CalEEMod outputs, Alternative 6 would generate approximately 7,359 MT of CO₂e annually.

Although construction and operation under Alternative 6 would generate greater GHG emissions than the proposed project, Alternative 6 would incorporate features such as PDF E-1, that would reduce GHG emissions and align with the goals of the applicable plans, policies, and regulations related to GHG emissions, similar to the proposed project. Operation of Alternative 6 would comply with CALGreen, Title 24, and the Beverly Hills Green Building Standards Code. Therefore, Alternative 6 would not conflict with the applicable plans, policies, and regulations adopted for the purpose of reducing GHG emissions, and impacts related to GHG emissions under Alternative 6 would be less than significant, but impacts would be slightly increased compared to the proposed project due to the increased GHG emissions.

g. Hazards and Hazardous Materials

As described in Section 4.7, *Hazards and Hazardous Materials*, the project site is not within the immediate vicinity of any designated disaster routes. Nonetheless, construction of Alternative 6 would result in temporary delays and lane closures along South Bedford Drive, South Camden Drive, South Peck Drive, and Wilshire Boulevard. Similar to the proposed project, Alternative 6 would implement Mitigation Measure T-1, which requires development of a construction management plan that would reduce the potential construction impacts to emergency response and evacuation. With implementation of Mitigation Measure T-1, construction of Alternative 6 would result in less than significant impacts to emergency response and evacuation, similar to the proposed project.

Following the completion of construction activities, all temporary lane closures would be reopened for use and vehicular access to the roadways within and surrounding the project site would be maintained. Additionally, the design of Alternative 6 would comply with City and BHFD requirements regarding site access and emergency vehicle access. Compliance

with applicable City Building Code and Fire Code requirements, including emergency vehicle access, would be confirmed as part of BHFD's fire/life safety plan review and BHFD's fire/life safety inspection for new construction projects. As such, operational impacts related to impairing implementation of or physically interfering with an adopted emergency response plan or emergency evacuation plan would be less than significant under Alternative 6, similar to the proposed project.

h. Land Use and Planning

Under Alternative 6, the project site would be developed similarly to the proposed project, with the same types of uses, development footprint, building heights, circulation and roadway improvements, publicly accessible open space, and sustainability features, with the only difference being an increase in the amount of retail square footage and reduction in the amount of restaurant and office use. The same discretionary approvals would be required as under the proposed project, including adoption of a new specific plan and amendments to the general plan land use and zoning designations.

Similar to the proposed project, Alternative 6 would not conflict with the applicable goals and policies of the City's General Plan adopted for the purpose of avoiding or mitigating environmental effects, nor would it conflict with the goals of SCAG 2020-2045 RTP/SCS. As with the proposed project, Alternative 6 would be inconsistent with the BHMC permitted uses, heights, and development densities based on the current site zoning, but with approval of a specific plan and the discretionary actions required for the project, Alternative 6 would not conflict with the BHMC. Therefore, Alternative 6 would result in less than significant impacts related to a conflict with land use plans, policies, and regulations adopted for the purpose of avoiding or mitigating environmental effects, similar to the proposed project.

i. Noise and Vibration

Noise

Construction

Under this alternative, the length of construction, types of construction activities, including 24-hour foundation pours, and equipment which would generate noise would be similar to the proposed project. Under Alternative 6, as with the proposed project, construction activities that occur outside the City's permitted construction hours during continuous foundation pours would result in an increase of at least 5 dBA above ambient noise levels and potentially significant noise impacts. Mitigation Measure NOI-1, which requires noise barriers, equipment mufflers, and other measures to address construction noise, would be implemented by Alternative 6 to reduce noise from construction activities. Additionally, Alternative 6 would be required to implement Mitigation Measure NOI-3, which requires coordination during construction with the nearest cumulative project, to reduce the potential for cumulative construction noise impacts. Similar to the proposed project, construction noise levels under this alternative would still exceed the City's noise thresholds

even with implementation of Mitigation Measures NOI-1 and NOI-3. Therefore, construction noise impacts under Alternative 6 would remain significant and unavoidable, similar to the proposed project.

