



STAFF REPORT
CITY OF BEVERLY HILLS

For the Design Review
Commission Meeting of
November 5, 2009

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, north of Santa Monica Boulevard at **610 North Rodeo Drive**. (PL 0902024)

SUMMARY

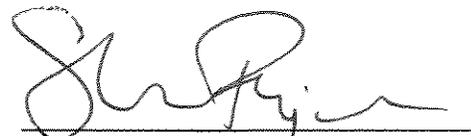
At its February 5 and July 2, 2009 meetings, the Design Review Commission reviewed the proposed new two-story single family residence. At both meetings, the Commission recommended the design be re-studied. The applicant presented a revised design at the October 1, 2009 meeting and the Commission approved the project with the following conditions:

Design Review Commission Requests July 2, 2009	Applicant's Response
1. Remove the two small windows above the entryway; 2. Provide a landscaping plan which includes mature plants and clearly denotes which plants are new and which are being preserved; 3. The cornices on the columns at the entryway need to be more detailed and the columns widened;	1. The applicant has removed the two small windows above the entryway; 2. The applicant has provided a detailed landscaping plan; 3. The columns have been widened;

<p>4. Increase the width of the window/French door surrounds;</p> <p>5. Extend the architectural band (eave) below the roofline along the entire second story so that it is below the roofline directly above the entryway.</p> <p>6. Add corbels at the roofline above the entryway;</p> <p>7. The City traffic Engineer shall review the subterranean garage configuration to ensure that adequate ingress, egress and parking space sizes are provided.</p>	<p>4. The window and door surrounds have been widened;</p> <p>5. The architectural band along the roofline has been extended around the entire roofline;</p> <p>6. The corbels have been added above the entryway;</p> <p>7. The resolution reflects the condition pertaining to the City Traffic Engineers review of the subterranean garage configuration. The plans will be forwarded to the City Traffic Engineer for review during the Plan Check process.</p>
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RECOMMENDATION

Staff recommends that the Design Review Commission adopt the attached resolution that memorializes the Commission's action with respect to the subject project.



Shena Rojemann
Assistant Planner

Attachments:
Resolution

Staff Report
610 North Rodeo Drive
November 5, 2009

Attachment
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 610 NORTH RODEO DRIVE.

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

Section 1. Yassi Gabbay, on behalf of Mr. Alvin Gazazi, property owner (the “Applicant”), has applied for an R-1 Design Review Permit to allow a new two story single-family residence located in the Central Area of the City, north of Santa Monica Boulevard, at 610 North Rodeo Drive (the “Project”). As conditioned, 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 Applicant proposed the design to be “Italianate” however; staff reviewed the project and determined that it did not substantially adhere to the “Italianate” architectural style as outlined by the Style Catalogue. Consequently, 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 80 feet wide by 150 feet long, and is located on the east side of the 600 block of North Rodeo Drive between Carmelita and Elevado Avenues. The lot is currently developed with a one-story residence and garage. The existing structures will be demolished and replaced with a new two story single-family residence with a basement. Surrounding development consists of one- and two-story single-family homes.

The total floor area of the Project will be 6,302 square feet, just under the maximum permitted by the Beverly Hills Municipal Code (“BHMC”) of 6,323 square feet.

The total height of the residence will be 32 feet to the highest point of the roof (32 feet maximum allowed). The proposed Project meets the minimum side setbacks permitted. The single-family residence is proposed to be setback 11 feet from the north side lot line and 10 feet from the south side lot line. The façade of the Project is 58 feet 6 inches in width. The required front setback for the house is 40 feet. The proposed design meets this setback requirement by incorporating setback averaging, which is a development incentive permitted by Code for single-family residential developments in the Central Area of the City. The proposed height to the top of the roof is approximately 32 feet, which is the maximum allowed by Code.

