



STAFF REPORT
CITY OF BEVERLY HILLS

For the Design Review
Commission Meeting of
August 7, 2008
PL089575

TO: Design Review Commission

FROM: Shena Rojemann, Assistant Planner

SUBJECT: A request for an R-1 Design Review Permit to allow a new two-story single-family residence, located in the Central Area of the City, south of Santa Monica Boulevard at 122 N Oakhurst Drive.

EXECUTIVE SUMMARY

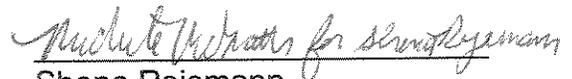
A design preview was presented to the Design Review Commission at the June 5, 2008 meeting and a public hearing was held at the July 2, 2008 meeting. The Commission preliminarily approved the project at the July 2, 2008 meeting and requested a resolution approving the design with the following conditions:

- The horizontal entablature located between the first and second stories on the façade of the Project shall be composed of precast concrete and/or stone. Styrofoam shall not be permitted.
- The front door iron work shall be constructed to be the same as it is depicted in the Project plans.
- Prior to the issuance of building permits, the Applicant shall add additional landscaping along the south side of the new single-family residence. The landscaping shall be reviewed by staff.
- The down spouts shall not be made of sheet metal. Additionally, the drain shall lead to a scupper, then to the downspout when architecturally possible.

Staff Report
122 North Oakhurst Drive
August 7, 2008

Staff recommends that the attached resolution, including the conditions above, be approved as presented.

It is noted that during the July 2, 2008 meeting the Commission requested that staff review the exiting for the light wells per code requirements. Staff has reviewed the proposed light well exits and has verified that they are to code.


Shena Rojemann
Assistant Planner

Attachments:
Resolution

RESOLUTION NO.

RESOLUTION OF THE DESIGN REVIEW COMMISSION OF
THE CITY OF BEVERLY HILLS CONDITIONALLY
APPROVING AN R-1 DESIGN REVIEW PERMIT TO ALLOW A
NEW TWO STORY SINGLE-FAMILY RESIDENCE ON THE
PROPERTY LOCATED AT 122 N OAKHURST DRIVE.

The Design Review Commission of the City of Beverly Hills hereby finds, resolves and determines as follows:

Section 1. Roberta Murray, on behalf of Hooman Shirian, property owner (the "Applicant"), has applied for an R-1 Design Review Permit to allow a new two story single-family residence with a basement located in the Central Area of the City, south of Santa Monica Boulevard, at 122 N Oakhurst Drive (the "Project"). As proposed, the Project meets all required zoning standards, including height, setbacks, parking and floor area.

Pursuant to Beverly Hills Municipal Code Section 10-3-4408, no single-family residence located in a Central R-1 Zone shall be erected, constructed, altered or remodeled unless the elevations and plans for the exterior portions and areas visible from the street are reviewed and approved by the City. The Design Review Commission is the reviewing authority if it has first been determined that the design does not otherwise qualify for a staff-level review of the proposed Project. The architectural style of the Project has been called out by the Applicant as Tuscan Villa, however does not substantially adhere to a pure architectural style as outlined by the Style Catalogue. Therefore, it has been determined that the Design Review Commission shall be the reviewing authority.

Pursuant to Beverly Hills Municipal Code Section 10-3-4415, the request for a Design Review Permit may be approved, provided the Design Review Commission makes certain findings.

Section 2. The Project site averages 50 feet wide by 149 feet long, and is located on the east side of the 100 block of N Oakhurst Drive between Wilshire Boulevard and Clifton Way. The lot is currently developed with a one-story residence and detached garage. The existing structures will be demolished and replaced with a new two story single-family residence with a basement. The total floor area of the Project will be 4,426 square feet, just under the

maximum permitted by the Beverly Hills Municipal Code (“BHMC”). The maximum allowed floor area for the Project is 4,498 square feet, and the proposed Project utilizes 98.4% of the maximum allowed floor area. The proposed Project meets the minimum side setbacks permitted. The single-family residence is proposed to be setback 5 feet from the south lot line. The setback along the north is 9 feet within the first 38 feet behind the front setback, and 5 feet thereafter. The façade of the Project utilizes the maximum width allowed by Code -- 36 feet. The required front setback for the house is 25 feet, and the proposed design conforms to this setback. The proposed height to the top of the roof is approximately 30 feet, which is equal to the maximum allowed by Code (30 feet).

