



# Planning Commission Report

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**Meeting Date:** August 12, 2013

**Subject:** **713 North Arden  
Minor Accommodation**

A request for a Minor Accommodation to allow the construction of a second-story addition with a maximum roof ridge height of 32' and an average roof height of 22'-6" when averaging the height of all the ridges.

Pursuant to the provisions set forth in the California Environmental Quality Act, the Planning Commission will also consider adoption of a Categorical Exemption for this project.

PROJECT APPLICANT: Jeffrey Allsbrook, Standard LLP

**Recommendation:** That the Planning Commission:

1. Conduct a public hearing and receive testimony on the project; and
  2. Provide direction regarding the proposed project and direct staff to prepare a resolution memorializing the Planning Commission's comments.
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## REPORT SUMMARY

The property is currently developed with a two-story residential building that is currently under renovation with both first and second floor additions to the main residence. The proposed project calls for a second story addition to the center two-story portion of the façade while maintaining the lower one-story portions on the building on the north and south of the façade. The addition calls for the upper portion of the existing façade/roof to be brought forward to the front setback line and extended up to a new sloped roof with a maximum height of 32' feet at the ridge and an average roof height of 22'-6". The height at the front setback line would be 22' with the 32-foot ridge of the roof setback an additional 13' from the front property line.

This report analyzes the proposed project, with specific focus on the scale and massing of the façade as viewed from the street and adjacent neighbors, as well as the height of the structure and privacy of the neighbors.

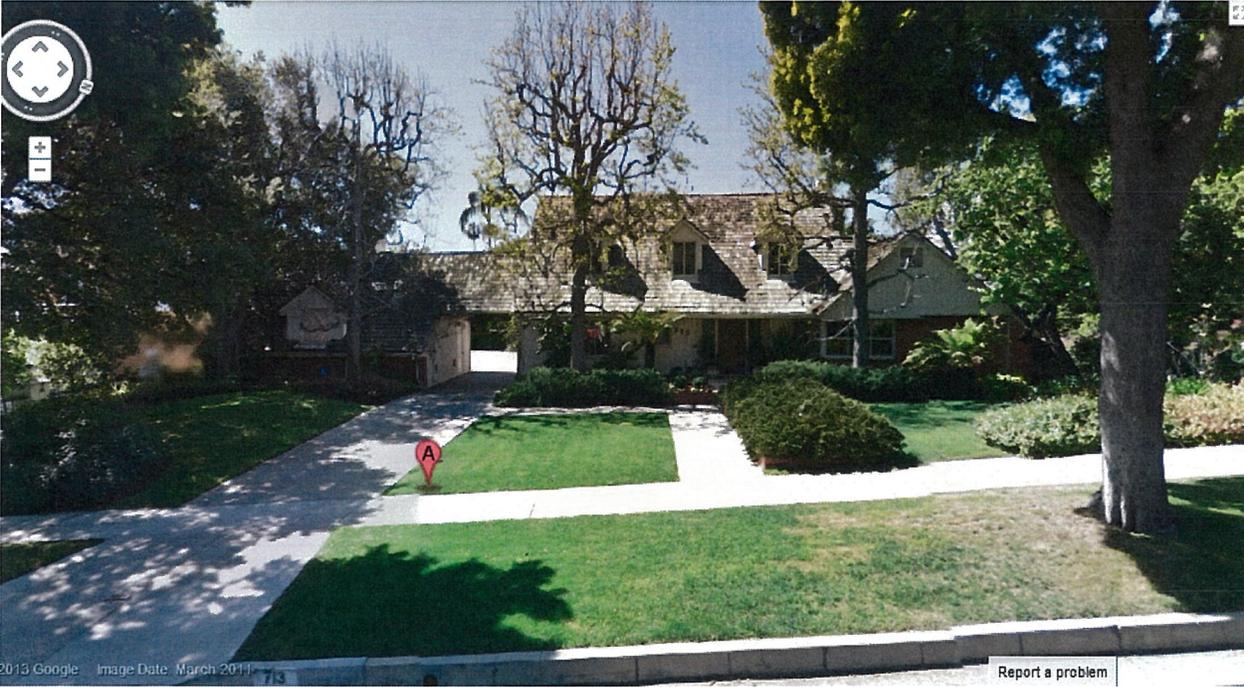
**Attachment(s):**

- A. Zoning Compliance Table
- B. Adjacent Properties Photos
- C. Public Notice
- D. Architectural Plans

**Report Author and Contact Information:**

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(310) 285-1121

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Subject Property (Existing prior to Renovations)

