



AGENDA REPORT

Meeting Date: June 17, 2008
Item Number: D-1
To: Honorable Mayor & City Council
From: Anne Browning McIntosh, AICP, Interim Director of Community Development
Donna Jerex, Senior Planner
Subject: AN APPEAL OF THE ARCHITECTURAL COMMISSION'S DECISION DENYING A FAÇADE CHANGE FOR A PROPERTY LOCATED AT 190 NORTH CANON DRIVE (FRED HAYMAN)

This item was continued from the May 6, 2008 meeting

Attachments:

1. Appeal Petition to the City Council
2. Architectural Commission Staff Report and Minutes: 1/9/08
3. Architectural Commission Approval Criteria
4. Photos of Existing Building
5. Proposed Plans

RECOMMENDATION

It is recommended that the Council uphold the Architectural Commission's denial of this request for a facade change which includes a faux entry element along the north elevation of the existing commercial building located at 190 North Canon Drive (between Clifton Way and Wilshire Boulevard).

INTRODUCTION

This is an appeal of the Architectural Commission's January 9, 2008 decision to deny the addition of a faux entry element on the north (Clifton Way) elevation of an office building located at 190 North Canon Drive owned by Mr. Fred Hayman. The faux entry is a replica of an architectural feature that was part of Mr. Hayman's "Giorgio" retail store which was located for many years at 273 North Rodeo Drive.

Meeting Date: June 17, 2008

The Architectural Commission voted 6-0 to deny the project.

Basis for Appeal

The appeal filed by Wylie Carter Architects contends that the project is of historic and cultural interest. The appeal petition (Attachment 1) states that:

- The faux storefront replicates the appearance of the former "Giorgio" store at 273 Rodeo Drive
- The Giorgio store was an important fixture on Rodeo Drive as the street grew in prominence as a world renowned shopping venue
- The location of the proposed architectural feature was part of a previously approved landscape planter featuring a bronze statue that also once graced the corner of Rodeo Drive and Dayton Way.
- The faux storefront can also be considered an art piece as part of Mr. Hayman's collection to be shared with the public

Project Description

Existing Condition: The property is located on the southeast corner of Canon Drive and Clifton Way. The property was originally developed in 1958 as a commercial building and is currently known as the Fred Hayman Beverly Hills building. The building has four stories and a penthouse with subterranean parking. The northern elevation (below, left) is the location of the proposed architectural feature that is the subject of this appeal.