Parking for the proposed Project will be provided within the side and rear yards. Two parking spaces have been provided within the side yard and are accessible via the porte cochere, and two spaces has been provided on a cement pad within the rear yard, which is accessible via the rear alley. No garage has been proposed in conjunction with the Project. The total number of parking spaces provided is four, which meets the amount required by the zoning code for a house with six or more bedrooms. New paving within the front yard has been proposed as a part of the landscaping plan. The total area of paved surface within the front yard is approximately 386 square feet, which is under the maximum allowed by the BHMC (400 square feet).

A detailed landscaping plan for the project has been prepared, which proposes to install new landscaping.

The proposed Project is called out as the architectural style known as Tuscan Villa, and the design provides many architectural elements that are common to this style as described in the City’s Style Catalogue

Section 3. The Project has been environmentally reviewed pursuant to the California Environmental Quality Act (CEQA), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 *et seq*, hereafter the “Guidelines”), and the City’s environmental guidelines. The City has determined that the Project qualifies for a Class 3(a) Categorical Exemption (New Construction or Conversion of Small Structures) in accordance with the requirements of Section 15303 of the Guidelines because the Project involves the construction of one single-family residence, or second dwelling unit in a residential zone. Therefore, no significant impacts to the environment are anticipated.

Section 4. On June 5, 2008, the Design Review Commission held a duly noticed public hearing to consider the application. Evidence, both written and oral, was presented at said hearing, and the hearing was closed. On July 2, 2008, revised plans addressing the Commission's concerns were presented for the Commission's consideration. This resolution was presented to the Commission on August 7, 2008.

Section 5. In reviewing the application and pursuant to Beverly Hills Municipal Code Section 10-3-4415, the Design Review Commission considered whether the proposed Project meets the following criteria:

1. The proposed development's design exhibits an internally compatible design scheme;
2. The proposed development's design appropriately minimizes the appearance of scale and mass and enhances the garden like quality of the City and appropriately maximizes the use of required open space within the proposed architectural style;
3. The proposed development will enhance the appearance of the neighborhood;
4. The proposed development is designed to balance the reasonable expectation of development for the owner with the reasonable expectation of privacy of neighbors; and
5. The proposed development respects prevailing site design patterns, carefully analyzing the characteristics of the surrounding group of homes, and integrates appropriate features that will ensure harmony between old and new homes.

Section 6. Based upon the evidence presented at the hearing, including the staff report, the Design Review Commission hereby finds:

1. As conditioned, the original design of the proposed Project has been substantially revised based on recommendations provided by the Commission at its previous meetings. The proposed Project appears to be consistent with a Tuscan Villa style as designed for a smaller lot, as displayed by the low-pitched tiled roof, extended overhanging eaves,

modulated entry, stucco walls and porte cochere. Therefore, the proposed residence exhibits an internally compatible design scheme.

2. As conditioned, the Applicant has made revisions to the Project that have reduced the scale and mass of the originally proposed design. These revisions include the removal of the quoins and the addition of the entablature creating a horizontal design orientation to the residence as opposed to the original vertical orientation. The building façade has been moved further away from the required setback creating a larger garden space within the front yard and around the front façade. Portions of the front façade have been stepped further back and the arched entryway incorporated modulation. Additionally, the applicant has submitted a complete landscape plan including a large tree in front. Thus, the scale and mass of the proposed project is not expected to have an adverse impact on the surrounding neighborhood and shall enhance the garden-like quality of the City.

3. As conditioned, the Project shall provide a number of elements consistent with the Tuscan Villa style architecture while providing appropriate scale and mass to the site as described in 1 and 2 above. The proposed project utilizes high quality building materials, which shall help to enhance the appearance of the neighborhood. Additionally, a full landscape plan has been submitted which will help to improve the proposed residence. Thus, the proposed project is expected to enhance the appearance of the neighborhood.

