AGENDA REPORT

Meeting Date: January 29, 2008

Item Number: E-3

To: Honorable Mayor & City Council

From: Vincent P. Bertoni, AICP, Director of Community Development
Rita Naziri, Senior Planner

Subject: CITY COUNCIL REVIEW OF THE AD HOC COMMITTEE OF THE ARCHITECTURAL COMMISSION RECOMMENDATION FOR THE PROPOSED OFFICE BUILDING AT 8767 WILSHIRE BOULEVARD AND A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS APPROVING THE PRELIMINARY PLANS FOR THE PROPOSED OFFICE BUILDING AT 8767 WILSHIRE BOULEVARD ON THE NORTHEAST CORNER OF WILSHIRE BOULEVARD AND ROBERTSON BOULEVARD

Attachments:

Background Information including:

1. Resolution approving the preliminary plans for a proposed office building at 8767 Wilshire Boulevard
2. Plans
3. Agenda Report dated September 17, 2007

RECOMMENDATION

Staff recommends the City Council adopt a resolution approving a preliminary approval for the project to be able to proceed, approve the Ad Hoc Committee of the Architectural Commission recommendations for the project façade, and direct that the Final architectural plans be returned to the Architectural Commission for approval prior to issuance of the building permit and Final plans shall include a lighting plan, a unified sign program, paving materials, a detailed landscape plan including irrigation plans, and any modifications that may result from plan review corrections.

INTRODUCTION

The Kobar Family Trust (hereinafter referred to as the "Applicant"), represented by Joseph Tilem, proposes preliminary plans for a new four-story commercial building (office and retail) with four levels of underground parking located on six contiguous lots at 8767 Wilshire Boulevard on the northeast corner Wilshire and Robertson Boulevard. The project architect is Richard Spina of Cunger Spina Associates (CSA) Architects.

Review Process

The Planning Commission approved the proposed development through a Development Plan Review and a height variance on September 14, 2006. Based on appeal filed by the neighboring property owners, the project was also reviewed and approved by the City Council on January 30, 2007 subject to several mitigation measures and conditions of approval including a condition that the project shall be subject to the Architectural Commission review and approval. The project was before the Architectural Commission on March 14, and July 11, 2007 respectively, plus one preview (May 9) and two subcommittee meetings (May 24 and June 4). At the meeting of July 11, 2007, the architectural Commission denied the proposed design on the basis that the project as designed is not in conformity with the good taste and good design and, in general does not contributes to the image of the Beverly Hills as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality.

At its meeting of July 24, 2007, the City Council ordered the review of the Architectural Commission determination denying the preliminary plans for the proposed project at 8767 Wilshire Boulevard.

On September 17, 2007, the City Council conducted a duly noticed public hearing to consider the Architectural Commission's denial of the project, and evidence, both oral and written, was presented at said de novo hearing. The City Council acted to grant the project preliminary approval to be able to proceed with construction. The City Council also established an Ad Hoc Committee of the Architectural Commission to work with the Project's architect and property owner to reach a consensus with the applicant on the project design.

AD HOC Committee of the Architectural Commission Recommendation

On December 11, 2007, the Ad Hoc Committee of the Architectural Commission Subcommittee met with the project architect and the developer to discuss the revised plans. After reviewing the revised plans, the Architectural Commission Subcommittee felt that the original design submitted to the City Council on September 17, 2007 is more suitable for site than the revised design containing additional façade modifications. The Subcommittee recommended that the City Council approve the original design subject to the following minor modifications:

- That the ground floor storefront be architecturally treated with a butt joint glazing system facing Wilshire and Robertson Boulevards and;

- That the solid wall on the third floor facing Wilshire Boulevard to be extended easterly, deleting one bay, glass canopy and handrail above.

The applicant made the recommended changes by the Ad Hoc Committee of the Architectural Commission. The revised plans reflecting these changes are included for the City Council consideration.

PROJECT DESCRIPTION

The project proposal entails construction of a 75,116 square-foot, four-story with a roof line of 56 feet and an architectural feature of 68 feet in height, commercial (office & retail) building on the northeast corner of Wilshire and Robertson Boulevards. The required entitlements for the proposed project include Development Plan Review, height variance and architectural review.

The proposed four-story building is designed in a contemporary design, using glass and limestone veneer as the predominant exterior finish for the building elevations facing Wilshire and Robertson Boulevards. The proposed convex-shaped glass tower at the center of the building would have the maximum height of 68 feet. The design of the building includes modulations and setbacks throughout the building facades including those facing adjacent residential uses. The pedestrian entrance to the building would be located towards the center of the building at the corner of Wilshire and Robertson Boulevards. A plaza with a water feature is proposed to be located by the entrance of building with special paving material which would require City Council approval.