Operation

On-site noise sources under Alternative 6 would be similar to the proposed project and would include HVAC units, the commercial loading dock, recreational and community activities such as farmers' markets at the Via, and special events at the Boutique Hotel and Social Club. As Alternative 6 would result in the same operational noise sources as the proposed project, on-site operational noise produced by Alternative 6 would be similar to the proposed project. In addition, off-site operational noise would be generated by vehicles traveling to and from the project site. Alternative 6 would result in a slight decrease in vehicle trips and off-site operational noise. As described in Section 4.9, *Noise*, operation of the proposed project, including on-site and off-site sources of noise, would result in less than significant noise impacts to the surrounding land uses. Alternative 6 would result in similar on-site operational noise generation as the proposed project and slightly decreased off-site traffic noise. Therefore, operational noise impacts under Alternative 6 would be less than significant, similar to the proposed project, but slightly decreased due to the reduced off-site traffic noise.

Vibration

Construction

Construction of Alternative 6 would involve similar construction activities as the proposed project and would have the potential to produce groundborne vibration that could cause architectural damage to nearby buildings including the Saks Women's Building, 9570 Wilshire Building, and residential buildings to south of the project site. Similar to the proposed project, Mitigation Measure NOI-2 would be implemented, which requires implementation of a construction vibration monitoring plan. With implementation of mitigation, construction vibration impacts would be less than significant, similar to the proposed project.

Operation

Operation of Alternative 6 would not include substantial vibration sources. Therefore, operation would not generate excessive groundborne vibration or groundborne noise levels and no impact would occur, similar to the proposed project.

j. Population and Housing

Alternative 6 would result in 70 residential units and up to 415,000 square feet of commercial uses on the project site. Alternative 6 would result in the same number of housing units and residential growth as Specific Plan Buildout Scenario 1 (No Residential Conversion) of the proposed project. As described in Section 4.10, *Population and Housing*, the proposed project and would not exceed the SCAG 2020-2045 RTP/SCS population and

housing projections or the housing needs identified in the latest RHNA. Therefore, Alternative 6 would not result in substantial unplanned housing or population growth.

Alternative 6 would result in the same amount of commercial development as the proposed project, but the proportion of retail use would be increased and the proportion of restaurant and office use would be decreased in comparison to the proposed project. As shown in Table 4.10-4 of Section 4.10, *Population and Housing*, office and restaurant uses have a higher employee generation rate than retail; therefore, Alternative 6 would result in lower employment generation than the proposed project. As described in Section 4.10, *Population and Housing*, the proposed project would not result in employment growth that exceeds the SCAG 2020-2045 RTP/SCS projections for Beverly Hills. Therefore, Alternative 6 also would not result in employment growth that exceeds the SCAG projections. Additionally, Alternative 6 would not include new infrastructure or increase the capacity of existing infrastructure that could result in indirect population growth. Alternative 6 would result in less than significant impacts related to population and housing, similar to the proposed project.

k. Transportation

Conflict with Plans, Policies, and Programs

The plans, policies, and programs applicable to the proposed project would also apply to Alternative 6. With regard to construction, the types of construction activities and construction timeline under Alternative 6 would be similar to the project. As with the project, construction of Alternative 6 would generate construction-related traffic from haul trucks and construction workers and would also require the delivery and staging of construction and materials and equipment. As such, similar to the project, potential construction-related transportation impacts could result during construction of Alternative 6. Alternative 6 would also implement Mitigation Measure T-1 which requires a Construction Management Plan to minimize potential impacts to the surrounding circulation system. As with the project, construction-related transportation impacts under Alternative 6 would be less than significant with mitigation, similar to the proposed project.

Under Alternative 6, the primary movement of vehicles would be along Wilshire Boulevard, South Peck Drive, South Camden Drive, South Bedford Drive, South Drive, and the Via, similar to the proposed project. Alternative 6 would also include the same circulation improvements as the proposed project, including pedestrian enhancements, landscaping, street lighting, bicycle racks, street furniture, traffic calming features, and a new continental crosswalk at the south leg of the intersection of Wilshire Boulevard and South Peck Drive. Overall, as with the project, Alternative 6 would be consistent with the goals, policies, and requirements of the City of Beverly Hills General Plan, the City's Complete Streets Plan, the LA Metro First Last Mile Strategic Plan and Wilshire/Rodeo Pathway Plan, and the SCAG 2020-2045 RTP/SCS. Alternative 6 would improve the streetscape and promote pedestrian activity and reduce vehicle trips and VMT by encouraging the use of alternative modes of transportation, providing convenient and adequate bicycling facilities, and enhancing pedestrian amenities along the streets surrounding the project site. As such, operation of