4. As conditioned, the Project is designed to balance the reasonable expectation of development for the owner with the reasonable expectation of privacy of neighbors. The Project contains a balcony along the north side which aligns with a blank wall (no windows, doors, balconies, etc.) of the neighboring residence, thus having no affect on their privacy. To the south, the Project contains large windows on the second story. The Applicant will be adding additional landscaping along the southern property line to increase the neighbor's privacy and alleviate privacy concerns. Therefore, the Project is not anticipated to create an adverse impact on the neighbor's privacy.

5. As conditioned, the Project is consistent with the prevailing design patterns of the surrounding neighborhood. The design patterns is characterized by items such as a straight driveway located near one side of the lot continuing down the side of the residence, a sidewalk leading from the front entrance to the public sidewalk and the residence is setback from the front lot line a distance comparable to the neighboring properties. Thus, having design patterns

consistent with those of the neighboring properties will ensure harmony between old and new homes in the surrounding area.

Section 7. Based on the foregoing, the Design Review Commission hereby grants the R-1 Design Review Permit for the Project, subject to the following conditions:

1. The horizontal entablature located between the first and second stories on the façade of the Project shall be composed of precast concrete and/or stone. Styrofoam shall not be permitted.

2. The front door iron work shall be constructed to be the same as it is depicted in the Project plans.

3. Prior to the issuance of building permits, the Applicant shall add additional landscaping along the south side of the new single-family residence. The landscaping shall be reviewed by staff.

4. The down spouts shall not be made of sheet metal. Additionally, the drain shall lead to a scupper, then to the downspout when architecturally possible.

5. The Project as submitted shall be built in substantial compliance with the plans submitted for the July 2, 2008 Design Review Commission meeting, on file with the Department of Community Development. The Director of Community Development shall approve any modifications to the plans prior to any work being done on the Project; however, if corrections of building or zoning code issues result in a greatly altered design, the Design Review Commission must approve the revised design.

Standard Conditions:

6. Prior to the issuance of building permits, the Applicant shall prepare a construction management plan for review and approval by the Department of Community Development. The plan shall include the location of construction parking, loading and hauling routes and locations, and number of construction employees anticipated on site. All construction-related parking, staging and hauling shall conform to the construction parking and hauling plan submitted to and approved by the Building Official and the City Engineer.

7. The Applicant shall maintain the site in an orderly condition prior to commencement of and during construction, including, but not limited to, maintenance of the orderly appearance of existing structures and landscaping on the site, dust suppression for areas cleared by demolition, maintenance of safety barriers and adjacent public sidewalks, and provision of a contact person directly accessible to the public by telephone in the event that the public has any concerns regarding maintenance of the site. The name and telephone number of the contact person shall be transmitted to the Director of Community Development and the Building Official. In addition, the Applicant shall post the name and telephone number of the contact person on the site in a location readily visible to the general public and approved by the Director of Community Development.

8. These conditions of approval shall run with the land and shall remain in full force and effect for the duration of the life of this approval. This resolution approving the R-1 Design Review Permit shall not become effective until the owner of the Project site records a covenant, satisfactory in form and content to the City Attorney, accepting the conditions of approval set forth in this resolution. The covenant shall include a copy of this resolution as an exhibit.

The Applicant shall deliver the executed covenant to the Department of Community Development **within 60 days** of the Design Review Commission decision. At the time that the Applicant delivers the covenant to the City, the Applicant shall also provide the City with all fees necessary to record the document with the County Recorder. If the Applicant fails to deliver the executed covenant within the required 60 days, this resolution approving the R-1 Design Review **shall be null and void** and of no further effect. Notwithstanding the foregoing, the director of Community Development may, upon a request by the Applicant, grant a waiver from the 60-day time limit if, at the time of the request, the Director determines that there have been no substantial changes to any federal, state or local law that would affect the R-1 Design Review.

Section 8. The Secretary of the Design Review Commission shall certify to the passage, approval, and adoption of this resolution, and shall cause this resolution and certification to be entered in the Book of Resolutions of the Design review Commission of the City.

DRC Resolution
122 N Oakhurst Drive

Adopted:

Howard Szabo
Chair of the Design Review
Commission of the City of Beverly Hills,
California

Attest:

Secretary

Approved as to form:

David M. Snow
Assistant City Attorney

Approved as to content:

Jonathan Lait, AICP
City Planner