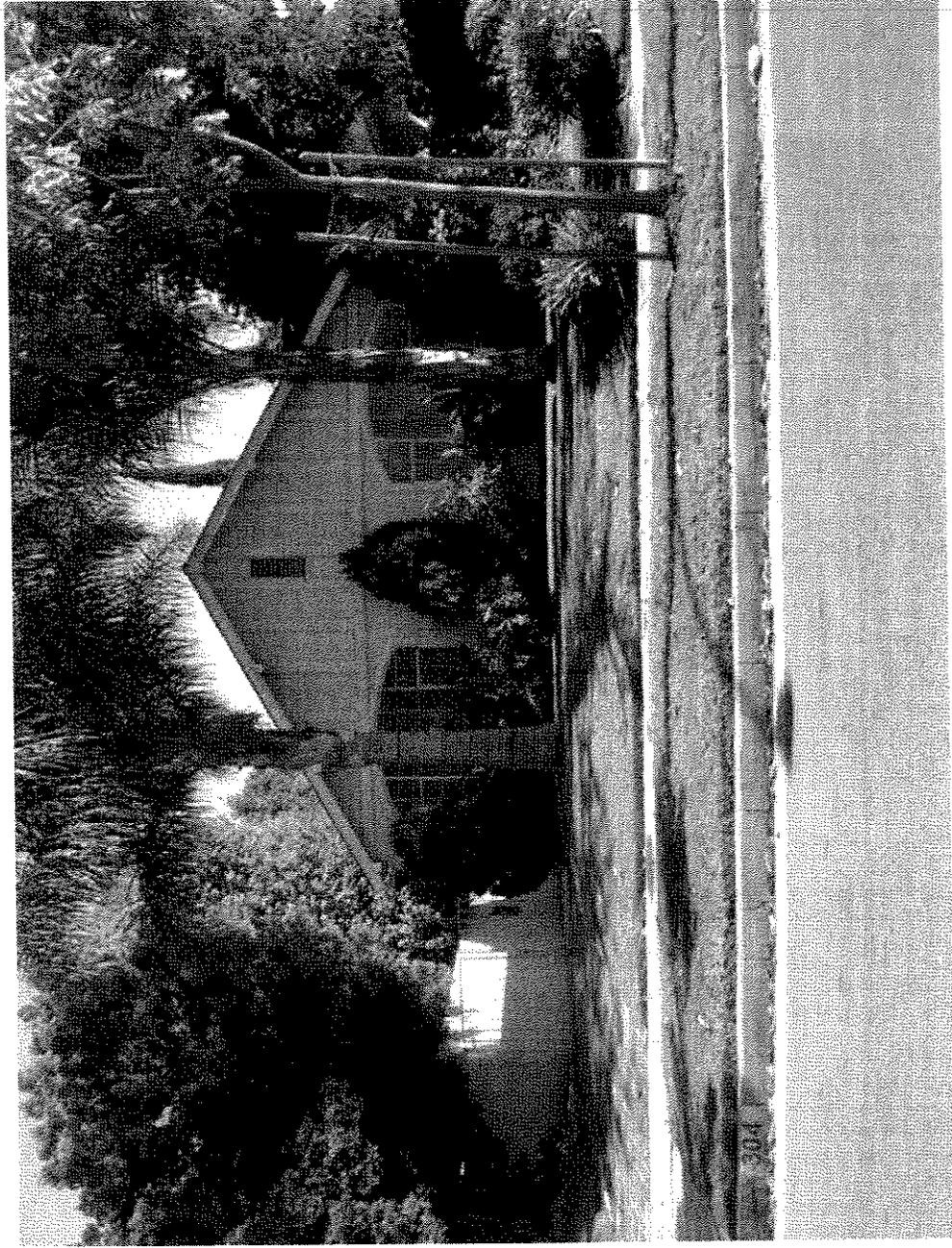


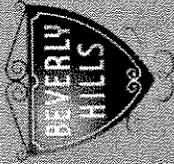
Design Review
Commission

January 7, 2010

304 South Wetherly Drive



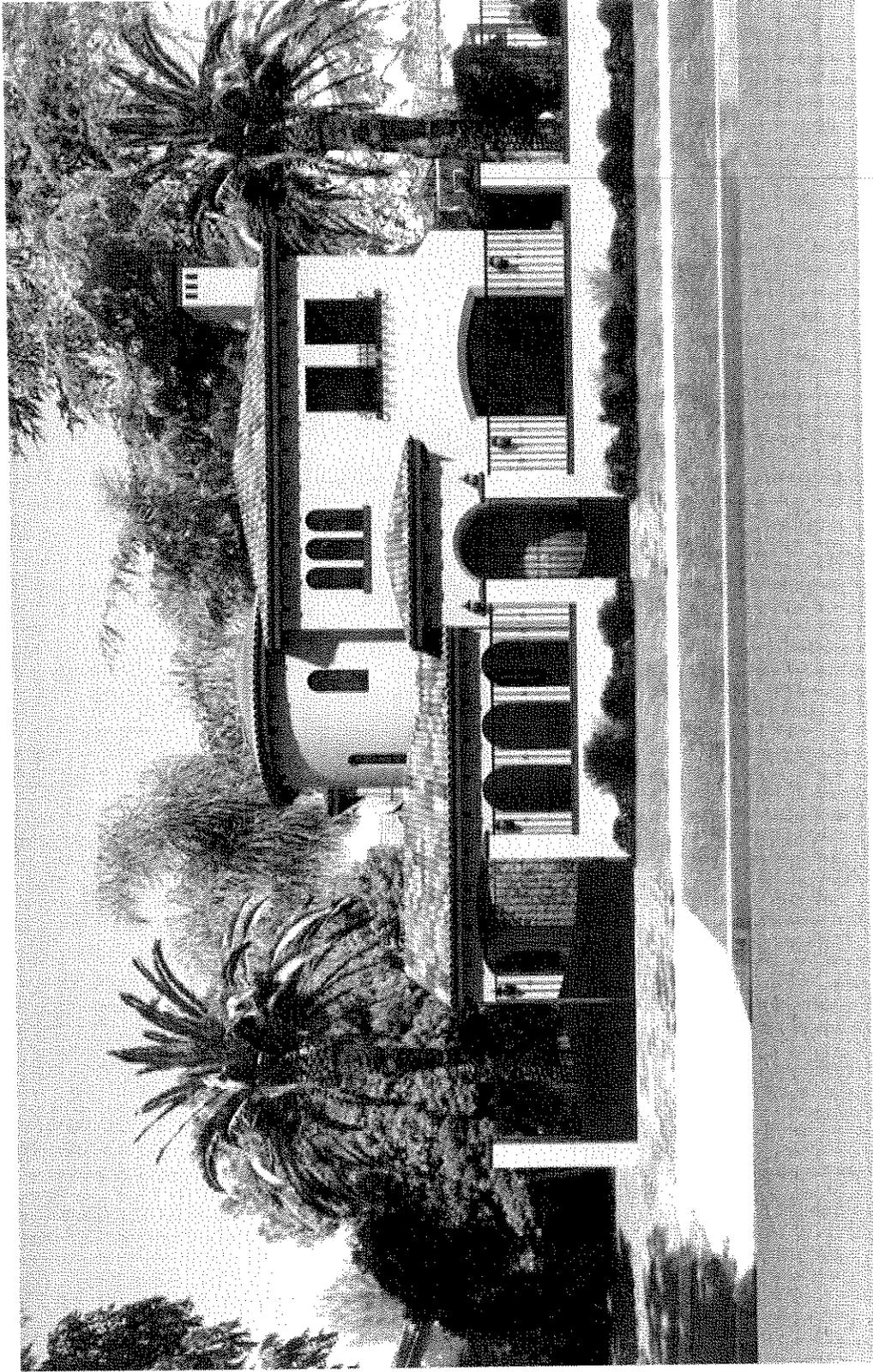
Existing



Design Review
Commission

January 7, 2010

304 South Wetherly Drive



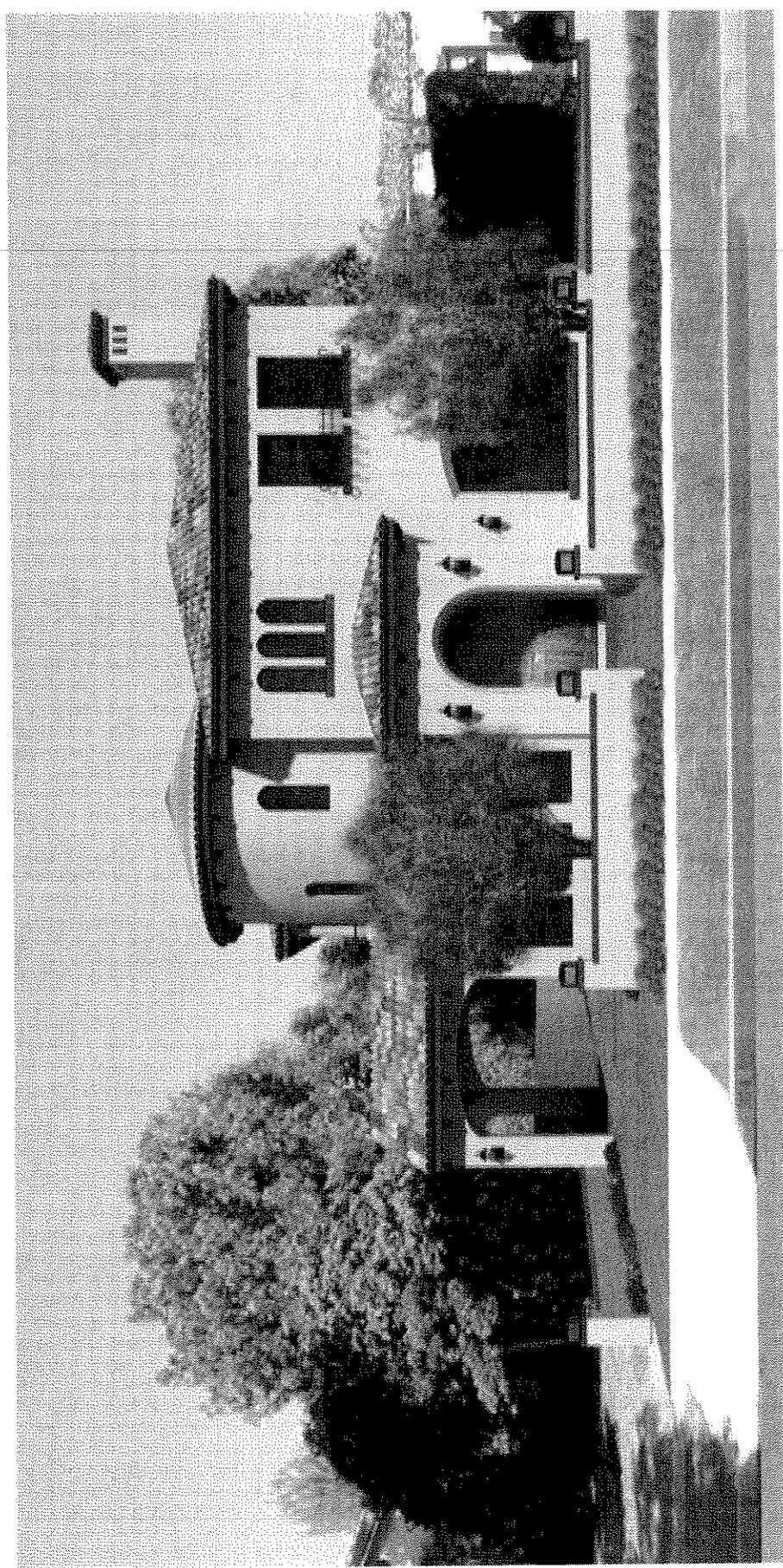
Proposed – 12/8/09



Design Review
Commission

January 7, 2010

304 South Wetherly Drive



Proposed – 1/7/10



STAFF REPORT
CITY OF BEVERLY HILLS

For the Design Review Commission
Meeting of January 7, 2010

TO: Design Review Commission

FROM: Ivy Nguyen, 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 304 South Wetherly Drive. (PL 095 4641)

Continued from the meeting of December 8, 2009

EXECUTIVE SUMMARY

Samuel Moon, on behalf of the property owner, Steven Dorfman, has filed an application for Track 2 design review to allow a new, two-story, five bedroom, 4,141 square foot single-family residence located at 304 South Wetherly Drive. This project was presented to the Commission on December 8, 2009 and the project was preliminarily approved, provided the conditions listed below were addressed.

