

IMPARTIAL ANALYSIS OF MEASURE B

Measure B asks whether the voters approve a zoning ordinance, adopted by the Beverly Hills City Council, adding the Cheval Blanc Beverly Hills Specific Plan to the Beverly Hills zoning code (“Zoning Amendment”). The Zoning Amendment allows for development of a luxury Cheval Blanc Hotel with 115 rooms, a 500 member private club, restaurants and other retail uses (“Project”) on an approximately 1.28 acre site on South Santa Monica Boulevard between Rodeo Drive and Beverly Drive (“Project Site”) pursuant to the Cheval Blanc Beverly Hills Specific Plan. The Cheval Blanc Hotel would be constructed with a maximum floor area ratio (“FAR”) of 4.2:1, building heights ranging from 51 feet on North Rodeo Drive to 115 feet along North Beverly Drive and a maximum of 115 hotel rooms. The current City zoning regulations for the Project Site allow for a FAR of 2.0:1, a building height of 45 feet, and approximately 35 hotel rooms. The Zoning Amendment will become effective if and when the accompanying Development Agreement becomes effective. Under the Development Agreement, the developer secures a right to develop the Project over time in exchange for certain public benefits to the City, including: (1) a Municipal Surcharge paid to the City of 5% of the gross room revenue (in addition to the 14% transient occupancy tax), (2) an arts and cultural contribution to the City of \$2 million, (3) a public benefit contribution to the City of \$26 million and (4) a contractual commitment to maintaining the Cheval Blanc Hotel at a minimum luxury standard. Additionally, pursuant to the Development Agreement, the hotel developer has guaranteed that the hotel will be built within five years of the Final Approval Date, subject to extensions of up to three years at an additional cost of \$250,000 per month.

Environmental Impact

The City prepared an Environmental Impact Report for the Project. The Environmental Impact Report found no significant and unavoidable environmental impacts. The Environmental Impact Report found several potentially significant environmental impacts that were mitigated to a less than significant level. These included impacts to biological resources, cultural resources, including tribal cultural resources, geology and soils, construction noise, and construction traffic.

Consequence of Votes

A “yes” vote on Measure B approves the Zoning Amendment adding the Cheval Blanc Beverly Hills Specific Plan to the zoning code and consequently allows the hotel to be constructed.

A “no” vote on Measure B disapproves the Zoning Amendment adding the Cheval Blanc Beverly Hills Specific Plan to the zoning code and consequently prohibits the hotel from being constructed.

This measure was placed on the ballot by a petition signed by the requisite number of voters.

Laurence S. Wiener
Beverly Hills City Attorney

The above statement is an impartial analysis of Measure B. If you desire a copy of the ordinance, please call the Election's Official, the City Clerk at 310-285-2400 and a copy will be mailed at no cost to you.