



Architectural Commission Report

Meeting Date: September 21, 2011

Subject: **Application Processing Changes.** Discussion of streamlining efforts related to the Architectural Commission application process.

Recommendation: Receive and File.

REPORT SUMMARY

For some time staff and the commission have been discussing refinements to the architectural commission process to streamline application processing, provide greater and more complete information to the commission, and to make enhancements to improve staff's administration efforts. This report details some recent changes and other modifications that will be implemented starting next month. As with any new procedural or operational changes, receiving feedback, modifying the system and maintaining an open dialogue among staff, applicants and the commission will be essential.

DISCUSSION

There has been much discussion over the past several years about the need to make better use of finite resources and streamline application processes so that government can better serve the public. The Mayor has formed committees to advance these efforts, including a Task Force on Governmental Efficiency and a newly formed Commission Chairs group that meets every two months. Both of these and other efforts seek to maintain the economic vitality of the city, improve regulatory processes and continue to promote a friendly environment in which the city conducts its business. These efforts are balanced with the need to ensure appropriate public review, input and transparency, while also advancing a high quality environment in the city's business and residential neighborhoods.

The city's architectural commission has a key role in advancing these efforts. The commission was formed in the 1960s and has helped shaped the image and quality of the city's commercial and multi-family districts. The Business Triangle, commercial corridors and multi-family areas have all been positively influenced by the commission's stewardship. Ensuring projects are well designed of appropriate quality and harmonious to the surrounding environment is balanced with the need to help applicants move through the application process in a timely manner.

The downturn in the economy resulted in changes to some administrative functions. Fewer resources are available to support prior operations and there is a need to streamline and refine processes and procedures. Applicants are also under greater pressure to get more timely approvals, which has created some frustration when projects are perceived to be delayed over minor issues and excessive attention to detail. While many projects are reviewed by the commission within two meetings, there are also

Attachment(s):

A. Sample Staff Report Transmittal with Attachments

Report Author and Contact Information:

Jonathan Lait, City Planner
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examples of projects taking longer. However, even at two meetings, an applicant may need to wait 60 to 90 days to receive a final action. It is anticipated that with the proposed process efficiencies outlined in this report that the majority of applications can be processed in one meeting while continuing to preserve and enhance the high quality design and character of the city's commercial and multi-family neighborhoods.

To improve the architectural review experience, the commission has looked to staff to provide packets that contain better quality material and more attention to details. Many of the changes identified in this report seek to implement those and other requests to enhance customer and commission satisfaction, commission efficiency, and improve overall administration of the architectural commission system.

The follow modifications have already occurred or will be implemented next month; anticipated benefits of those changes are provided below:

Staff Liaison Application Appointments. Appointments are typically required to submit an application to the city. The change here is that commission-level design review applications must now be submitted to the staff liaison. This modification will allow the individual that works most closely with the commission to screen incomplete applications, which will not be accepted for filing. Submittals must comply with specific quality and material requirements set forth in the updated application. Complete applications will be accepted and the applicant immediately informed of the hearing date.

Benefits:

- Increased consistency, predictability and shared expectations between city and applicants in terms of the quality of the application that must be submitted
- More focused discussion at the commission level on the quality of the project, and less discussion on what is missing from the application
- Accepted applications are scheduled for the next meeting, provided public noticing requirements can be met
- Eliminates need for 30 day submittal deadline, however, projects requiring public notice would need at least 14 advance submittal before meetings

Updated Application Forms. Updated forms ensure that those items the commission routinely requests of applicants are provided at the first meeting. The application includes tips to applicants to help improve their opportunity to receive more timely responses and is available online. Greater design specificity is required, which puts more responsibility on applicants, but it also ensures that the applicant has thought through the design and will be better able to articulate the design objectives. Staff has been in contact with applicants and is meeting with users of the system to help applicants become familiar with the new form.

Benefits:

- Similar benefits described above, and anticipated improvements to applicant presentations

Fees Reduced / Fee Refunds. Application fees have been reduced 20% from last year. This fee covers two meetings. As an incentive to submit higher quality application material and details, applicants that receive approval in one meeting will receive a 50% refund. However, applications that require more than two meetings will be charged 50% of the original fee for each additional meeting needed.