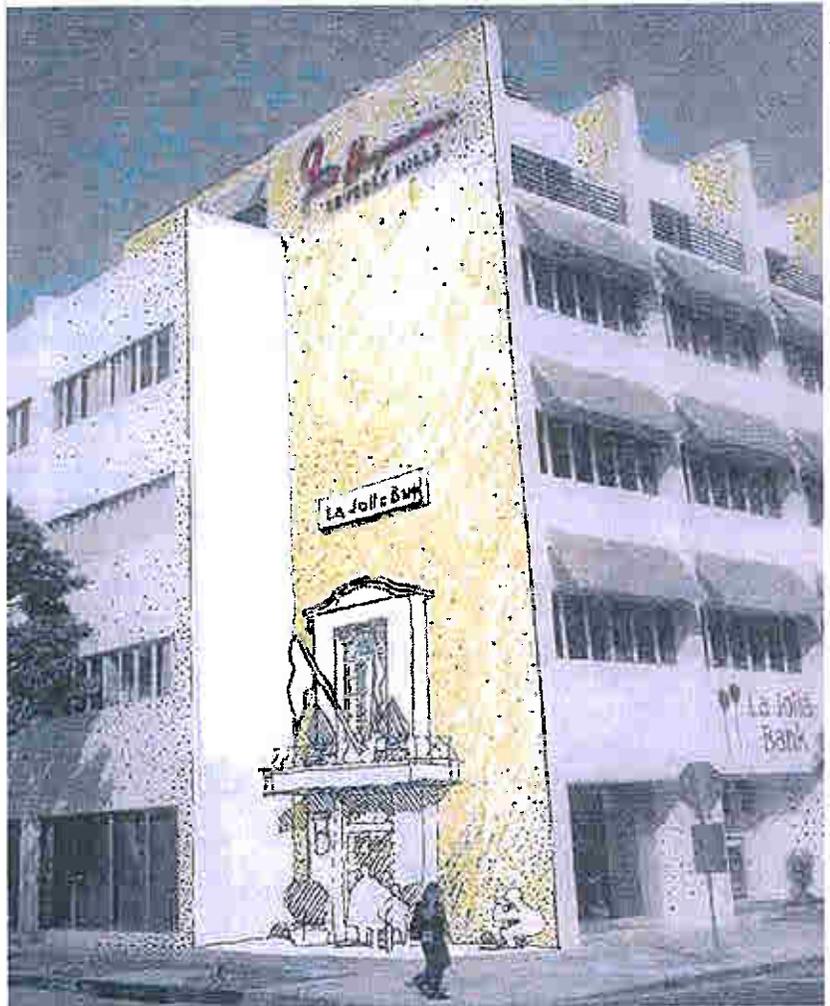
Existing North Façade



Existing West (Front) Façade

Proposed Modifications: The applicant has submitted plans and a color rendering of the proposed faux entry element on the north elevation of the building. As part of the request, the existing sign for La Jolla Bank is proposed to be relocated above the new faux entry (approximately 37 feet above grade) However, BHMC Section 10-4.604(a) limits the location of business identification signs to 25 feet above grade. Therefore, if the appeal is granted by the City Council, the bank sign would need to be placed at a location within this height limitation, subject to staff review.

The proposed new faux entry element/store façade measures 11-feet wide by 26-feet in height and consists of an entry door with light fixtures at the "first floor" with a four-foot balcony, faux door, two potted bushes, two flag poles and a pedimented entry at the "second floor" of the feature. The bronze statues of a family posing for a photograph (previously also at the former Giorgio site) would be placed in on private property along the same northern wall.



Rendering of Proposed Project

Note: The relocation of the bronze statues to the private property area in front of the north wall was requested and approved by staff last year. This was a separate request from the faux entry request. If the faux entry is not approved, the applicant may still place the bronze statues in this location.

The photographs on the next page were taken when the Giorgio Beverly Hills store was still open on Rodeo Drive.

Bronze Statues to be Relocated to 190 N. Canon Former Giorgio Store on Rodeo Drive



Area Characteristics

The existing contemporary commercial/office building is located on the southeast corner of Canon Drive and Clifton Way. It is surrounded by multiple-family residential to the east, commercial to the north and south, and a mixed-use development to the west (The Crescent). The Montage Hotel and Gardens is currently under construction across the street to the west.

Architectural Commission Authority and Findings

The Architectural Commission is charged with the review of all exterior portions and areas of all commercial and multi-family projects in order to ensure that the finished look of the project will contribute to the image of Beverly Hills as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality. The Architectural Commission is required to make specific findings with regard to the City's aesthetic standards. These findings have been provided in Attachment 3.

DISCUSSION / ANALYSIS OF THE APPEAL

The appellant has identified the following issues as reasons to overturn the decision of the Planning Commission. Staff analysis follows each topic.

Appeal Issue #1: The faux storefront replicates the appearance of the former "Giorgio" store at 273 Rodeo Drive.

The Commission commented that the former "stone" storefront and sculptures were very attractive and appropriately scaled and designed to complement the building at the Rodeo Drive location but did not "fit" with the modern design of the existing building. The Commission supports the principle of paying homage to the Rodeo Drive store, as well as the importance of the contribution the store made to the success of Rodeo Drive. This reasoning was behind the approval for the bronze statues to be placed at the Canon Drive location. However, the Commission felt that the faux storefront detracts from the modern, clean lines of the existing building.

Meeting Date: June 17, 2008

Appeal Issue #2: The Giorgio store was an important fixture on Rodeo Drive as the street grew in prominence as a word renowned shopping venue.

The Commission recognized the value of the contributions the previous store and its owner made to the development of Rodeo Drive. However, these considerations, while important and relevant to the community are not the criteria that the Architectural Review Commission uses to evaluate this, or any other project. The Commission's purview relates to design and in practice found that the store front was misplaced and did not feel that replicating the faux storefront entry was appropriate at the Canon location.

Appeal Issue #3: The location of the proposed architectural feature was part of a previously approved landscape planter featuring a bronze statue that also once graced the corner of Rodeo Drive and Dayton Way.

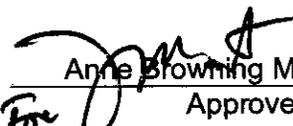
The Commission supported the landscape scheme which included the bronze statues and potted plants along the private property area in front of the northern building wall, but did not feel that it would be appropriate to alter the northern building wall by adding the faux entry.