Alternative 6 would comply with the programs and policies set forth in the City of Beverly Hills General Plan, the City's Draft Complete Streets Plan, and the LA Metro First Last Mile Strategic Plan, and the SCAG 2020-2045 RTP/SCS to the same extent as the project. Therefore, Alternative 6 would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities and impacts would be less than significant, similar to the proposed project.

Vehicle Miles Traveled

With respect to VMT, as with the project, Alternative 6 meets the City's VMT Screening Criteria 3 and Screening Criteria 4, discussed in detail in Section 4.11, *Transportation*. Based on the screening criteria, Alternative 6 would have a less than significant VMT impact and is screened out from further VMT analysis. Therefore, Alternative 6 would result in less than significant impacts with respect to conflicts with CEQA Guidelines Section 15064.3, subdivision (b), similar to the proposed project.

Design Hazards

Under Alternative 6, alterations to the existing roadways, including traffic calming features and the new crosswalk, and new internal roadways such as the Via and South Drive, would be similar to the proposed project. Under Alternative 6, project site access locations would be designed in accordance with City standards to provide adequate sight distance, sidewalks, crosswalks, and pedestrian movement controls. Several circulation enhancements would be introduced under Alternative 6 to reduce the potential for hazards. Pedestrian safety improvements would include a continental crosswalk at the south leg of the intersection of Wilshire Boulevard and South Peck Drive and various improvement along South Peck Drive such as raising and eliminating curbs and gutters to allow for priority movement of pedestrians, installation of truncated domes or another mechanism to signal grade changes and distinguish pedestrian-only versus shared pedestrian and vehicular zones within the right-of-way, and bollards to identify changes in usage across the right-of-way. No incompatible uses, sharp intersections, or dangerous curves would be added under Alternative 6. Therefore, Alternative 6 would result in less than significant impacts related to geometric design hazards, similar to the proposed project.

Emergency Access

The project site is located in an established urban area that is well served by the surrounding roadway network, and multiple routes exist in the area for emergency vehicles. Emergency access to the project site and surroundings is currently provided by Wilshire Boulevard, South Peck Drive, South Bedford Drive, and South Camden Drive. As with the proposed project, Alternative 6 would include Mitigation Measure T-1, which would ensure that adequate emergency access to the project site and surroundings is maintained throughout construction. Therefore, construction of Alternative 6 would result in less than significant impacts to emergency access with mitigation, similar to the proposed project.

Transportation and access components under Alternative 6 would be designed to meet all applicable City Building Code and Fire Code requirements regarding site access, including the provision of adequate emergency vehicle access. Compliance with City requirements would be confirmed as part of the BHFD fire/life safety plan review and inspection for new projects. Adherence to City policies would ensure Alternative 6 would not result in inadequate emergency access. Therefore, operation of Alternative 6 would result in less than significant impacts to emergency access and impacts would be similar to the proposed project.

I. Tribal Cultural Resources

Under Alternative 6, the amount of excavation and grading required during construction would be similar to the proposed project. As with the proposed project, this alternative would result in ground-disturbing construction activities which could potentially unearth previously undiscovered tribal cultural resources. Mitigation Measures TCR-1 through TCR-3, which implement construction monitoring by a Native American monitor and procedures in the event that tribal cultural resources are encountered, would continue to be required under Alternative 6. With implementation of mitigation, construction impacts would be less than significant, similar to the proposed project.

Upon completion of construction, Alternative 6 would not involve ongoing ground-disturbing activities. Operation of Alternative 6 would result in less than significant impacts to tribal cultural resources, similar to the proposed project.

m. Utilities and Service Systems

Water

Construction

Similar to the proposed project, Alternative 6 would construct necessary on-site water infrastructure within the disturbance area of the project and in compliance with applicable City requirements to accommodate the proposed new buildings. The potential environmental effects associated with new water infrastructure under Alternative 6 are analyzed throughout this section, concurrently with this alternative as a whole. As such, under Alternative 6, impacts to water infrastructure during construction would be less than significant.