A preliminary landscape plan is also proposed which includes Papyrus shrubs and pink strip" New Zealand Flax (Dwarf Variety) at the ground level entrance and variety of trees and ground cover in the rear setback area and upper levels setback areas facing residential developments in the rear.

ARCHITECTURAL REVIEW FINDINGS

Pursuant to Municipal Code Section 3-3010 the project may be approved or approved with conditions subject to the following criteria:

(a) The preliminary plan for the proposed building or structure is in conformity with the good taste and good design and in general contributes the image of Beverly Hills as a place of beauty, spaciousness, balance, taste, fitness, broad vistas and high quality.

Because the majority of the project site is currently undeveloped, construction of the proposed commercial building would change the visual character of the immediate area and its surroundings. The proposed building façade is of a contemporary design, using glazing and beige limestone veneer as the predominant exterior finish for the building elevations facing Wilshire and Robertson Boulevards and for the residential developments in the rear of the building. The building design includes a glass tower with a circular plaza and a water feature, each of which would compliment the building. The design of the building also includes ample modulation and setbacks throughout the various façades including those facing adjacent residential uses. The City Council finds that in general the proposed project 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.

(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 plans for the proposed project 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 environment less desirable, because nothing in the proposal suggests that the proposed building will generate any noise or vibration, or otherwise impact the environment.

(c) The proposed building 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.

The proposed building, in its exterior design and appearance, is not of inferior quality such as to cause the nature of the local environment to materially depreciate in appearance and value, because the materials proposed for the building do not appear to be inferior in quality or execution and will not degrade the local environment in appearance or value.

(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 building 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 is in conformity with the prevailing uses in the general area and with other similar projects approved by the Architectural Commission. Further, the overall composition and design of the project would be in harmony with proposed or future uses in the area, as allowed by the General Plan and zoning. There are no precise plans adopted pursuant to the General Plan in the vicinity of the project.

(e) The proposed building or structure 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.

The proposed project is in conformity with the standards of the Municipal Code and other applicable laws insofar as the location and appearance of the buildings and structures are involved, as documented in the City Council's Resolution No. 07-R-12273 upholding the Planning Commission's approval of Development Plan Review (DPR) and Variance for the project.

Environmental Assessment

This project was previously assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), and the environmental regulations of the City. The Planning Commission and City Council found that no significant unmitigated environmental impacts were anticipated; therefore, a mitigated negative declaration was adopted by the Planning Commission in conjunction with its conditional approval of the project. The Planning Commission's CEQA determination

was appealed to the City Council, which affirmed the Planning Commission's CEQA determination and decision approving the project subject to certain conditions, as more fully set forth in Resolution No. 07-R-12273 adopted by the City Council on January 30, 2007. The subsequent consideration of the design of the project is within the scope of the prior environmental analysis, and no additional environmental documentation is required.

PUBLIC NOTICE AND COMMENTS

The public hearing was closed at the September 17, 2007 City Council meeting. No additional public notice was necessary. No letters were received from the members of public during preparation of this report.

FISCAL IMPACT

The project was considered based on design issues and was not analyzed with regard to fiscal impacts.

Vincent P. Bertoni, AICP
Director of Community Development

Approved By

ATTACHMENT 1

Resolution

RESOLUTION NO. 08-R-

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS APPROVING THE PRELIMINARY PLANS FOR A PROPOSED OFFICE BUILDING AT 8767 WILSHIRE BOULEVARD ON THE NORTHEAST CORNER OF WILSHIRE BOULEVARD AND ROBERTSON BOULEVARD

The City Council of the City of Beverly Hills does resolve as follows:

Section 1. The Kobar Family Trust (hereinafter referred to as the "Applicant"), represented by Joseph Tilem, proposes preliminary plans for a new four-story commercial building (office and retail) with four levels of underground parking located on six contiguous lots at 8767 Wilshire Boulevard on the northeast corner of Wilshire Boulevard and Robertson Boulevard. The project architect is Richard Spina of Cunger Spina Associates (CSA) Architects.

Section 2. The Planning Commission approved the Applicant's proposal on September 14, 2006, subject to certain conditions of approval. The Planning Commission's approval was appealed to the City Council by an opponent of the project. The City Council, on January 30, 2007, upheld the Planning Commission action and approved the project subject to conditions of approval. The building design included beige limestone in the building façade.