Benefits:

- Potential cost savings to applicants
- Financial incentives to enhance the quality of application material reviewed by the commission

Updated Staff Reports. There has been an ongoing effort over the last several years to streamline staff reports. After previous discussion with the commission, project-specific staff recommendations have been eliminated from reports. The reports now serve more as a transmittal document and details changes or commission direction from prior meetings. The updated reports will continue to serve those functions, but have been updated to clearly document compliance with state environmental laws and includes public outreach information. The reports have grown with respect to the number of attachments which now includes excerpts of the application (prepared by the applicants), more plan details and draft approval and denial resolutions.

The resolutions are a new component of the architectural commission process. Both the design review and planning commissions use resolutions to record final actions. The architectural commission's final actions have previously been reduced in writing in a letter format. Documenting the final action in a more formal manner improves the administrative record, includes findings that support the decision, and helps focus the discussion for any future appeals. The resolutions will be drafted in a manner that does not require the commission to make modifications, however, from time to time, particularly in cases of denials, the commission may want to review the findings and suggest modifications for that particular project, as appropriate. Including both the approval and denial resolutions enables the commission to act on a project and not require a resolution to return at a subsequent meeting for a vote of the commission.

Benefits:

- Reports transmit only essential information
- Draft approval and denial resolutions enable the commission to make a final action at meeting without having to wait an additional month to render a formal decision (reducing time / costs to applicant)
- More plan details allows the commission to focus on project design and offer substantive comments related to the project design

Technology Enhancements. The updated changes have been designed to support a completely paperless application submittal, processing and review component. While it may be some time before the commission as a whole converts to an electronic packet, starting in December, those commissioners that want to receive their packet electronically will have that option. Commissioners that prefer paper packets will continue to receive those packets.

Benefits:

- Quicker packet deliver
- Slightly less costs to the city preparing packets
- Efficiencies gained in the administrative processing of packets

The changes described in this report are intended to improve the applicant's experience, expectations and introduce more predictability in the review process. The staff liaison to the commission will continue to work closely with each applicant and be available for meetings to discuss projects in advance of application submittal as well as throughout the review process. A dedicated employee that works with the commission and applicants provides for an orderly review process, improved consistency, and opportunities to evolve and refine the process to the betterment of applicants and the commission.

Additional Considerations

It is anticipated that the changes outlined in this report will have a positive impact on overall streamlining efforts, improved satisfaction and result in more harmonious development. The success of these changes can be further enhanced with continued support from the commission.

Staff will continue to encourage the commission to focus on broader design themes that will help applicants achieve their expressed design goals and support the commission when projects fail to meet the city's high design standards. While discussion of project details are important to the overall understanding of the design quality and execution, further streamlining gains can be achieved if certain aspects of project approval are deferred to the staff liaison for review and approval. For instance, after appropriate commission deliberation and with specific direction, conditions can be added that authorize the staff liaison to review and approve minor details or finishes related to some or all of the following:

- signs
- balcony railings
- landscape species and plant sizes
- paving
- window material and sizes
- exterior lighting
- walls and fences
- outdoor dining

The commission and staff can engage in a discussion and prepare guidelines that may help facilitate the transfer of certain minor approvals to the commission liaison.

By focusing on the broader design themes and building features that have a more dramatic effect on the built environment, the commission's deliberations may be more impactful (positively) and less nuanced, which can be frustrating for applicants. Additionally, this may reduce the amount of time needed to review each application and afford more time considering broader policy matters related to code amendments and the creation of educational material that will make the architectural review process more beneficial to the city and applicants.

Commission Correspondence

Included with the packet and agenda for discussion are two letters from Commissioner Rubins. One letter reflects on services no longer offered by the division and suggestions for improved communication; the second letter relates generally to the recent planning commission recommendations on restaurant streamlining. While staff disagrees with some of the statements contained in the correspondence, clearly more communication can occur and a better understanding of respective roles and responsibilities can be shared. Staff appreciates the valuable work of the commission and its unique and ongoing evaluation of the built environment. Both commissioners and staff are interested in advancing high quality design and ensuring quality construction. At times commissioners may discover projects under construction that appear inconsistent with an approval or that were never reviewed by the commission, particularly signs and façade remodels. Staff will be able to discuss the existing city procedures and systems in place for addressing complaints and how interested commissioners can best participate in that process. As noted throughout this report, staff is equally interested in making sure proposed and future enhancements benefit the applicants and commissioners. The review process should be rewarding to all those involved in the process and any effort staff can make to help facilitate that discussion and implement meaningful change will be offered.