As described in Section 4.13, *Utilities and Service Systems*, construction activities would require water for dust suppression, equipment washing, and cleaning of restroom facilities. Construction activities and construction water consumption under Alternative 6 would be similar to the proposed project. Given the temporary and minimal nature of construction water demand, impacts related to construction water consumption would be less than significant, similar to the proposed project.

Operation

Upon completion of construction activities, the water distribution system serving the project site would be adequate to accommodate Alternative 6. Occasional minor maintenance activities may be required to repair infrastructure as it ages. However, future relocation and expansion of the water distribution system during operation are not anticipated. Therefore, operational impacts with respect to new or expanded water facilities would be less than significant.

Alternative 6 would require water consumption during operation of the proposed uses, as well as water consumption for landscaping irrigation. Alternative 6 would implement the water conservation features included in the proposed project and discussed in Section 2, *Project Description*, including water efficient bathroom and kitchen appliances, landscaping irrigation where feasible from alternative water supply (such as graywater), water efficient landscape irrigation technologies, and use of drought resistant landscaping. Water demand under Alternative 6 would be slightly greater than the proposed project, with a net water demand of 36,003,301 gallons of water use per year per year based on CalEEMod outputs. As described in Section 4.13, *Utilities and Service Systems*, the City is anticipated to have sufficient water supplies available through 2045. The 2020 UWMP projects an increase of 835 AFY in water demand between 2025 and 2045, under normal and single dry year scenarios. The 2020 UWMP water demand projections are based on SCAG demographic data and population projections for the city. As discussed in Section 6.10.2j, *Population and Housing*, population and employment generated under Alternative 6 would not exceed SCAG projections for the city. Alternative 6's net water demand projection is approximately 110.5 AFY and would represent approximately 13 percent of the projected water demand increase between 2025 and 2045. Therefore, the Alternative 6's water demand would be accounted for within the UWMP water demand projections. Operation of Alternative 6 would result in less than significant impacts related to water consumption and supplies but impacts would be increased in comparison to the proposed project due to the greater water demand.

Wastewater

Construction

Similar to the proposed project, construction of Alternative 6 would involve the installation of new or reconstructed sewer mains and connections within the project site. These activities would be confined to trenching to place the sewer lines below surface and would occur within the disturbance area of the project; therefore, the construction of these infrastructure improvements would not substantially increase this alternative's disturbance area, associated emissions, or otherwise cause significant environmental effects beyond those identified throughout this section. As such, under Alternative 6, impacts to wastewater infrastructure during construction would be less than significant.

During construction of Alternative 6, a minimal amount of wastewater would be generated by the construction employees. Portable toilets would be provided by a private company

and the wastewater would be disposed off-site. Furthermore, no new connections to the sewer system would be required to accommodate construction. Overall, there would be a negligible impact on sewer facilities and there would not be an increase in wastewater flows beyond the available capacity of the existing conveyance and treatment systems during construction of Alternative 6. Construction impacts related to wastewater treatment would be less than significant, similar to the proposed project.

Operation

Upon completion of construction activities, the wastewater conveyance system serving the project site would be adequate to accommodate Alternative 6. Occasional minor maintenance activities may be required to repair infrastructure as it ages. However, future relocation and expansion of the wastewater conveyance system during operation are not anticipated. Therefore, operational impacts with respect to new or expanded wastewater facilities would be less than significant.

Operation of Alternative 6 would generate a net increase in wastewater flows from the project site. As with water consumption, operational wastewater generated by Alternative 6 would be increased in comparison to the proposed project. As discussed in Section 4.13, *Utilities and Service Systems*, wastewater generated on the project site would be treated at the HTP, which has a remaining daily capacity of 175 MGD. Operation of Alternative 6 would result in an estimated average daily wastewater flow of 0.10 MGD based on CalEEMod estimates (Appendix B). The increase in average daily wastewater flow of 0.10 MGD would represent approximately 0.06 percent of the current estimated remaining available capacity at HTP. Impacts related to wastewater generation and infrastructure capacity would be less than significant under Alternative 6. However, due to the increased wastewater flows, Alternative 6 would result in increased impacts in comparison to the proposed project.