Section 3. Thereafter, pursuant to Municipal Code Section 10-3-3007 (1) and Condition No. 1 of the City Council Resolution No. 07-12273 the proposed project was referred

to the Architectural Commission for its review. On March 14, 2007, the Architectural Commission considered the project design containing different building materials and colors from the plans approved by the City Council under the appeal proceeding consisting of green granite in lieu of beige limestone. The Architectural Commission found that the green granite was not appropriate for the site and that the stone design and appearance of the building façade contained too many horizontal and vertical lines, which clashed with numerous glass mullion lines. Thus the Architectural Commission concluded that the design was not in conformity with good taste and good design and in general does not contribute to the image of Beverly Hills as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality. Consequently, the Architectural Commission asked the Applicant to revise the plans and return with a modified design.

On May 9, 2007, the Architectural Commission conducted a preview of the revised project at the request of the project architect. The revised design still included green granite, but proposed a darker and a lighter shade of green in a pattern on the façade. The project architect requested the preview meeting to receive feedback from the Architectural Commission before more detailed plans were developed and submitted to the City. At that meeting, the Architectural Commission formed a subcommittee (the "Subcommittee") comprised of Commissioners Strauss and Meyer to provide additional guidance to the Applicant. The Subcommittee met with the project architect, the Applicant and his representative, Joseph Tilem, on two different occasions (May 24, 2007 and June 4, 2007). Commissioner Meyer also met

with the project architect separately to provide additional guidance on the project design issues. A preliminary sketch/design was discussed at a meeting of the Subcommittee held on June 4, 2007. The consensus of the Subcommittee at the June 4, 2007 meeting was that the plans should be revised to reduce the building mass by utilizing different materials and colors including simplification of the building elements and modification of the glass wall. The Subcommittee also requested that the Applicant provide a massing model of the proposed project. On July 11, 2007, the Architectural Commission reviewed the revised project, which included minor revisions to the original plans containing a beige limestone façade and denied the project on the basis that the project as designed was not in conformity with the good taste and good design and, in general does not contribute to the image of the Beverly Hills as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality.

Section 4. At its meeting of July 24, 2007, the City Council ordered the review of the Architectural Commission's determination denying the preliminary plans for the proposed project at 8767 Wilshire Boulevard pursuant to the provisions of Article 2 (Council Ordered Review of Administrative Decisions) of Chapter 4 of Title 1 of the Beverly Hills Municipal Code.

Section 5. On September 17, 2007, the City Council conducted a duly noticed public hearing to consider the Architectural Commission's denial of the project, and evidence, both oral and written, was presented at said de novo hearing. The City Council acted to grant the

project preliminary approval to be able to proceed and once the Subcommittee of the Architectural Commission has met to reach consensus with the applicant, then the façade rendering should returned to the City Council for approval.

Section 6. On December 11, 2007, the Subcommittee met with the project architect and the Applicant to discuss the revised plans. After reviewing the revised plans, the Subcommittee concluded that the original design containing beige limestone façades submitted to the City Council on September 17, 2007 was more suitable for the site than the revised design containing additional façade modifications. The Subcommittee recommended that the City Council approve the original design subject to the following minor modifications:

6.1 That the ground floor storefront shall be architecturally treated with a butt joint glazing system facing Wilshire and Robertson Boulevards and;

6.2 That the solid wall on the third floor facing Wilshire Boulevard shall be extended easterly, deleting one bay of glass, canopy and handrail glass above it.

Section 7. This project was previously assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), and the environmental regulations of the City. The Planning Commission and City Council found that no significant unmitigated environmental impacts were anticipated; therefore, a mitigated negative declaration was adopted by the Planning Commission in conjunction with its conditional approval of the project. The Planning Commission's CEQA determination was

appealed to the City Council, which affirmed the Planning Commission's CEQA determination and decision approving the project subject to certain conditions, as more fully set forth in Resolution No. 07-R-12273 adopted by the City Council on January 30, 2007. The subsequent consideration of the design of the project is within the scope of the prior environmental analysis, and no additional environmental documentation is required.

Section 8. In reviewing the decision of the Architectural Commission, the City Council considered and hereby finds and determines the following as required by Beverly Hills Municipal Code Section 10-3-3010:

8.1 Because the majority of the project site is currently undeveloped, construction of the proposed commercial building would change the visual character of the immediate area and its surroundings. The proposed building façade is of a contemporary design, using glazing and beige limestone veneer as the predominant exterior finish for the building elevations facing Wilshire and Robertson Boulevards and for the residential developments in the rear of the building. The building design includes a glass tower with a circular plaza and a water feature, each of which would compliment the building. The design of the building also includes ample modulation and setbacks throughout the various façades including those facing adjacent residential uses. The City Council finds that in general the proposed project 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.