Commission Concerns and Applicant Response

Listed below are the Commission's concerns and the applicant's response.

Commission's Comments	Applicant's Response
Walls should be thickened to 12" to provide more depth to further recess the windows.	Façade walls have been modified to be 12" thick, as shown on Sheet A1. Windows have been set in 6" from the face of the wall, as shown on Sheet A6, Number 12 and 19.
The size of the sconces flanking the front door shall be increased to be more proportionate with the residence.	Applicant has revised the sconces to be 16" tall (previously 10"-12" tall).
The landscape plan shall be reconsidered to remove the six foot tall fence within the front yard and replace with a low wall and landscaping to	Two options have been provided for the Commission for review. Option 1 maintains the six foot tall wall and are specified in Sheets ending in

<p>reflect the existing streetscape of the neighborhood.</p>	<p>“.1”; Sheets P1.1, S1.1, L1.1, A4.1 relate to Option 1. Option 2 species for a three foot tall wall and are specified in Sheets ending in “.2”; Sheets P1.2, S1.2, L1.2, A4.2 relate to Option 2.</p> <p><u>Option 1:</u> The applicant has requested the Commission reconsider the previously proposed six foot tall wall, as provided in Option 1 within the submission package. The wall would be set back 5'-0" from the front property line and would be landscaped as previously proposed (Sheet L1.1).</p> <p>Additionally, the applicant has provided several neighborhood photos on South Almont Drive and South Wetherly Drive to demonstrate compatibility within the streetscape (Sheet "MISC").</p> <p><u>Option 2:</u> The applicant has also provided a three foot tall wall with lights as Option 2 within the submission package. The wall will be set 1'-0" from the front property line and provide for low growing landscaping in front of the wall ("Provence Lavendar", Sheet L1.2).</p> <p>Staff recommends that the Commission approve Option 2, as the neighborhood photos represents the streetscape on a parallel street, and not South Wetherly Drive where the subject property is located.</p>
<p>Consider providing additional ornamentation or embellishments to the façade of the building.</p>	<p>The applicant has not provided any modifications to the façade design.</p>

Reason for Review by the Commission

Pursuant to Beverly Hills Municipal Code Section 10-3-4408, no single-family residence located in the 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 shall be the reviewing authority if it has first been determined that the design does not otherwise substantially adhere to a pure architectural style, or if the project is not prepared by a licensed architect.

The applicant identifies the proposed project as "Spanish Mission Revival" as it exhibits several characteristics featured in Spanish residences such as arched windows, entry courtyards and a porte cochere.

A revised resolution is attached for the Commission's consideration.

Adherence to Zoning Code

As proposed, the main house and walls meet all required zoning standards including height, setbacks, parking, and floor area requirements.

GENERAL INFORMATION	
Applicant	Samuel Moon
Project Owner	Steven Dorfman
Zoning District	Central R-1 Area – South of Santa Monica Boulevard
Parcel Size	6,714 square feet
Listed in City's Historic Survey	No

SITE AND AREA CHARACTERISTICS

The project site is a rectangular-shaped lot that is 56'-0" wide by 120'-0" long lot, located on east side of the 300 block of South Wetherly Drive between Gregory Way and Olympic Boulevard. The existing single-family residence and accessory structure (at the rear of the property) will be demolished in order to allow for the construction of the proposed project. The abutting properties at the north and south property lines are developed with one- and two-story single-family Spanish Mission Revival architectural style residences. The streetscape is a mixture of new and existing residential homes, with no prominent architectural style present.