Appeal Issue #4: The faux storefront can also be considered an art piece as part of Mr. Hayman's collection to be shared with the public.

It is understood that the intent of the faux storefront is to invoke a nostalgic reference to the former retail store on Rodeo Drive. However, given the contrast between the old world styling of the faux entry and the modern building, the Commission did not feel it was appropriate to modify the existing building design.

FISCAL IMPACT

No fiscal impact is expected from either approval or denial of this appeal.


Anne Browning McIntosh, AICP
For _____ Approved By

ATTACHMENT 1
Appeal Petition to the City Council

**APPEAL PETITIONS MUST BE FILED WITH THE CITY CLERK'S OFFICE WITHIN
14 CALENDAR DAYS AFTER THE DATE OF THE DECISION**

APPEAL TO _____ COMMISSION OR CITY COUNCIL

PLEASE TYPE OR PRINT CLEARLY IN BLACK INK

23 JANUARY 2008
Date

In accordance with the appeals procedure as authorized by the provisions of the Beverly Hills Municipal Code, the undersigned hereby appeals from the decision of ARCHITECTURAL COMMISSION (Official, Board or Commission involved) rendered on 9 JANUARY, 2008; which decision consisted of: The grounds submitted for this appeal are as follows: **(WARNING: State all grounds for appeal. Describe how decision is inconsistent with law. Use extra paper if necessary.)**

LETTER BY OWNER ATTACHED.

APPEALED ON GROUNDS OF HISTORIC + CULTURAL INTEREST. "FAUX" STOREFRONT TO REPLICATE APPEARANCE OF FORMER 273 N. RODEO DR. "GIORGIO" STORE, AT DAYTON DR, AN IMPORTANT FIXTURE ALONG RODEO AS IT GREW IN PROMINANCE AS AN IMPORTANT WORLD SHOPPING VENUE. LOCATION OF PROPOSED WORK PART OF PREVIOUSLY APPROVED LANDSCAPE PLANTER RECONSTRUCTION THAT FEATURES A BRONZE STATUE THAT ALSO ONCE GRACED THE CORNER OF RODEO + DAYTON. "FAUX" STOREFRONT CAN ALSO BE CONSIDERED AN ART PIECE - PART OF MR. HAYMAN'S COLLECTION SHARED WITH THE PUBLIC.

The undersigned discussed the decision being appealed with:

RYAN c/o JOSEPH HEREDIA on 23 JANUARY 2008
(Department Head(s) Involved) Date

It is requested that written notice of the time and place for the hearing on this appeal before the City Council be sent to:

J. SCOTT CARTER
WYLIE CARTER ARCHITECTS, 16116 NORTHFIELD ST., PACIFIC PALISADES, CA 90272
Name Address

cc: FRED HAYMAN, 190 N. CANON DR, STE 310, BEVERLY HILLS, CA 90210

W Carter's @ 11:00 AM
Signature of appealing party: [Signature] LETTER BY OWNER ATTACHED
WYLIE CARTER ARCHT'S
16116 NORTHFIELD ST.
PACIFIC PALISADES, CAL 90272
Address

310 459-7989 / 459-7292 FAX
Telephone Number & Fax Number

Fee Paid \$4,730 (For City Clerk's use) DATE RECEIVED

LOG NO. 8X08 Written Notice mailed to appellant:

Copies to: City Council, City Manager, City Attorney, Planning
Involved Department

RECEIVED
CITY OF BEVERLY HILLS
CITY CLERK'S OFFICE
2008 JAN 23 PM 2:45

Fred Hayman
BEVERLY HILLS®

January 23, 2008

Beverly Hills City Council
c/o City Clerk
455 North Rexford Drive
Beverly Hills, CA 90210

Re: PL 0735627
Application to City Architectural Commission
Planning Staff: Georganna Millican, Joseph Heredia
Installation of Faux "Giorgio" Commemorative storefront at
190 N. Canon Drive at Clifton Way, Beverly Hills

Dear Beverly Hills City Council,

On Wednesday, January 9, the City of Beverly Hills Architectural Commission denied an application to build a commemorative faux replica of my "Giorgio" Rodeo Drive store front doorway. To be erected behind a renovated planter on my office building at the corner of Canon Drive and Clifton Way, the small non-functional structure was to be a backdrop for an already-approved sidewalk adjacent installation of a bronze statue group relocated from that same store.