8.2 The plans for the proposed project 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 environment less desirable, because nothing in the proposal suggests that the proposed building will generate any noise or vibration, or otherwise impact the environment.

8.3 The proposed building, in its exterior design and appearance, is not of inferior quality such as to cause the nature of the local environment to materially depreciate in appearance and value, because the materials proposed for the building do not appear to be inferior in quality or execution and will not degrade the local environment in appearance or value.

8.4 The proposed building 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 is in conformity with the prevailing uses in the general area and with other similar projects approved by the Architectural Commission. Further, the overall composition and design of the project would be in harmony with proposed or future uses in the area, as allowed by the General Plan and zoning. There are no precise plans adopted pursuant to the General Plan in the vicinity of the project.

8.5 The proposed project is in conformity with the standards of the Municipal Code and other applicable laws insofar as the location and appearance of the buildings and structures are involved, as documented in the City Council's Resolution No. 07-R-12273

upholding the Planning Commission's approval of Development Plan Review (DPR) and Variance for the project.

Section 9. Based on the foregoing, the City Council hereby grants a preliminary approval for the project to be able to proceed, adopts the Subcommittee's recommendations for the project façade, and directs that the Final plans shall be returned to the Architectural Commission for approval prior to issuance of the building permit. The Final plans shall include a lighting plan, a unified sign program, paving materials, a detailed landscape plan including irrigation plans and any modifications that may result from plan review corrections.

Section 10. The City Clerk shall certify to the passage, approval, and adoption of this Resolution, and shall cause this Resolution and his certification to be entered in the Book of Resolutions of the Council of this City.

Adopted:

_____
JIMMY DELSHAD
Mayor of the City of
Beverly Hills, California

ATTEST:

_____ (SEAL)
BYRON POPE
City Clerk

APPROVED AS TO FORM:

LAURENCE S. WIENER
City Attorney

APPROVED AS TO CONTENT:

RODERICK J. WOOD
City Manager

VINCENT P. BERTONI, AICP
Director of Community Development

ATTACHMENT 2

Plans

AGENDA REPORT

Meeting Date: September 17, 2007

Item Number:

To: Honorable Mayor & City Council

From: Vincent P. Bertoni, Director of Community Development, AICP

Rita Naziri, Senior Planner

Subject: CITY COUNCIL REVIEW OF THE ARCHITECTURAL COMMISSION'S DECISION DENYING THE PRELIMINARY PLANS FOR A PROPOSED OFFICE BUILDING AT 8767 WILSHIRE BOULEVARD

Attachments:

1. Architectural Commission Minutes dated 3/14/07 and 7/11/07
2. Resolution approving Development Plan Review and Height Variance dated 1/30/07
3. Project Plans (folded separately)

RECOMMENDATION

Based on the foregoing and pending the information and conclusions that may result from the testimony received at the public hearing and deliberations, staff recommends the City Council affirm the Architectural Commission's decision to deny the preliminary plans for the proposed office building at 8767 Wilshire Boulevard.

INTRODUCTION

At its meeting of July 24, 2007, the City Council ordered the review of the Architectural Commission determination denying the preliminary plans for the proposed project at 8767 Wilshire Boulevard. The Architectural Commission denied the proposal on July 11, 2007 meeting on the basis that the project as designed is not in conformity with the good taste and good design and, in general does not contributes to the image of the Beverly Hills as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality.