PROJECT DESCRIPTION

Building Envelope

The proposed residence would have a total floor area of 4,141 square feet, which is slightly less than the maximum allowable building area (4,186 square feet) for the subject site. As proposed, the residence will be 27'-9" to the highest point of the roof (30'-0" maximum height for a building with a sloped roof is allowed as maximum plate height is 22'-0").

Modulation

The main entrance to the principal building contains a walkway leading to a covered porch, with the main entry door set 4'-0" behind the required 25'-0" front yard setback. The front entry porch encroaches within the front yard setback by 5.5 square feet (6"

deep by 11'-0" wide) as permitted per Section 10-3-2418(B) regarding front setback averaging. The first floor of the western front façade is set back 4'-0" to 5'-0" behind the required front setback line at the tower element and covered porch, which provides additional modulation. Additionally, varying rooflines at the first and second floors provide further modulation at the front façade of the residence.

Parking

As required by the Beverly Hills Municipal Code, three parking spaces are required for the five-bedroom project. Parking is provided at the northern elevation adjacent to the residence under a porte cochere and is accessible from the driveway with the existing curb cut at South Wetherly Drive. Each parking space measures 9'-0" wide by 19'-0" long as required by Code.

Design

The proposed design of the structure includes the following features:

- Two stories
- "El Camino Blend" colored clay tile roof (alternating terra cotta and dark brown colors)
- Recessed arched entryway door
- Six-foot tall fence and vehicle gate entrance
- Porte cochere at north elevation
- Courtyard at front yard

Materials

The materials and color proposed for the new structure are as follows:

- Façade smooth trowel stucco finish – in "Sandstone" color (beige)
- Clad trim windows
- Wood front entry door (light brown color)
- Wrought iron railings and fence, black with bronze color
- Wood roof corbels (dark brown) and eaves (light brown)

A material sample board will be available for the Commission's review at the meeting.

Paving

The applicant is proposing 363 square feet of paving as permitted in Section 10-3-2422A of the BHMC (400 square feet maximum). The hardscape for the site consists of a twelve feet wide driveway approach (which will be widened under a separate permit to

be reviewed and approved by Public Works and Building and Safety Departments) and walkway leading to the residence.

Landscape Design

The proposed project will provide for low-growing landscaping and grass ground cover in front of the six-foot tall wall and within the front yard. Additionally, two 48" box Swan Hill Olive trees will be planted in the front yard.

There will be several windows located on the second floor at the north elevation from a bedroom, closet and a bathroom. Additionally, there is a 35 square foot balcony at the northern property line leading from a bedroom. The Commission may wish to discuss whether additional landscaping would be appropriate at the northern property line to provide privacy for the adjacent neighbor.

PUBLIC NOTICE AND COMMENTS

Notice of the proposed project and public hearing was mailed on November 24, 2009 to all property owners and residential tenants within a 100-foot radius from the exterior boundaries of the property as required by Code. To date, staff has discussed the proposed project with an adjacent neighbor. However, no comments (written or oral) in regards to the submitted plans was formally submitted.

ENVIRONMENTAL DETERMINATION

The project has been reviewed to be in compliance with the California Environmental Quality Act (CEQA) and the City's environmental guidelines, and a Categorical Exemption of Class 3(a) has been issued (construction of a single-family residence in a residential zone).

DESIGN ANALYSIS

Pursuant to BHMC Section 10-3-4415, the Design Review Commission may approve, approve with conditions, or disapprove the issuance of a building permit in any matter subject to its jurisdiction after considering whether the proposed development complies with the following criteria. If the proposed project meets the criteria set forth, the Commission shall approve the application. When the proposed development does not comply with the criteria, the Commission may impose such conditions it deems necessary to bring the proposed development into conformity with the provisions of this article.

1. *The proposed development's design exhibits an internally compatible design scheme.*

The proposed design and architectural features exhibit several characteristics similar to those defined in the Design Catalogue for the Spanish Mission Revival residences. For example, recessed arched entryways and smooth light earth-toned stucco at the exterior surface is present on the front facade. The balance of the proposed design appears to exhibit an internally compatible design scheme with several modifications.