Parking for the proposed Project will be provided within the southern side yard and a subterranean garage. One parking space has been provided within the southern side yard and three spaces have been provided in the subterranean garage, which is accessible from a driveway along the northern side yard. 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 1,250 square feet, which is under the maximum allowed by the BHMC (1,251 square feet).

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

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 February 5, July 2 and October 1, 2009 the Design Review Commission held duly noticed public hearings to consider the application. Evidence, both written and oral, was presented at said hearings, and the hearings were closed. At its meeting on October 1, 2009 the Commission conditionally approved the project. On November 5, 2009, revised plans addressing the Commission's concerns were presented for the Commission's consideration along with this resolution.

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 revised, the design appears to be consistent with the "Italianate" style of architecture designed for a smaller lot, as displayed by the low pitched roof, the flat façade and the tall windows. Therefore, the proposed residence exhibits an internally compatible design scheme.

2. As revised, the design incorporates horizontal features such as the bands that are located along the base, middle and near the top of the proposed façade. These bands reduce the vertical appearance of the residence. Additionally, the second story windows have been designed to be shorter than the first story, thus giving the appearance that the second story is not as large as the first story. The applicant has submitted a detailed landscaping plan which proposes a variety of lush groundcover, shrubs and trees which will enhance the garden like quality of the City. Therefore, as revised, the residence appears to minimize the appearance of scale and mass, enhances the garden quality of the City and appropriately maximizes the use of required open space.

3. As revised, the Project shall provide a number of elements consistent with the Italianate style of architecture 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, the landscaping will help to enhance the proposed residence. Thus, the proposed project is expected to enhance the appearance of the neighborhood.

4. As revised, the Project the structure exceeds the City's side yard and rear yard setback requirements. The southern elevation contains small windows along the second story which would have a minimal impact on the neighbors' privacy. Along the northern elevation, the windows are mostly smaller in size as well. The smaller designed windows in addition to the lush landscaping that is proposed along the side and rear yards will reduce any impacts on the neighbors and thus, the proposed development is designed to balance reasonable expectation of development for the owner and the reasonable expectation of privacy of the neighbors.

5. The design patterns in the area are characterized by consistent setbacks and straight driveways located at the side property lines leading to a garage and/or a porte cochere, circular driveways, and a walkway leading from the public sidewalk to the entryway of the residence. The proposed design is consistent with this pattern. The existing neighborhood is composed of one and two-story single-family residences. 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. Pursuant to Beverly Hills Municipal Code Section 10-3-2420, all aspects of the front yard fencing located at the front property line shall be three feet (3') in height or less.

2. The planter located along the northern side yard shall be a minimum of forty-two inches (42") in height.

3. All trees shall be a minimum of forty-eight inch (48") boxes.

4. The City Traffic Engineer shall review the subterranean garage configuration to ensure that it meets the City's traffic standards.

5. The Project as submitted shall be built in substantial compliance with the plans submitted for the November 5, 2009 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.

6. Any approval by the Commission is for design only; the project is subject to all applicable City zoning regulations.

7. Any future modifications to this approval shall be presented to staff for a determination as to whether the change may be approved by staff (minor) or to the Commission for review. Changes made without City approval may be required to be restored to match the City approved plans.

8. Any future modifications to this approval shall be presented to staff for a determination as to whether the change may be approved by staff (minor) or to the Commission for review. Changes made without City approval may be required to be restored to match the City approved plans.

9. A copy of the final conditions of approval per the approved Resolution shall be scanned onto the cover sheet of the final building plans

10. The proposed landscape plan shall comply with the City's Water Efficient Landscaping Ordinance.

11. Final plans shall include spec sheets for windows and call-outs on a colored elevation for each material proposed for verification in the field during construction.

Standard Conditions:

12. 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.

13. 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.

14. 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.

Adopted:

Hamid Gabbay
Chair of the Design Review
Commission of the City of Beverly Hills,
California

Attest:

Secretary

Approved as to content:

Jonathan Lait, AICP
City Planner