Stormwater Drainage

Construction

Similar to the proposed project, Alternative 6 would include installation of a stormwater cistern to pretreat and retain stormwater. New storm drain lines would also be constructed to connect the cistern to the existing storm drain facilities within Wilshire Boulevard, South Camden Drive, and South Bedford Drive. The stormwater drainage would adhere to LID requirements. As with water and wastewater facilities, the storm drain infrastructure would be constructed within the disturbance area of the project and would not result in additional environmental impacts beyond those contemplated throughout this analysis. As such, under Alternative 6, impacts to storm drainage infrastructure during construction would be less than significant, similar to the proposed project.

Operation

As the development footprint would be the same, Alternative 6 would result in the same amounts of impervious and pervious surfaces as the proposed project and would not result

in increased stormwater runoff. The existing storm drainage system was found to have adequate capacity for the proposed project, and the storm drainage system would similarly have adequate capacity to serve Alternative 6 (Kimley Horn 2023; Appendix H). Upon completion of construction activities, the stormwater drainage and conveyance system serving the project site would be adequate to accommodate Alternative 6. Occasional minor maintenance activities may be required to repair infrastructure as it ages. However, future relocation and expansion of stormwater drainage infrastructure during operation are not anticipated. As such, operational impacts related to new or expanded stormwater facilities would be less than significant, similar to the proposed project.

Electric Power, Natural Gas, and Telecommunications Infrastructure

Construction

Similar to the proposed project, Alternative 6 would involve the removal of overhead electric utility lines and poles and relocation of electric and natural gas utility lines. As with water, wastewater, and stormwater facilities, relocated electric and natural gas utility lines would be installed during construction and within the disturbance area of the project; therefore, the construction of these infrastructure improvements would not substantially increase Alternative 6's disturbance area, associated emissions, or otherwise cause significant environmental effects beyond those identified throughout this document.

Construction-related activities of Alternative 6 would not involve consumption of natural gas or result in impacts on telecommunication services. Minor quantities of electric power for lighting, power tools, and other support equipment would be required; however, energy consumed during construction of Alternative 6 would be finite and limited and would not result in the need for relocation or construction of new or expanded electric power facilities. The overall amount of electricity required during construction of Alternative 6 would be similar to the proposed project. As such, under Alternative 6, construction impacts on electric power, natural gas, and telecommunications infrastructure would be less than significant, similar to the proposed project.

Operation

Upon completion of construction activities, the electric power, natural gas, and telecommunications systems serving the project site would be adequate to accommodate Alternative 6. Occasional minor maintenance activities may be required to repair infrastructure as it ages. However, future relocation and expansion of electric power, natural gas, and telecommunications infrastructure during project operation are not anticipated.

Although Alternative 6 would alter energy consumption compared to the proposed project, as described further under 6.10.2d, *Energy*, Alternative 6's requirements for electricity, natural gas, and telecommunications infrastructure would be similar to the proposed project. The nominal increase in energy demand under Alternative 6, as with the proposed project, would not be anticipated to require additional electric substations or natural gas storage/transmission facilities beyond those currently serving the project area. It is not

anticipated that new or expanded gas supply facilities would be required to service the site. As discussed in Section 4.13, *Utilities and Service Systems*, the proposed project would result in less than significant impacts to electric power, natural gas, and telecommunications facilities. Given the similar demand for these services, Alternative 6 would not require the relocation or construction of new or expanded electric power, natural gas, or telecommunications facilities, and impacts would be less than significant, similar to the proposed project.

Solid Waste

Construction

Solid waste would be generated during demolition, grading, and construction activities under Alternative 6. Construction solid waste output would be substantially the same as the proposed project, as the square footage of demolished buildings and extent of soil excavation would be the same under Alternative 6 as the proposed project. Demolished materials and excavated soil would be reused or recycled to the maximum extent feasible and in accordance with the requirements of CALGreen and LEED certification, and all remaining materials would be transported to a Los Angeles County Landfill that accepts construction and demolition debris. As with the proposed project, disposal of construction waste and soil from demolition and grading under Alternative 6 would not exceed the capacity of local solid waste disposal facilities.

