



AGENDA REPORT

Meeting Date: June 21, 2011

Item Number: D-1

To: Honorable Mayor & City Council

From: Susan Healy Keene, AICP, Director of Community Development

Subject: SET HEARING DATE FOR AN APPEAL OF THE ARCHITECTURAL COMMISSION'S DECISION APPROVING A FAÇADE REMODEL ASSOCIATED WITH THE ESTABLISHMENT OF AN EQUINOX EXERCISE CLUB AT 9465 WILSHIRE BOULEVARD.

Attachments: None

RECOMMENDATION

It is recommended that the City Council schedule an appeal of the Architectural Commission's decision approving a façade remodel associated with the establishment of an Equinox exercise club at 9465 Wilshire Boulevard for August 2, 2011.

DISCUSSION

On May 18, 2011, the Architectural Commission approved a façade remodel associated with the establishment of an Equinox exercise club at 9465 Wilshire Boulevard. The approval granted by the Architectural Commission allows for exterior modifications to the ground floor of an existing commercial building. The modifications include signage, a new pedestrian entrance, and new finishes.

On May 31, 2011 an appeal of the Architectural Commission's decision was filed by Todd Elliot, attorney on behalf of Ron and Sharon Gart, and Neighbors Organized to Protect the Environment in Beverly Hills (NOPE).

PROCESS

Pursuant to Beverly Hill Municipal Code Section 1-4-105, the procedure for appeals of Architectural Commission decisions to the City Council is a two-step process. The matter is first placed on the Council agenda for review of the evidence presented in the appeal petition. If the evidence and information presented in the appeal is the same as was presented to the Architectural Commission, the Council can then set a public hearing to consider the appeal. However, if the appeal petition contains new information, the Council may order that the Commission rehear the matter. Importantly, the Code provides that the Council shall not permit oral testimony in its review and determination of the appeal materials and whether further consideration by the Commission should be required.

Planning Staff and the City Attorney's Office have reviewed the appeal petition and do not believe that new information beyond that already considered by the Architectural Commission is presented therein. Therefore, staff recommends that the Council formally schedule this matter for a formal public hearing on August 2, 2011 to consider the appeal.

Susan Healy Keene, AICP
Director of Community Development


Approved By _____