Although polite and professional, the Commission denied the application based on incompatibility of architectural styles of the international-style office building, and the classic style of the rebuilt doorway. During the Hearing, one Commissioner suggested I approach the City Council for a reconsideration of the project, respecting the historic aspects of its small commemoration of an important icon of the development of Rodeo Drive within the community.

Similar to Rodeo Drive, I am doing this in the spirit of improving the "New Canon Drive". Ali Kasikci, now of the Montage Hotel, has enthusiastically endorsed the "Giorgio" Store Front and its Seward Johnson Sculpture installation. I have spent in excess of three million dollars to make 190 Canon Drive a prime, quality office building.

Because it symbolizes the history of the City I love, I respectfully request the Council reconsider the Commission's decision and allow its installation.

Sincerely,

Fred Hayman



ATTACHMENT 2

Architectural Commission Staff Report and Minutes 1/9/08



**STAFF REPORT
CITY OF BEVERLY HILLS**

**For the Architectural
Commission Meeting of
January 9, 2008**

TO: Architectural Commission

FROM: Joseph Heredia, Associate Planner

SUBJECT: PL0735627 – **190 North Canon Drive – Fred Hayman Building**
Addition of Faux Entry Element on North (Clifton Way) Elevation

STATUS/BACKGROUND

Wylie Carter Architects, on behalf of Fred J. Hayman Trust, requests an approval for a new faux entry element to be placed on the northeast corner of the building on the Clifton Way elevation above the existing landscaping box.

The Applicant previously received Architectural Review approval at a staff level to move the statues previously located on the Rodeo Drive storefront to the landscaping box with new potted bushes, and to paint the building and add awnings that match the existing awnings. Approval was granted for these requests in August of 2007. The Applicant subsequently submitted a new request in November of 2007 to add a faux entry element that mimics the storefront previously located on North Rodeo Drive. Staff determined that the application warranted review by the Architectural Commission due to the nature of the proposal and the style contrast between the building and the proposed faux entry element.

PROJECT ELEMENTS

The project site is a four-story commercial/retail building located on the northeast corner of Canon Drive and Clifton Way.

Proposal

As part of the request, the existing sign for La Jolla Bank is proposed to be relocated approximately 11-feet above its existing location in order to create room for the faux entry/store front element. The proposed new faux entry element/store façade measures 11-feet wide by 26-feet in height and consists of an entry door with light fixtures at the "first floor" with a four-foot balcony, faux door, two potted bushes, two flag

poles and a 48 inch (48”) projecting awning at the “second story.” As proposed, the material is comprised of plaster finish ranging from 12 inches to 48 inches in depth bolted to the existing wall and painted in white to match the building. The style of the faux entry/store front is Georgian Revival and is a replica of the entry element/store front of the Fred Hayman store located years ago on North Rodeo Drive.

CRITERIA

Pursuant to Municipal Code Section 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 after consideration of the following criteria:

(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.

The proposed faux entry element/store front is of a different style than the existing contemporary commercial/retail building and is a rather randomly planted architectural feature designed to invoke a nostalgic reference to the North Rodeo Drive Fred Hayman store. The contrast between the existing contemporary building and the proposed traditionally styled architectural feature are such that the proposal does not appear compatible with the building. Staff does not feel that the proposal 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 proposed new storefront would not appear to impact the environment with respect to external or internal noise and would therefore not make the environment less desirable with respect to these factors.

(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.

Although the materials proposed for the new storefront do not appear to be inferior in quality or execution, the overall design does not appear to contribute materially to the appearance and value of the area.

(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 new storefront is of a different architectural style than that of the existing contemporary commercial/retail building. Although the proposed storefront is a homage to the first store front of the applicant, the Commission may wish to discuss how this architectural style is in harmony with the existing developments.

(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 new storefront is in conformity with the standards of the Beverly Hills Municipal Code and other applicable laws.

RECOMMENDATION

Staff has concerns related to the appropriateness and compatibility of the proposal with the existing building. Therefore, based on the foregoing criteria and pending the information and conclusions that may result from testimony received during the Architectural Commission deliberations, staff recommends that the Architectural Commission deny the drawings as submitted.