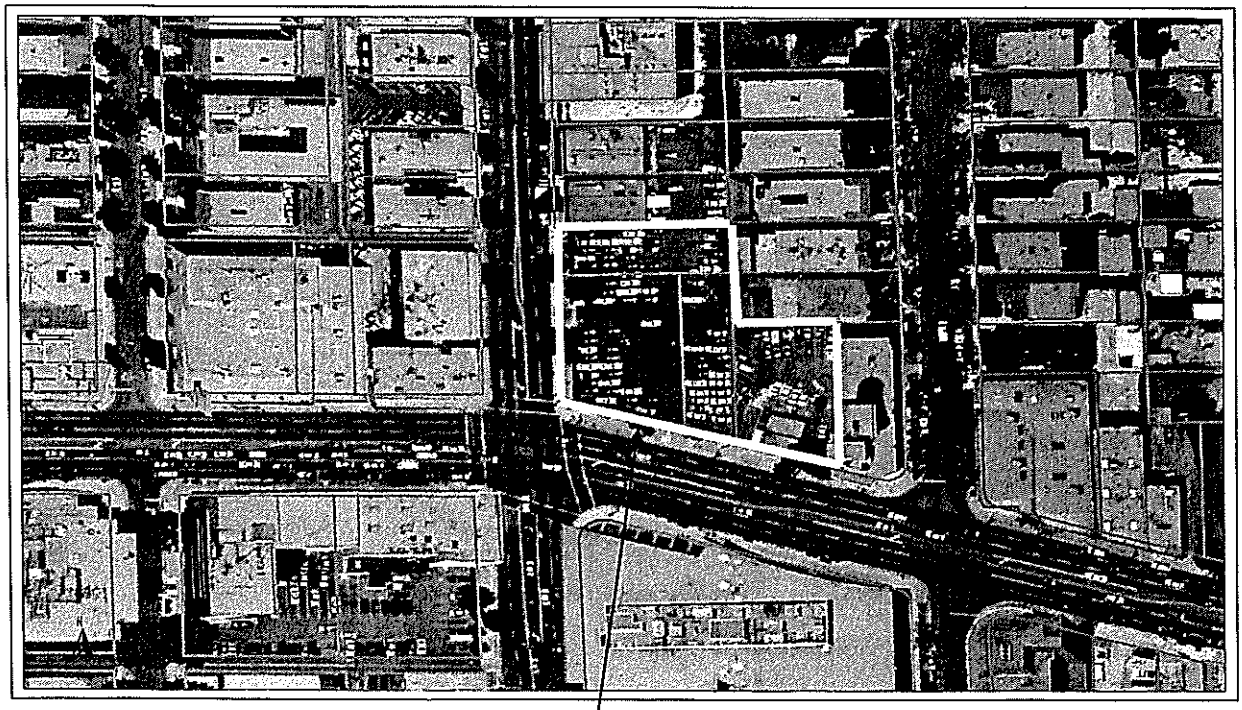
BACKGROUND INFORMATION

The project proposal entails construction of a 75,116 square-foot, four-story with a roof line of 56 feet and an architectural feature of 68 feet in height, commercial (office & retail) building on the northeast corner of Wilshire and Robertson Boulevards. The required entitlements for the proposed project include Development Plan Review, height

variance and architectural review. The Planning Commission approved the proposed development through a Development Plan Review and a height variance on September 14, 2006. Based on appeal filed by the neighboring property owners, the project was also reviewed and approved by the City Council on January 30, 2007 subject to several mitigation measures and conditions of approval including a condition that the project shall be subject to the Architectural Commission review and approval. The project was before the Architectural Commission on March 14, and July 11, 2007 respectively, plus one preview (May 9) and two subcommittee meetings (May 24 and June 4). At the meeting of July 11, 2007, the architectural Commission denied the proposed design.

Existing site characteristics:

The L-shaped site consists of six lots. A BMW automobile dealership storage facility and a small commercial building (located in the southeastern portion of the site) currently occupy the site. Adjacent to the property to the north are a variety of commercial developments including retail stores and offices. Across Wilshire Boulevard to the south is a three-story office/medical building. Across Robertson Boulevard to the west is a two-story commercial building. Adjacent to the property to the east is a two story commercial building; and two and three story multi-family residential properties facing Arnaz Drive. There are no alleys separating the project site from the adjacent properties to the east or north. Street trees on Wilshire Boulevard are Mexican Fan Palm trees. Robertson Boulevard street trees are Ficus trees. Four palm trees on Wilshire Boulevard are proposed to be removed and replaced due to implementation of the mitigation measure to create a right-turn lane.