In accordance with the requirements of SB 1374 and CALGreen, 75 percent of non-hazardous demolition and construction debris would be recycled or salvaged, and soil material may be used beneficially as landfill cover or imported fill material at other construction sites. Construction of Alternative 6 would also comply with the solid waste regulations in BHMC Sections 6-1-401 through 6-1-512 and with the City's waste collection policies and waste reduction and recycling programs outlined in Goals CON 13, CON 14, and CON 16 of the General Plan. Therefore, construction impacts related to solid waste under Alternative 6 would be less than significant, similar to the proposed project.

Operation

As discussed in Section 4.13, *Utilities and Service Systems*, the proposed project would not generate solid waste in excess of the capacity of local infrastructure and would not require the expansion or construction of a new solid waste disposal or recycling facility to handle project-generated waste. Based on CalEEMod outputs, Alternative 6 would generate approximately 549 tons of solid waste per year, which would be greater than the proposed project, but represents less than one percent of the remaining capacity of landfills serving the city. Additionally, in compliance with State and City requirements, Alternative 6 would include trash enclosures with clearly marked, source-sorted receptacles for disposing of mixed solid waste and recyclables (which are later separated by the City's waste hauler, Athens), with a separate receptacle for and organic waste, and would contract with Athens services for solid waste, recycling, and organics recycling services. Athens handles solid waste consistent with the State waste reduction policies, requirements of BHMC Sections 6-

1-401 through 6-1-512, and the goals set forth by the City's General Plan. Through the provisioning of the required source-separated bins and solid waste hauling services, Alternative 6 would be consistent with the Statewide organic waste and recycling goals and requirements established by AB 341, AB 939, AB 1826, SB 1383, and CALGreen Code, as well as General Plan Goals CON 13, CON 14, and CON 16. Therefore, since Alternative 6 would comply with applicable solid waste policies and objectives and would not generate solid waste in excess of the capacity of local infrastructure, impacts related to solid waste would be less than significant but increased in comparison to the proposed project.

6.10.3 Comparison of Impacts

As with the proposed project, Alternative 6 would result in significant and unavoidable impacts due to nighttime construction required for continuous foundation pours. The significance of impacts associated with the remaining environmental issues would generally be similar to the proposed project. As shown in Table 6-2, some air quality, GHG emissions, and utilities impacts would be slightly increased, while some air quality and noise impacts would be slightly reduced due to the altered distribution of land use types. As a whole, Alternative 6 would have a similar level of impact to the proposed project.

6.10.4 Relationship of the Alternative to Project Objectives

With a similar mix of uses and general characteristics as the proposed project, Alternative 6 would meet the underlying purpose of the project to revitalize and transform the project site from a primarily vehicular zone to a pedestrian-oriented zone by creating a mixed-use, compact and pedestrian-friendly development. Alternative 6 would also meet the project objectives, as described below.

Alternative 6 would meet the following objectives:

- Respond to the reality that retail department stores and office have experienced substantial modification in their utilization of physical space due to changing consumer and other economic demands by creating a framework for a range of new uses that can evolve over time in response to further changes in the economic landscape; facilitate retention of existing landmark structures in an economically viable manner; restore economic activity to the Specific Plan Area; and provide for uses that will serve the needs of the nearby community, including (among others) cafes, restaurants, artisanal food, clothiers and similar uses, and neighborhood services.
 - Alternative 6 would establish a specific plan similar to the proposed project that would establish a framework for a range of new uses that can evolve over time in response to changes in the economic landscape and bring new economic activity, commercial uses, and neighborhood services to the project site.
- Require the preservation and adaptive reuse of the Saks Women's Building at an anchor location on Wilshire Boulevard and ensure its structural stability (including seismic requirements), economic viability, and accessibility by requiring its rehabilitation in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties.

