

## **IMPARTIAL ANALYSIS PREPARED BY THE CITY ATTORNEY**

Measure \_\_ is a referendum of the West Hollywood City Council's adoption of Resolution No. 18-5104 on September 4, 2018. Resolution No. 18-5104 approved a required entitlement for the Arts Club Project at 8920 Sunset Boulevard. The measure was placed on the ballot as a result of receipt by the City Clerk of a petition signed by the requisite number of voters. Approval of Measure \_\_ would affirm Resolution No. 18-5104 and the Arts Club Project will be approved. If the measure fails, then Resolution No. 18-5104 and the Project will be denied.

The Arts Club Project involves construction of a new, nine-story, multi-use commercial building at 8920 Sunset Boulevard. The new, approximately 120,000 square foot building would include an arts club; office, retail, and restaurant uses; a public art gallery; and public rehearsal space for performing arts groups. The northern façade of the building is stepped back at an angle. The project also includes 351 parking spaces located within a subterranean parking structure. In order to approve the project, the City Council placed the southern portion of the property into the Sunset Specific Plan area by adopting Resolution No. 18-5104 amending the City's General Plan Land Use Map. This resolution, the subject of the referendum, was one of several actions taken by the West Hollywood City Council in approving the Arts Club Project, which also included a rezoning of the southern portion of the site into the Sunset Specific Plan area of the Zoning Map, changes to the Sunset Specific Plan to increase allowed height and density on the project site, and approval of demolition, development, conditional use and administrative permits.

Resolution No. 18-5104 was suspended by the filing of the referendum petition. As required by the Elections Code, the City Council chose to place the resolution on the ballot for consideration by the electorate rather than rescind it.

A "yes" vote is in favor of adoption of the resolution and approval of the Arts Club Project.

A "no" vote is against adoption of the resolution and against approval of the Arts Club project.

If this measure receives a majority of "yes" votes, Resolution No. 18-5104 will be approved and the Arts Club Project will be able to proceed; if it receives a majority of "no" votes, the Project will be disapproved.

If this measure fails, there will be an inconsistency between the General Plan Land Use Map and the Zoning Map designations for the southern portion of the project site. The City Council would need to resolve that inconsistency. Further, if the measure fails, the City Council could not again consider Resolution 18-5104 for a year.

/s/ Michael Jenkins  
City Attorney