Project Site

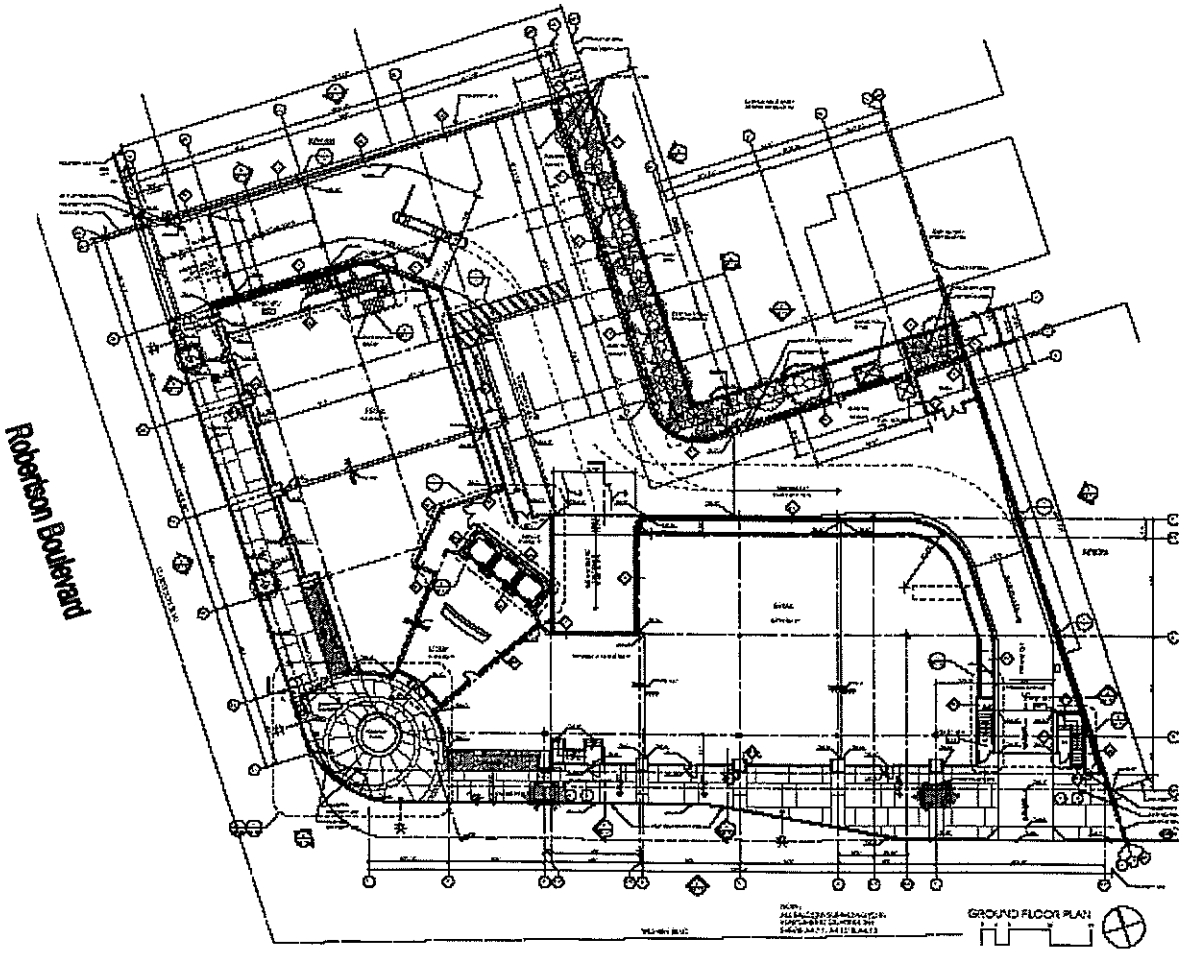
Building Design

The building design includes a glass tower with a plaza and a water feature at the corner of Wilshire and Robertson Boulevards. The design of the building also includes

modulations and setbacks throughout the building facades including those facing adjacent residential uses. Major design elements include:

- Building is set back from residential uses a minimum of 10 feet with landscaping on the ground floor and 20 feet on the upper floors with landscaping to provide privacy for multifamily residences at the rear of the property.

- To implement a new turning lane, the applicant is proposing to reduce the sidewalk width on Wilshire Boulevard from 15 feet to 10 feet and dedicating additional five feet along Wilshire Boulevard.



- Building is set back 10 feet along Robertson Boulevard property line (easement).

- Access to the four-level, subterranean garage would be via 26-foot wide driveway on Robertson Boulevard, with egress only from a 16-foot wide driveway on Wilshire Boulevard.

- The pedestrian entrance to the building would be located towards the center of the building at the corner of Wilshire and Robertson Boulevards. A plaza with a water feature is proposed to be located by the entrance of building with special paving material which would require City Council approval.

- The proposed convex-shaped glass tower at the center of the building would have the maximum height of 68 feet. The overall building height to the roof line would be 56 feet with a 3'7" high parapet.

Building Material

- The proposed four-story building is designed in a contemporary design, using glass and limestone veneer as the predominant exterior finish for the building elevations facing Wilshire and Robertson Boulevards. The first three floors would have glazing and glass materials.