- The Saks Women’s Building would be rehabilitated and adaptively reused in accordance with the SOI Standards and brought to current code standards (including seismic standards).
- Enact development standards that meet or satisfy City design standards as further articulated in the Specific Plan, while also allowing for transit-adjacent and pedestrian-friendly development.
 - Alternative 6 would establish a new specific plan that would meet or satisfy City’s design standards, similar to the proposed project, and would include transit-adjacent and pedestrian-friendly development.
- Create a pedestrian-friendly environment by developing well-designed and attractive buildings, streets, sidewalks and publicly accessible open space. To achieve this broad goal, the Specific Plan is intended to provide for each of the following: an identifiable sense of place through development standards that are unique to the Specific Plan Area; open space areas that can facilitate programs that serve the local neighborhood (including but not limited to farmer’s markets), as well as residents, restaurants, retailers, and other uses within the Specific Plan Area; and pedestrian-friendly street designs that include appropriately-scaled sidewalks, attractive landscaping, and neighborhood-serving ground floor commercial and restaurant uses.
 - Alternative 6 would develop a specific plan similar to the proposed project, and would include similar pedestrian improvements to the proposed project including a new continental crosswalk, street furniture and landscaping, new commercial and restaurant uses on the ground floor level, and open space amenities in the Terrace.
- Support neighborhood character, transition, and connectivity by replacing commercial surface parking lots and sparsely planted alleyways with a cohesive blend of commercial and residential uses, as well as enhanced landscaping along South Bedford Drive, South Peck Drive, and South Camden Drive to create an appealing transition between the Specific Plan Area and the existing multi-family residential neighborhood to the south.
 - Alternative 6 would support the neighborhood transition and connectivity by developing a mix of residential, commercial, and retail uses on the existing parking lots, as well as enhanced landscaping along South Bedford Drive, South Peck Drive, and South Camden Drive, similar to the proposed project.
- Improve the streetscape along South Peck Drive, South Camden Drive, and South Bedford Drive in keeping with the City’s Complete Streets Plan and in a manner that both calms traffic and creates a safe pedestrian environment for neighbors to walk to and enjoy, while discouraging cut-through traffic on residential streets by incorporating improved landscaping, canopy trees, raised crosswalks, sidewalk enhancements, and specialized paving.
 - Alternative 6 would implement traffic calming features and pedestrian improvements similar to the proposed project.

9600 Wilshire Boulevard Specific Plan

- Implement a parking strategy that reduces the visual impact of parking spaces by emphasizing subterranean parking in lieu of large expanses of surface parking.
 - Alternative 6 would include a subterranean parking structure, similar to the proposed project.
- Concentrate new housing and amenities near existing and anticipated transportation nodes and stations to encourage the use of alternative modes of transportation to automobile travel.
 - Alternative 6 would add new housing and amenities near existing and anticipated transportation nodes and stations, thereby encouraging the use of alternative modes of transportation.
- Develop buildings that will integrate active and passive sustainability practices, including drought-tolerant landscaping, high-efficiency equipment, gray water systems, and other sustainable strategies to reduce city and regional dependency on fossil fuels, minimize the use of water, and achieve a Leadership in Energy and Environmental Design (“LEED”) Silver V4.1 equivalency.
 - Alternative 6 would implement the same active and passive sustainability features as the proposed project.
- Enhance the architectural and aesthetic character of Wilshire Boulevard by providing a contextual and contiguous building edge condition along each of the two blocks on Wilshire Boulevard, informed by the massing and height of the approximately 98-foot-tall historic Saks Women’s Building.
 - Alternative 6 would have the same building footprint, building heights and massing, and architectural/visual characteristics as the proposed project. A contextual and contiguous building edge condition along each of the two blocks on Wilshire Boulevard would be developed under Alternative 6 that complements the massing and height of the Saks Women’s Building.
- Introduce high-quality housing options designed to cater to residents wanting to stay in Beverly Hills as their housing needs change over time, with the convenience of full-service, amenitized housing.
 - Alternative 6 would introduce 70 high-quality housing units with amenities similar to those of the proposed project.
- Protect and enhance the residential character of existing neighborhoods south of the Specific Plan Area by replacing surface commercial parking lots with a newly established Neighborhood District between Wilshire Boulevard and the existing multi-family residences south of the Specific Plan Area, and transforming existing alleys along the southern boundary of the Specific Plan Area into an enhanced South Drive featuring improved landscaping.