/s/ Joe Heredia

Joseph Heredia

ATTACHMENT 3

Architectural Commission Approval Criteria

ARCHITECTURAL COMMISSION REVIEW CRITERIA

BHMC SECTION 10-3-3010: CRITERIA:

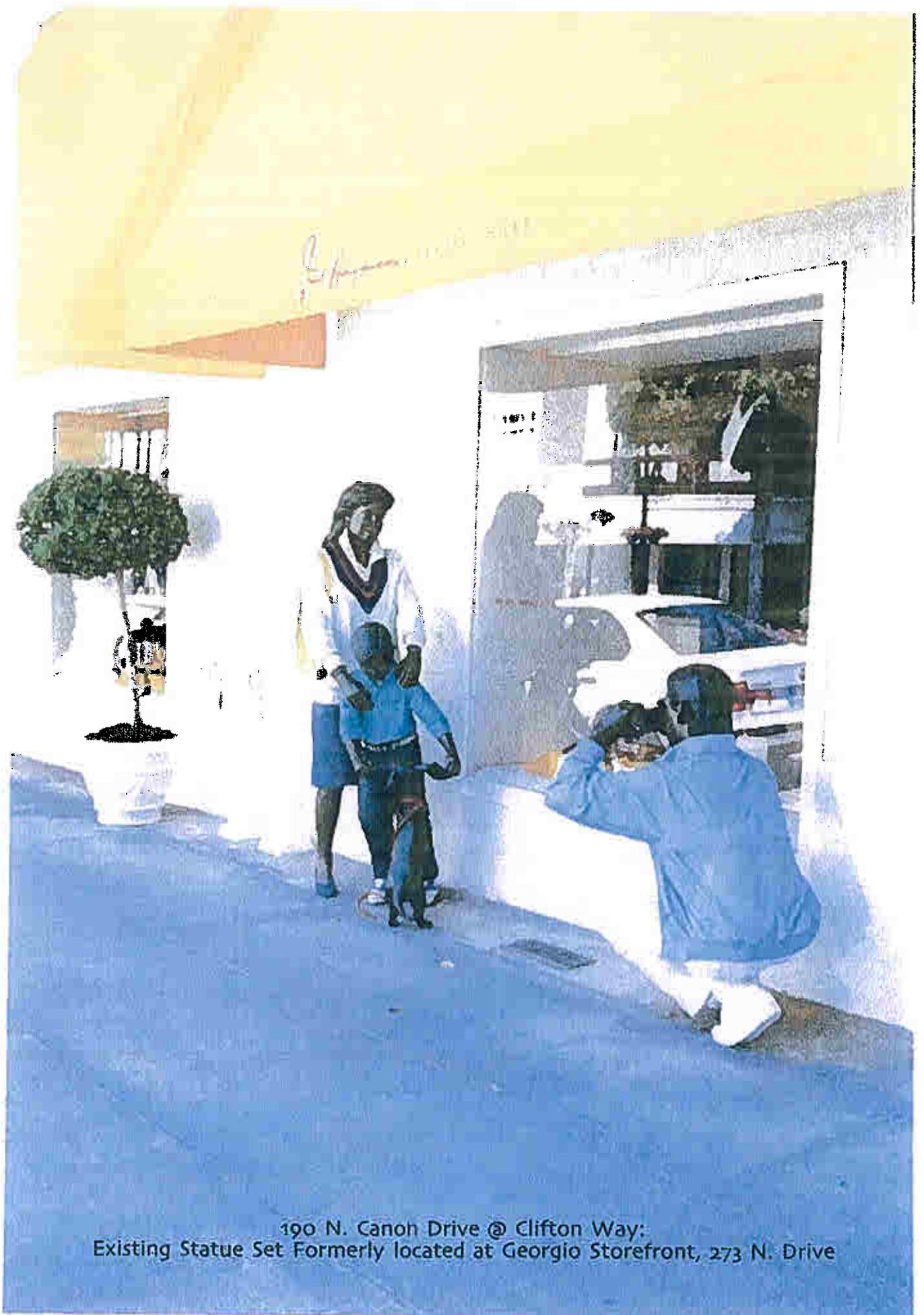
The architectural commission may approve, approve with conditions, or disapprove the issuance of a building permit in any matter subject to its jurisdiction after consideration of whether the following criteria are complied with:

- 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;
- 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;
- C. The 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;
- 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; and
- 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.