New Report Format

Attached is a sample report using fictitious information to illustrate the new format. This report format will substantially improve administrative processing, expedite packet preparation and support electronic packet transmittals. Attachment A includes the following information:

- Sample transmittal report
- Project Team Information
- Basic Project-Related Zoning Information
- Explanation of project design / theme and how it is achieved
- Project Design and Material Details
- Landscaping Theme
- Applicant Prepared Findings
- Draft AC Resolution of Approval
- Draft AC Resolution of Denial

Detailed plans, cut sheets and other supporting information will be provided for actual cases, though not included in this report.

A similar format would be used for continued projects, but will include direction provided by the commission and the applicant's responses to that direction.



Architectural Commission Report

Meeting Date: September 2, 2011

Subject: **455 N Rexford Drive**
Request for approval of a façade remodel and outdoor dining elements
PL XXX XXXX

Project applicant: Jane Doe

Recommendation: Conduct public hearing and take final action on the project.

REPORT SUMMARY

The applicant requests approval of a façade remodel and outdoor dining elements for a new restaurant. Please see the attached documents which include the project design description, materials and plans in addition to draft resolutions of approval and denial for the Commission's consideration.

ZONING CODE COMPLIANCE

Applications for design review are preliminarily evaluated for compliance with the zoning code. Applicants are encouraged and have the option of requesting a comprehensive review separate and apart from this application. Formal compliance review will occur when a building permit application is filed (plan check). The applicant has been advised that changes during plan check may require revisions and subsequent approval from the Design Review Commission or staff, as appropriate.

ENVIRONMENTAL ASSESSMENT

The subject project is exempt from the California Environmental Quality Act (CEQA – Public Resources Code §§21000 – 21178), pursuant to Section 15061(b)(3) of the State CEQA Guidelines in that the project includes the review of building design, colors and materials to the façade of the building, front yard landscaping or minor low-scaled accessory structures, such as fences or walls. It can be seen with certainty that there is no possibility that the subject activity could result in a significant effect on the environment.

PUBLIC OUTREACH AND NOTIFICATION

No public outreach was required for the specific request.

Attachment(s):

- A. Detailed Design Description and Materials (Applicant Prepared)
- B. DRAFT Approval Resolution
- C. DRAFT Denial Resolution
- D. Design Plans, Cut Sheets & Supporting Documents

Report Author and Contact Information:

Shena Rojemann, Associate Planner
(310) 285-1192
srojemann@beverlyhills.org



Architectural Commission Report

445 North Rexford Drive

September 21, 2011

Attached A:

Detailed Design Description
and Materials (applicant prepared)

SECTION 1 – AUTHORIZATION & APPLICANT TEAM

A Property Information

Project Address: _____

Legal Description: _____

B Property Owner Information¹

Name(s): _____

Address: _____

City: _____ State & Zip Code: _____

Phone: _____ Fax: _____

E-Mail _____

C Applicant Information *[individual(s) or entity benefiting from the entitlement]*

Name(s): _____

Address: _____

City: _____ State & Zip Code: _____

Phone: _____ Fax: _____

E-Mail _____

D Architect / Designer Information *[Employed or hired by Applicant]*

Name(s): _____ Registered Architect? Yes No

Address: _____

City: _____ State & Zip Code: _____

Phone: _____ Fax: _____

E-Mail _____

E Landscape Designer Information *[Employed or hired by Applicant]*

Name(s): _____

Address: _____

City: _____ State & Zip Code: _____

Phone: _____ Fax: _____

E-Mail _____

F Agent *[Individual acting on behalf of the Applicant]* **NOTE:** All communication is made through the Agent.

Name(s): _____

Address: _____

City: _____ State & Zip Code: _____

Phone: _____ Fax: _____

E-Mail _____

G I hereby certify that I am the owner of the subject property, that the information provided is accurate to the best of my knowledge and the Agent is authorize to make decisions on my behalf²

Property Owner's Name (PRINT)

Property Owner's Signature & Date

¹ If the owner is a corporate entity, signatures from two corporate officers are required from each of the following Groups:
Group A – chairperson or president of the board; Group B – board secretary or chief financial officer.