- Under Alternative 6, the existing surface parking lots would be replaced with a Neighborhood District and South Drive would be treated with similar improvements and landscaping features as the proposed project.
- Generate additional annual tax revenues for the City of Beverly Hills, including property taxes, sales taxes, and transient occupancy taxes.
 - Alternative 6 would generate additional annual tax revenues for the City through the new commercial and residential land uses.
- Create an environment accessible from the City's major shopping areas and close to the City's major streets that can attract high-quality, major employers to support and attract new businesses and sustain employment, well-paying jobs, and a high level of economic activity.
 - Alternative 6 would introduce new restaurant, office, boutique hotel, social club, spa, and retail uses to in an area accessible from the City's major shopping areas and streets and would bring new business and employment to Beverly Hills.
- Support the growth of the City's economic base by creating new construction jobs and permanent jobs.
 - Alternative 6 would create new construction jobs and new permanent jobs through its mix of new restaurant, office, boutique hotel, social club, spa, and retail uses on the project site.

6.11 Environmentally Superior Alternative

Section 15126.6(e)(2) of the CEQA Guidelines indicates an analysis of alternatives to a project shall identify an environmentally superior alternative based on the alternatives evaluated in an EIR. The environmentally superior alternative is defined as the alternative with the least adverse impacts on the project site and its surrounding environment. Section 15126.6(e)(2) also states if the No Project Alternative is identified as the environmentally superior alternative, the EIR shall identify another environmentally superior alternative among the remaining alternatives.

With respect to identifying an environmentally superior alternative among those analyzed in this EIR, the range of potentially feasible alternatives includes Alternative 1, No Project; Alternative 2, No Project/Zoning Compliant Buildout; Alternative 3, Reduced Density; Alternative 4, Increased Residential Conversion; Alternative 5, Reduced Nighttime Construction; and Alternative 6, Retail Emphasis with Reduced Restaurant and Office. Table 6-2 provides a comparative summary of the environmental impacts anticipated for each alternative with the environmental impacts associated with the proposed project. A more detailed description of the potential impacts associated with each alternative is provided above. Pursuant to CEQA Guidelines Section 15126(c), the analysis below addresses the ability of the alternatives to avoid or substantially lessen one or more of the significant effects of the proposed project.

Of the alternatives analyzed in this EIR, Alternative 1, the No Project Alternative, would avoid the proposed project's significant and unavoidable impacts related to construction noise. Alternative 1 would also avoid the proposed project's cumulatively considerable contribution to construction noise impacts. Alternative 1 would also reduce most of the proposed project's impacts to other resources. However, Alternative 1, by not completing rehabilitation and seismic upgrades to the Saks Women's Building, would result in a potentially significant and unavoidable impact to historical resources and would not meet the basic project objectives.

In accordance with the requirements of the CEQA Guidelines to identify an environmentally superior alternative other than the No Project Alternative, a comparative evaluation of the remaining alternatives indicates that Alternative 3, Reduced Density, would be the environmentally superior alternative. Although Alternative 3 would not eliminate the project's significant and unavoidable construction noise impact, Alternative 3 would reduce the project's less-than-significant and less than significant with mitigation impacts to the greatest degree compared to the other alternatives due to the substantial reduction of floor area involved and resulting decreased construction length and operational intensity. Specifically, as previously discussed, Alternative 3 would provide 535,971 sf of floor area, compared to the 642,000 sf of floor area proposed by the project (a reduction of 106,029 sf). Alternative 3 would include 38 guest rooms and 52 residences, as compared to the up to 50 guest rooms and 145 residential units of the proposed project. Additionally, the heights of new buildings added to the project site would be reduced by one story as compared to the proposed project. Although Alternative 3 would reduce many of the environmental impacts associated with the project, this Alternative would not align with the City's land use plans and policies or City and regional transportation plans and policies to the same extent as the proposed project, and these impacts would be increased when compared to the proposed project.

While Alternative 3 is identified as the Environmentally Superior Alternative, it is noted that Alternative 3 would not meet the underlying purpose of the project to revitalize and transform the project site from a primarily vehicular zone to a pedestrian-oriented zone by creating a mixed-use, compact and pedestrian-friendly development to the same extent as the proposed project. Specifically, the reduced residential capacity and commercial square footage and mix of uses would result in fewer jobs, economic vitality, and pedestrian activity on the site. Alternative 3 would not meet the underlying purpose of the proposed project or satisfy the project objectives to the same extent as the proposed project.

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