ATTACHMENT 4
Photos of Existing Building



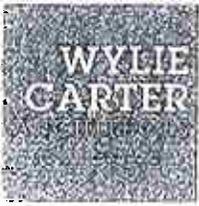
190 N. Canon Drive @ Clifton Way (left).
Corner Planter, approved to be remodeled, before proposed work



190 N. Canon Drive @ Clifton Way:
Existing Statue Set Formerly located at Georgio Storefront, 273 N. Drive

ATTACHMENT 5

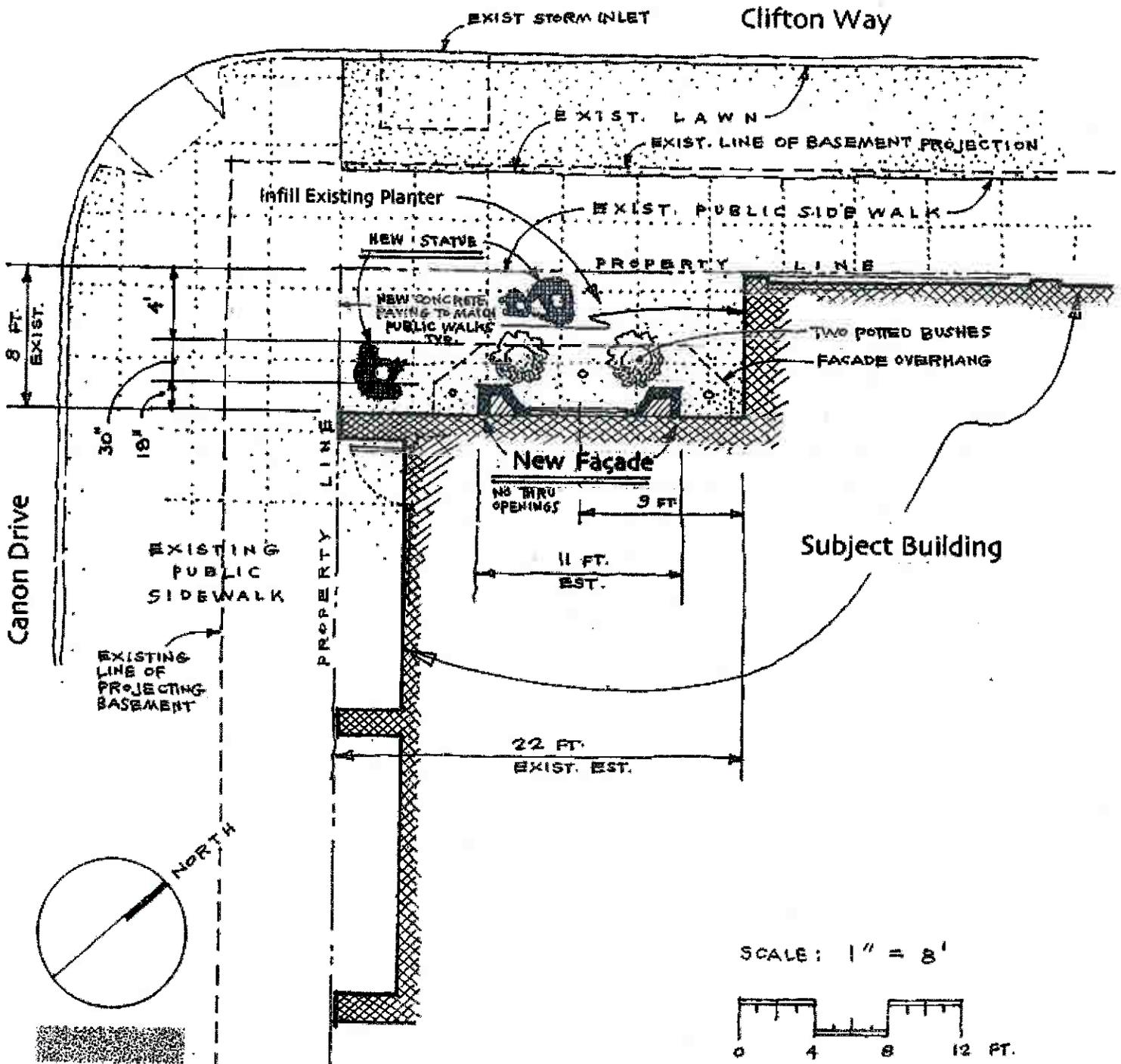
Proposed Plans

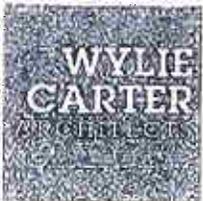


11.19.07

CORNER PLANTER RECONDITIONING
+ INSTALLATION OF ART STATUE + FAÇADE

190 N. CANON DRIVE BEVERLY HILLS





310.459.7989

11.1.07 / REV. 11.19.07

1/8" = 1'

190 N. CANON DR @ CLIFTON WAY

FULL SCALE "GEORGIO STORE" ENTRY FACADE STUDY.