² A signed and dated authorization letter from the property owner is also acceptable.

SECTION 2 – PROJECT DESCRIPTION / ZONING INFORMATION

A Indicate Requested Application:

- Track 1 Application (Administrative Review)
- Project must adhere to a pure architectural style identified in the City’s Residential Design Style Catalogue. The Catalogue is available online at: <http://www.beverlyhills.org/civica/filebank/blobdload.asp?BlobID=3435>.
 - Plans must be prepared and stamped by an architect licensed in the State of California.
 - Three (3) sets of plans required (see Section 6 for plan size requirements).
- Track 2 Application (Commission Review)
- Eight (8) sets of plans required (see Section 6 for plan size requirements).
 - Public Notice materials required (see Section 5 for public notice requirements).

B Briefly describe the architectural style(s) that you are proposing and how the proposed materials, finishes and proportions aid in achieving the style(s):

C Identify the Project Zoning - City Zoning Map available online at <http://gis.beverlyhills.org/UNITEGIS/>.

- | | | |
|---------------------------------|----------------------------------|---------------------------------|
| <input type="checkbox"/> R-1 | <input type="checkbox"/> R-1.5X2 | <input type="checkbox"/> R-1.8X |
| <input type="checkbox"/> R-1X | <input type="checkbox"/> R-1.6X | |
| <input type="checkbox"/> R-1.5X | <input type="checkbox"/> R-1.7X | |

D Site & Area Characteristics

Lot Dimensions: _____ Lot Area (square feet): _____
Adjacent Streets: _____

E Lot is currently developed with (check all that apply):

- | | |
|---|---|
| <input type="checkbox"/> Single-Story Residence | <input type="checkbox"/> Two-Story Residence |
| <input type="checkbox"/> Guest House | <input type="checkbox"/> Accessory Structure(s) |
| <input type="checkbox"/> Vacant | <input type="checkbox"/> Other: _____ |

F Are any protected trees located on the property? (See Beverly Hills Municipal Code Section 10-3-2900)?

Yes No

If YES, provide the following information:

	<u>Quantity</u>	<u>Sizes</u>	<u>Reason for Removal</u>
Heritage:	_____	_____	_____
Native:	_____	_____	_____
Urban Grove:	_____	_____	_____

G Has the existing residence been designed by a notable architect or is it identified on any historic resource inventory, including the City of Beverly Residential Survey? (available online at: http://www.beverlyhills.org/services/planning_division/advance_planning/default.asp)

Yes No If yes , please list Architect’s name: _____

SECTION 3 – PROJECT DETAILS AND MATERIALS (continues on next page)

A Describe your public outreach efforts to adjacent neighbors and property owners:

B Indicate the project zoning details pursuant to Beverly Hills Municipal Code Section 10-3-2400:

Code Regulation	Allowed By Code	Existing Condition	Proposed Condition
Height:	_____	_____	_____
Roof Plate Height:	_____	_____	_____
Floor Area:	_____	_____	_____
Rear Setbacks:	_____	_____	_____
Side Setbacks:	S/E _____	S/E _____	S/E _____
	N/W _____	N/W _____	N/W _____
Parking Spaces:	_____	_____	_____

C List the specific materials and finishes for all the architectural features of the project (Be Specific):
FAÇADE (List all material for all portions visible from the street)

Material: _____
Texture /Finish: _____
Color / Transparency: _____

WINDOWS (Include frame, trim, glass, metal, etc)
Material: _____
Texture /Finish: _____
Color / Transparency: _____

DOORS (Include frame, trim, glass, metal, etc)
Material: _____
Texture /Finish: _____
Color / Transparency: _____

PEDIMENTS
Material: _____
Texture /Finish: _____
Color / Transparency: _____

ROOF
Material: _____
Texture /Finish: _____
Color / Transparency: _____

CORBELS
Material: _____
Texture /Finish: _____
Color / Transparency: _____

CHIMNEY(S)
Material: _____
Texture /Finish: _____
Color / Transparency: _____

SECTION 3 – PROJECT DETAILS AND MATERIALS (continued from previous page)