2. *Appropriately minimizes the appearance of scale and mass, enhances the garden like quality of the city, and appropriately maximizes the use of required open space within the proposed architectural style.*

The proposed design utilizes nearly the maximum amount of floor area permitted by the BHMC. The proposed height of the main residence is 27'-9" (maximum height allowed by Code is 30'-0" for a sloped roof) with a front façade that measures approximately 37'-0" wide.

The proposed façade provides a degree of modulation as the entryway is set back behind required front setback of 25'-0". Additionally, the tower element and varying rooflines provides additional modulation.

The proposed landscaping plan includes several palm trees, low-growing plant species and two Swan Hill Olive trees in the front yard that will enhance the garden quality of the city.

3. *The development will enhance the appearance of the neighborhood.*

The proposed project exhibits an internally compatible design scheme. The project utilizes several high quality building materials including stucco walls with wood doors, corbels and eaves, which will help to 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.*

The proposed project meets the side setbacks required. The applicant will be providing a seven-foot tall fence at the north and south property lines to provide privacy to the abutting neighbor. The provided (and required) side set back is 5'-0" at the south property line and 9'-0" for the first 38'-0" behind the front setback line at the north property line.

At the south elevation, there are several small windows from two bedrooms and bathroom.

Therefore, the proposed project does not appear to create adverse impacts associated with privacy of neighbors.

- 5. The proposed development respects prevailing site design pattern, carefully analyzing the characteristics of the surrounding group of homes, and integrates appropriate features that will ensure harmony between old and new.***

The properties along South Wetherly Drive are developed with structures varying in size and scale and there does not appear to be a consistent design pattern at present. A few new two-story residences built to the maximum floor area, along with existing one- and two-story residences, can be seen in the neighborhood. Therefore, it appears that the proposed development is in harmony with the old and new residences in the surrounding area.

Upon consideration of criteria set forth in BHMC 10-3-4415, The Commission has the following options:

1. Approve the plans as presented;
2. Approve the plans subject to the following and /or other conditions, to bring the plans into conformance with criteria set forth in BHMC 10-3.4415;
3. Disapprove the plans upon detailed findings that certain criteria set forth in BHMC 10-3.4415 are not met; or
4. Return the plans for restudy and re-submittal.

RECOMMENDATION

Based on the foregoing analysis and pending the information and conclusions that may result from testimony received at the public hearing, as well as Design Review Commission deliberations, Staff recommends the Design Review Commission either provide the applicant with further direction and return the item for restudy, or approve the project with the following conditions and any other conditions the Commission may wish to add:

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

2. Final plans shall include specification sheets for windows and call-outs on a colored elevation for each material proposed for verification in the field during construction.
3. 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.



IVY NGUYEN
Assistant Planner

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 SECOND-STORY ADDITION TO A SINGLE-FAMILY RESIDENCE AT PROPERTY LOCATED IN THE CENTRAL AREA OF THE CITY, SOUTH OF SANTA MONICA BOULEVARD AT 304 SOUTH WETHERLY DRIVE.

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

Section 1. Samuel Moon, on behalf of the property owner Steven Dorfman (collectively, the "Applicant"), has applied for an R-1 Design Review Permit to allow for the construction of a new two-story single-family residence located in the Central Area of the City, south of Santa Monica Boulevard, at 304 South Wetherly 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 design was not prepared by a licensed architect, and did not substantially conform to a pure architectural style when submitted. 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 is a rectangular-shaped lot that measures 56 feet wide by 120 feet long, and is located on the east side of South Wetherly Drive between Gregory Way and Olympic Boulevard. The lot is currently developed with a single-family residence and detached accessory structure and will be demolished in order to allow for the construction of the proposed 4,141 square feet residence (out of the allowable 4,186 square feet for the site). The Project meets the minimum 5'-0" side setback for one side (south), and 9'-0" for the first 38'-0" after the required front yard setback of 25'-0" and 5'-0" thereafter at the northern property line. The required front setback for the house is 25 feet, and the façade of the residence measures approximately 37'-0" wide. A portion of the front entry porch encroaches within the front yard setback by 5.5 square feet (6" deep by 11'-0" wide) as permitted per Section 10-3-2418(B) regarding front setback averaging. The design of the residence has been identified by the applicant as "Spanish Mission Revival". The proposed height of the residence to the top of the roof is 27 feet 9 inches, which is less than the maximum allowed by Code (30 feet). Surrounding development consists of one- and two-story single-family residences of various architectural styles.