- The rear and side façades includes plaster/limestone/glass finish and painted aluminum louvers at the ground floor adjacent to residential and commercial uses.

- The wall surfaces (fronting Wilshire and Roberson Boulevards) up to the third story would be cladding with the Jerusalem Gold limestone and the wall surfaces at the fourth level would be of 1" insulating unit tinted glass with Low E. Coating, PPG Ideascapes, Solarban 70XL on Starphire glass and ¼" green spandrel glass, PPG OPACI-COAT-300, COOL ICE- 6MM PPG STARPHIRE on the top.

- The building parapet is proposed to be of ½" laminated glass to match.

- Painted aluminum louver is proposed to screen the mechanical equipments on the roof top.

- The rear of the building up to second floor would be of La Habra Plaster (SBMF 82, ISBMF BASE 200).

- The rear façade would carry the same architectural treatments as the facades fronting Wilshire and Robertson Boulevards with limestone veneer for the second and third floors and glazing on the fourth floor.

- The glass feature wall at the entry area which is located at the corner of Wilshire and Robertson would be of 1" insulating unit tinted glass with Low E. Coating, PPG Ideascapes, Solarban 70XL on Starphire glass.

- All glass canopies would be ½" fritted laminated glass.

- All window/door styles include multi-paned, tempered glass with painted aluminum frames.

- All balconies would have stainless steel brushed finish railings with 1/2" laminated tempered glass.

- ½" fritted laminated glass canopies are proposed for the ground floor storefronts and balconies on the fourth floor.

- Exterior Lighting: metal wall mounted lighting, BEGA Lighting fixture, 70W 16 G-12 MH.

- All balconies and terraces floors will be finished with Dex-O-Tex, Weatherwear-Promenade, Deck Waterproofing, color-431 Bright grey.

- The plaza would be finished with granite tiles, water line tile, stone banding, concrete with seeded aggregate and honed finish, and computer controlled fountain with Hydrel fountain pool light.

Preliminary landscape plan

The landscape program consists of the following:

- Main entry planters would include Papyrus shrubs and pink strip" New Zealand Flax (Dwarf Variety).

- In the rear setback area, the landscape design would include variety of trees and ground cover including 26-15 gallon Dicksonia Antarctica, 12-24" box Hymenosporum Flavum, 12-24" Box Acer Palmatum Okagami, 30-5 gallon Azalea Formosa (Lavender), 1 gallon impatiens "Double flower" as ground cover.

- On planters located on rear terraces, 1 gallon Pelargonium Peltatum /Ivy Geranium Sofie Cascade is proposed.

REQUIRED FINDINGS FOR ARCHITECTURAL REVIEW

Pursuant to Municipal Code Section 10-3-3010, the Architectural Commission may approve, approve with conditions, or disapprove the issuance of a building permit in any matter subject to its jurisdiction (including signage) after consideration of whether the following criteria are complied with:

(a) The plan for the proposed building 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.

(b) The plan for the proposed building 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.

(c) The proposed building 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.

(d) The proposed building 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.

(e) The proposed building 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.

ARCHITECTURAL COMMISSION ACTIONS

The project was before the Architectural Commission on March 14, and July 11, 2007 respectively. Based on the project's architect request, the project was also previewed by the Architectural Commission on May 9, 2007. On May 9th meeting, a subcommittee of Architectural Commission was designated to assist the project architect/owner to create a suitable design for the site. Further, Commissioner Meyer also met with the projects' architect separately to provide additional guidance on the project design issues. However, the applicant decided to return to the Commission with the original design with several modifications.

A summary of the Commission's actions follows:

- **March 14, 2007**: The plans submitted to the Architectural Commission showing the building materials and color different from the original plans approved by the City Council. The Commission found that the choice of material/color was not appropriate for the site and that the building stone design with too many horizontal and vertical lines which clashed with numerous glass mullion lines are not suitable. Consequently, the Commission asked the applicant to restudy the plans and return with a modified design.

- **May 9, 2007:** As requested by the project's architect, a preview of the revised project was presented to the Architectural Commission on May 9, 2007 with two different stone shades and color. The architect requested the preview meeting to receive feed back from the Architectural Commission before more detailed plans are

developed and submitted to the City. The Commission determined to form a subcommittee comprised of Commissioners Strauss, and Meyer to provide additional guidance to the applicant.