COLUMNS

Material: _____
Texture /Finish: _____
Color / Transparency: _____

BALCONIES & RAILINGS

Material: _____
Texture /Finish: _____
Color / Transparency: _____

TRELLIS, AWNINGS, CANOPIES

Material: _____
Texture /Finish: _____
Color / Transparency: _____

DOWNSPOUTS / GUTTERS

Material: _____
Texture /Finish: _____
Color / Transparency: _____

EXTERIOR LIGHTING

Material: _____
Texture /Finish: _____
Color / Transparency: _____

PAVED SURFACES

Material: _____
Texture /Finish: _____
Color / Transparency: _____

FREESTANDING WALLS AND FENCES

Material: _____
Texture /Finish: _____
Color / Transparency: _____

OTHER DESIGN ELEMENTS

Material: _____
Texture /Finish: _____
Color / Transparency: _____

D Describe the proposed landscape theme. Explain how the proposed landscaping complements the proposed style of architecture:

SECTION 4 – DESIGN ANALYSIS AND FINDINGS

A Clearly identify how your project adheres to each of the required findings of the Design Review Commission:

1. ***Describe*** how the proposed development’s design exhibits an internally compatible design scheme.

2. ***Describe*** how the proposed development’s design appropriately minimizes the appearance of scale and mass, how the design enhances the garden like quality of the City and appropriately maximizes the use of required open space within the proposed architectural style.

3. ***Describe*** how the proposed development will enhance the appearance of the neighborhood.

4. ***Describe*** how the proposed development is designed to balance the reasonable expectation of the development for the owner with the reasonable expectation of privacy of the neighbors.

5. ***Describe*** how 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.



Architectural Commission Report

445 North Rexford Drive

September 21, 2011

Attached B:

Draft Approval Resolution

DRAFT RESOLUTION NO. AC ____

RESOLUTION OF THE ARCHITECTURAL COMMISSION OF THE CITY OF
BEVERLY HILLS CONDITIONALLY APPROVING _____ TO ALLOW
_____ AT THE PROPERTY LOCATED AT ADDRESS

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

Section 1. Applicant's Name, applicant on behalf of the property owners, Property Owner's Name (Collectively the "Applicant"), has applied for architectural approval of _____ for the property located at Project Address.

Section 2. Beverly Hills Municipal Code Article 30, Chapter 3 of Title 10, authorizes the Architectural Commission the authority to approve, approve with conditions or deny design-related aspects of projects located in the city's commercial and multi-family districts, subject to findings set forth in Beverly Municipal Code Section 10-3-3010.

Section 3. Consistent with Beverly Hills Municipal Code Section 10-3-3010, this resolution documents the official action of the architectural commission with respect to the project.

Section 4. The subject project has been reviewed pursuant to the provisions set forth in the California Environmental Quality Act (CEQA – Public Resource Code Sections 21000, *et seq.*), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 *et seq.*), and the city's local CEQA Guidelines. The subject project is exempt from environmental review pursuant to Section 15061(b)(3) of the State CEQA Guidelines in that the project includes the review of building design, colors and materials to the façade of the building, landscaping or minor low-scaled accessory structures,

such as fences or walls. It can be seen with certainty that there is no possibility that the subject activity could result in a significant effect on the environment.

Section 5. The Architectural Commission conducted a duly noticed public hearing on **DATE(S)**, at which time oral and documentary evidence was received concerning the application.

Section 6. Based upon the evidence presented at the hearings, including the staff report(s), oral and written testimony, the Architectural Commission hereby makes the following findings:

A. The plan for the proposed building or structure is in conformity with good taste and good design and, in general, contributes to the image of Beverly Hills as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality. Specifically the project incorporates an appropriate balance of color, high quality materials and appropriate architectural design principles to reinforce the city's urban form and promote the image of Beverly Hills.

B. The plan for the proposed building or structure indicates the manner in which the structure is reasonably protected against external and internal noise, vibrations, and other factors which may tend to make the environment less desirable. The proposed project is proposed to be constructed using contemporary building materials and practices, and, as conditioned, compliant with all applicable building codes, including standards that protect against unwanted noise and vibrations.