Parking for the proposed Project will be provided at the northern property line adjacent to the residence under a porte cochere and is accessible from the existing driveway at South Wetherly Drive. The Project provides for three parking spaces, which meets the number of spaces required by Code for the four-bedroom residence. New paving within the front yard has been proposed to be less than 400 square feet, as permitted by Code. The total area of paved surface within the front yard is 363 square feet.

A detailed landscaping plan for the Project is provided with landscaping within the front yard and along the 6'-0" tall fence located 5'-0" from the front property line.

This Project came before the Design Review Commission at its meetings of December 8, 2009 and January 7, 2010. At the December 8, 2009 meeting, the Commission preliminarily approved the project with the following conditions:

1. The landscape plan shall be reconsidered with the suggestion to remove the six foot tall fence within the front yard and replace with a low wall and landscaping to reflect the existing streetscape of the neighborhood.

2. Consider providing additional ornamentation or embellishments to the façade of the building.
3. The walls shall be thickened to a minimum of 12 inch depth.
4. The size of the sconces flanking the front door shall be increased.

The Applicant has revised the Project to respond to the Commission's concerns.

The revisions are as follows:

1. Wall at front yard is a maximum of three foot tall with landscaping provided in front of the wall adjacent to the public right of way.
2. No additional embellishments have been provided.
3. The walls have been thickened to be 12 inches deep.
4. The sconces flanking the front door have been revised to be 16" tall.

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 2 Categorical Exemption (Replacement or Reconstruction) in accordance with the requirements of Section 15302 of the Guidelines as the Project involves the reconstruction of a new single family residence on the same site and which will have substantially the same purpose and capacity as the structure replaced. Therefore, no significant impacts to the environment are anticipated.

Section 4. On December 8, 2009 and January 7, 2010 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.

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.
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. The Project exhibits a design that is internally compatible and exhibits features that are similar to those of Spanish Mission Revival styles. The balance of the Project exhibits an internally compatible design scheme.

2. The Project appropriately minimizes the appearance of scale and mass as the façade is set back approximately 4'-0" to 5'-0" from the required front yard setback. The Project includes appropriate façade modulation and proposes new low-growing landscaping within the front yard. Additionally, two 48" box Swan Hill Olive trees will be planted within the front yard. The Project enhances the garden like quality of the City and appropriately maximizes the use of open space within the proposed architectural style with the courtyard at the front of the residence.

3. The Project will enhance the appearance of the neighborhood as the Project has been proposed to use quality materials, modulation and landscaping. The Project utilizes thoughtful high quality building materials including stucco walls with wood doors, corbels and eaves, which will help to enhance the neighborhood.

4. The Project is designed to balance the reasonable expectation of development for the owner with the reasonable expectation of privacy of neighbors. The subject site abuts two existing single-family residences. The north and south elevations utilize a minimal amount of windows and doors located in bedrooms, bathroom, and closet which respects the privacy of adjacent properties, and is therefore not anticipated to create an adverse impact on privacy.

5. The Project respects prevailing site design pattern and integrates appropriate features that will ensure harmony between old and new homes. The properties along South Wetherly Drive are developed with structures varying in size and scale and there does not appear to be a consistent design pattern at present. Therefore, it appears that the proposed development is in harmony with the old and new residences 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 Project as submitted shall be built in substantial compliance with the plans submitted for the Design Review Commission meeting, which are on file with the Department of Community Development. Any modification to the plans shall be approved by the Planning Department prior to any work being done on the Project; however, the Design Review Commission must approve the revised design if substantial changes are proposed.

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

3. 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.

4. Final plans shall include a color rendering of the front elevation with numbered call-outs and a corresponding legend for all proposed materials and finishes. Spec sheets for windows shall also be provided. This elevation will be used by staff for verification of materials at the project site during construction.

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

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.

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