- **May 24 and June 4:** A subcommittee of Architectural Commission was designated to assist the project architect/owner to create a suitable design for the site. The Architectural Commission Subcommittee met with the project Architect, Richard Spina, the applicant and his representative Joseph Tilem on two different meetings (May 24 and June 4). It should be noted that Commissioner Meyer also met with the projects' architect separately to provide additional guidance on the project design issues. A preliminary sketch/design was discussed at the subcommittee meeting on June 4, 2007.

  The consensus of the Architectural Commission sub-committee at the June 4, 2007, meeting was that the original plans should be revised with the following guidance:

  - That the preliminary design be developed further for the Architectural Commission consideration,
  - To consider a revised design to reduce the building mass,
  - To consider changing the proposed stone and its color,
  - To simplify the building elements and detailing issues in concert with proposed new design,
  - To modify the glass wall element by changing the glass pattern and setting to provide an opportunity to integrate the glass wall feature into the building design,
  - To provide a massing model of the proposed project.

- **July 11, 2007:** The applicant submitted revised plans containing the original building design with the following modifications:
  1) The stone material is changed from green granite to Jerusalem Gold limestone;
  2) Plaster color revised to a color to complement the limestone;
  3) Glass color revised to reflect the actual color and to integrate with the color of the proposed limestone;
  4) Green spandrel glass is selected and a sample of spandrel glass and its color is provided for the Commission review;
  5) Main entrance canopy is revised and integrated into the design of the glass feature wall as recommended by the Commission;
  6) Additional planters are proposed adjacent to the main entry;
  7) Plans are revised by providing additional detailing for the eyebrow canopies.
  8) The two-story elements on Wilshire and Robertson corner have shortened by one bay from the corner in order to reduce the building mass and to open the entry area;
  9) Planters at the second and third floors have been eliminated to provide more contemporary appearance;

10) Wett Design, a leading designer of water features developing a prominent water feature in front of the entry.
11) Although no massing model was provided at that time, the applicant presented an updated detailed 3-D computer model at the meeting.

FINDINGS MADE BY THE ARCHITECTURAL COMMISSION

Given the fact that the majority of the project site is currently undeveloped, the Architectural Commission considered this location as an iconic corner and has a lot potential to develop a high quality designed commercial building which would enhance the visual character of Wilshire Boulevard and the surrounding area.

Although the building design consists of limestone veneer with modulation throughout the building facades, the Commission found the proposed design was dated and the design was not harmonious. The Commission pointed out the stone appears to be just placed on top of the glass instead of integrating into the design. In addition, the Commission was also concerned about the building mass especially being adjacent to the residential properties in the rear.

At the subcommittee level, it was recommended that the building design be customized to current design trends. It was also requested that a massing model to be provided. The applicant has decided to keep the original design and implement modifications including change of stone and its colors and other recommended revisions and details as listed in the report.

On July 11, 2007 Architectural Commission meeting, the Architectural Commission determined to deny the project on the basis that the proposed plans is not in conformity with the good taste and good design and in general does not contributes the image of Beverly Hills as a place of beauty, spaciousness, balance, taste, fitness, broad vistas and high quality. The Architectural Commission denied the project because the proposal carried the same design theme with minor modifications. In addition, the applicant did not provide a massing model as requested by the Commission.

The consensus of the Architectural Commission was that the Commission already provided sufficient guidance and assistance to the applicant for the proposed building, and did not receive adequate response from the applicant to modify the project, therefore, the Architectural Commission determined to deny the project by 6-1 vote.

Staff also requested that a massing model be provided for the City Council meeting; however, the project architect indicated that no massing model will be provided for this meeting.

Based on the findings made by the Architectural Commission, staff recommends the City Council affirms the Architectural Commission's to deny the proposed design.

ENVIRONMENTAL ASSESSMENT

This project was assessed previously assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), and the environmental regulations of the City. It was found no significant unmitigated environmental impacts were anticipated; therefore, a mitigated negative declaration was issued by the Planning Commission in conjunction with its conditional approval of the

project. The Planning Commission's decision was appealed to the City Council, which affirmed the Commission's decision approving the project subject to certain conditions, as more fully set forth in Resolution No. 07-R-12273 adopted by the City Council on January 30, 2007.

PUBLIC NOTICE

Notice of this meeting was mailed on Friday, September 7, 2007 to the applicant, the project architect and the applicant representative. Although no other notice was required for the Architectural Commission meetings, the notice of this meeting was published in the *Beverly Hills Courier* on September 7, 2007 and in the *Beverly Hills Weekly* on September 13, 2007.

FISCAL IMPACT

The project was denied based on design issues and was not analyzed with regard to fiscal impacts.

Vincent P. Bertoni, AICP
Approved By