C. Proposed building or structure is not, in its exterior design and appearance, of inferior quality such as to cause the nature of the local environment to materially depreciate in appearance and value. Specifically, the commission has reviewed the design and construction materials proposed for the

project, which incorporates contemporary building material of known quality and durability. Moreover, the project design is appropriate to the building and surrounding improvements and is well matched to the selected materials.

D. The proposed building or structure is in harmony with the proposed developments on land in the general area, with the general plan for Beverly Hills, and with any precise plans adopted pursuant to the general plan. The proposed project complies with the applicable goals and policies set forth in the general plan, and, as conditioned, designed in a manner that complies with local ordinances. The overall design is consistent with and appropriate to other improvements in the general vicinity.

E. The proposed development is in conformity with the standards of this code and other applicable laws insofar as the location and appearance of the buildings and structures are involved. As, conditioned, the project will be designed in compliance with all applicable regulations.

F. The proposed development is designed in a manner that protects and preserves those exterior elements of the building which the planning commission found contributed to the determination of the project as a “character contributing building”: in accordance with section 10-2-707 of this title. The proposed project does not include a request and has not been determined by the planning commission to be a project that qualifies as a “character contributing building” under section 10-2-707. Therefore, this finding is not applicable to the subject project.

Section 7. Based on the foregoing, the Architectural Commission hereby grants the request defined in this resolution subject to the following conditions:

Standard Conditions

1. **Architectural Approval.** Project approval is for the design-related aspects of the project only. No approval is implied or granted with regard to applicable city zoning or technical codes, which may require review and approval from other city commissions or officials.
2. **Compliance with Municipal Code.** Prior to issuance of a building permit, the applicant shall demonstrate compliance with all applicable provisions of the city's municipal code and applicable conditions imposed by any discretionary review approval.
3. **Compliance with Special Conditions.** Any special conditions that require approval by the director of community development, or designee, shall be submitted to the staff liaison to the commission within fourteen (14) days of approval or prior to submittal of the plan check review application, whichever is greater.
4. **Project Rendering.** Prior to issuance of a building permit, the applicant shall incorporate into the building permit set of plans, an updated color rendering of all building facades. The quality and detail of the rendering shall be subject to approval from the director of community development, or designee, and shall include sufficient design information to evaluate project compliance during construction.
5. **Approval Resolution.** A copy of the signed resolution of approval shall be scanned onto the cover sheet(s) of the building permit set of plans.

6. **Substantial Compliance with Approved Plans.** The director of community development, or designee, shall determine if changes to the approved project are in substantial compliance with the commission's action. This determination shall be subject to applicable fees and charges. A substantial modification to the approved project requires approval from the Architectural Commission.
7. **Validity of Permits.** The rights granted by this approval shall remain valid for three (3) years from the date of approval, unless extended pursuant to Beverly Hills Municipal Code Section 10-3-207.

Special Conditions

8. No special conditions have been imposed for this project.

Section 8. The Secretary of the Architectural Commission shall certify to the passage, approval, and adoption of this resolution, and shall cause this resolution and its certification to be entered in the administrative record maintained by the community development department.

Section 9. Decisions of the Architectural Commission may be appealed to the City Council within fourteen (14) days of the final action by filling a written appeal and paying appropriate fees with the City of Beverly Hills City Clerk.

Approved as to Form and Content:

Adopted: **Month, Day, Year**

Shena Rojemann, Commission Secretary
Community Development Department

Fran Cohen, Chairperson
Architectural Commission

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS.
CITY OF BEVERLY HILLS)

I, SHENA ROJEMANN, Secretary of the Architectural Commission and Associate Planner of the City of Beverly Hills, California, do hereby certify that the foregoing is a true and correct copy of Resolution No. ____ duly passed, approved, and adopted by the Architectural Commission of said City at a meeting of said Commission on DATE and thereafter duly signed by the Secretary of the Architectural Commission, as indicated; and that the Architectural Commission of the City consists of seven (7) members and said Resolution was passed by the following vote of said Commission, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

SHENA ROJEMANN
Secretary to the Architectural
Commission/Associate Planner
City of Beverly Hills, California



Architectural Commission Report

445 North Rexford Drive

September 21, 2011

Attached C:
Draft Denial Resolution

DRAFT RESOLUTION NO. AC ____

RESOLUTION OF THE ARCHITECTURAL COMMISSION OF THE CITY OF
BEVERLY HILLS DENYING A REQUEST FOR _____ AT THE
PROPERTY LOCATED AT ADDRESS

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

Section 1. Applicant's Name, applicant on behalf of the property owners, Property
Owner's Name (Collectively the "Applicant"), has applied for architectural approval of
_____ for the property located at Project Address.

Section 2. Beverly Hills Municipal Code Article 30, Chapter 3 of Title 10, authorizes the
Architectural Commission the authority to approve, approve with conditions or deny design-related
aspects of projects located in the city's commercial and multi-family districts, subject to findings set
forth in Beverly Municipal Code Section 10-3-3010.

Section 3. Consistent with Beverly Hills Municipal Code Section 10-3-3010, this resolution
documents the official action of the architectural commission with respect to the project.

Section 4. The subject project has been reviewed pursuant to the provisions set forth in
the California Environmental Quality Act (CEQA – Public Resource Code Sections 21000, *et seq.*), the
State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 *et seq.*), and the city's
local CEQA Guidelines. The subject project is exempt from environmental review pursuant to Section
15061(b)(3) of the State CEQA Guidelines in that the project includes the review of building design,
colors and materials to the façade of the building, landscaping or minor low-scaled accessory structures,

such as fences or walls. It can be seen with certainty that there is no possibility that the subject activity could result in a significant effect on the environment.

Section 5. The Architectural Commission conducted a duly noticed public hearing on **DATE(S)**, at which time oral and documentary evidence was received concerning the application.

Section 6. Based upon the evidence presented at the hearings, including the staff report(s), oral and written testimony, the Architectural Commission hereby makes the following findings:

A. The plan for the proposed building or structure is not conformity with good taste and good design and, in general, contributes to the image of Beverly Hills as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality. Specifically, the project does not incorporate an appropriate balance of color, high quality materials or appropriate architectural design principles that reinforce the city's urban form and promote the image of Beverly Hills.

B. The plan for the proposed building or structure does not indicate the manner in which the structure is reasonably protected against external and internal noise, vibrations, and other factors which may tend to make the environmental less desirable. The applicant has not demonstrated the manner in which the proposed project would reasonable protect persons from external and internal noise, vibration or other factors.

C. Proposed building or structure is, in its exterior design and appearance, of inferior quality such as to cause the nature of the local environment to materially depreciate in appearance and value. Specifically, the commission has determined that the project lacks an appropriate design or

includes materials that are of inadequate quality or unknown durability that may have the potential to adversely affect surrounding properties or the general vicinity.

D. The proposed building or structure is not in harmony with the proposed developments on land in the general area, with the general plan for Beverly Hills, and with any precise plans adopted pursuant to the general plan. The proposed project does not comply with the applicable goals and policies set forth in the general plan or local ordinances, and cannot be conditioned or made to comply as part of the architectural commission's review process. Accordingly, the commission is unable to find the project in harmony with other improvements in the general area.

E. The proposed development is not in conformity with the standards of this code and other applicable laws insofar as the location and appearance of the buildings and structures are involved. The proposed project does not comply with the applicable and cannot be conditioned or made to comply as part of the architectural commission's review process.

F. The proposed development is designed in a manner that protects and preserves those exterior elements of the building which the planning commission found contributed to the determination of the project as a "character contributing building": in accordance with section 10-2-707 of this title. The proposed project does not include a request and has not been determined by the planning commission to be a project that qualifies as a "character contributing building" under section 10-2-707. Therefore, this finding is not applicable to the subject project.

Section 7. Based on the foregoing, the Architectural Commission hereby denies the request defined in this resolution.



Architectural Commission Report

445 North Rexford Drive

September 21, 2011

Attached D:

Design plans, cut sheets
and supporting elements

Section 8. The Secretary of the Architectural Commission shall certify to the passage, approval, and adoption of this resolution, and shall cause this resolution and its certification to be entered in the administrative record maintained by the community development department.

Section 9. Decisions of the Architectural Commission may be appealed to the City Council within fourteen (14) days of the final action by filling a written appeal and paying appropriate fees with the City of Beverly Hills City Clerk.

Approved as to Form and Content:

Adopted: **Month, Day, Year**

Shena Rojemann, Commission Secretary
Community Development Department

Fran Cohen, Chairperson
Architectural Commission