## **BACKGROUND**

File Date 07/30/2013  
Application Complete 08/8/2013  
Subdivision Deadline N/A  
CEQA Deadline 60 days from CEQA Determination  
Permit Streamlining 10/11/2013 without extension request from applicant

Applicant(s) Jeffrey Allsbrook, Standard LLP  
Owner(s) Arden 713, LLC  
Representative(s) Jeffrey Allsbrook – Standard LLP

Prior PC Action Minor Accommodation for Roof Height (Director Approval) to allow an addition to the rear of the structure to have a maximum height of 32' (approved 03/20/2013)  
Prior Council Action None  
Prior DRC Action Previous version of the project was reviewed and approved by the DRC on 02/07/2013. Subcommittee meeting was held to discuss the current revised design on 07/31/2013.  
Future DRC Action Anticipated that the new design will go to the September 2013 DRC meeting

## **PROPERTY AND NEIGHBORHOOD SETTING**

### Property Information

Address 713 North Arden Drive  
Legal Description BEVERLY HILLS LOT 12 BLK 104  
Zoning District R-1.X - Central  
General Plan Single-Family Residential – Medium Density  
Existing Land Use(s) Single-Family Residential  
Lot Dimensions & Area 110'x219.75'= 24,103 S.F. (acres)  
Year Built 1951/1952  
Historic Resource None  
Protected Trees/Grove None

### Adjacent Zoning and Land Uses

North R-1.X – Single-family residential  
South R-1.X – Single-family residential  
East R-1.X – Single-family residential  
West R-1.X – Single-family residential

### Circulation and Parking

Adjacent Street(s) North Arden Drive – Street Width – 35 feet  
Adjacent Alleys 20 feet - Alley to the West  
Parkways & Sidewalks 17.5-foot parkway  
Parking Restrictions No overnight parking  
Nearest Intersection North Arden Drive and Sunset Boulevard  
Circulation Element Local Street

### **Neighborhood Character**

The neighborhood is characterized by two-story single family residences in a variety of architectural styles and built in time frames from 1930 to present (see Attachment B "Neighboring Properties." The topography of the block slopes from the north to the south with properties approximately 5' to 8' in elevation lower from each other on the west side of the street. In addition, the grade slopes from the street to the lots. The subject lot is approximately 1.5 feet lower in grade at the perimeter of the building than the street grade. Many of the neighboring residences have large two story volumes with roof heights that range from 21.5' to 38' in height with many of the residences having one story portions of the house on the front setback line with the two story volumes set back further from the street.

The property to the immediate south of the subject property has a flat roof with a total height of 28' to the top of the parapet on the two-story portion of the residence which is set back beyond a one-story portion and is at an elevation approximately 5' lower than the subject property. The residence to the immediate north is at an elevation 8' higher than the subject property with an existing two-story house 24'-6" in height. The property directly across the street at 714 North Arden Drive is a traditional Georgian Revival built in 2000 with a plate height of 26' and a total height of 30'.

### **Background**

The subject property previously submitted a Minor Accommodation that was reviewed and approved by the Director of Community Development for a maximum roof height of 32' for a portion of the structure located toward the rear of the house. The Applicant began construction of the approved project, but during construction elected to revise the façade design (previously approved by the Design Review Commission) to include raising the height of the front facade to 32'. Upon reviewing the revised design, staff determined that the majority of the findings for a Minor Accommodation could possibly be made in support of the revised façade, however staff does have concerns regarding the finding of adverse impact to the scale and massing of the streetscape. Therefore, the project is being forwarded to the Planning Commission for review and direction.

In addition to the previous Minor Accommodation for roof height, the addition/remodel project was reviewed and approved by the Design Review Commission in February 2013. On July 31, 2013, a subcommittee of the Design Review Commission met and discussed the current proposal with the façade height increase and provided the Applicants with comments to study the building materials and building modulation. The revised project is scheduled to go before the Design Review Commission at its September meeting.

### **PROJECT DESCRIPTION**

The façade of the subject residence has one-story portions on both the north and south sides that flank a taller two-story volume. The proposal calls for an addition to the existing two-story portion of the façade which occupies approximately 40 feet in length of the overall façade (total façade length is 99'-6"). The width of the lot is 110 feet with existing legally non-conforming side yard setbacks of 4'-6" on the north and 6' on the south. The northern and southern portions of the façade are one-story and will remain the same height as they currently exist (19'-7" on the north and 16'-3" on the south). The addition would bring the angle of the existing façade/roof forward and result in an increase in roof

height at the ridge from the existing height of 25'-2" to a total maximum height of 32' at the ridge. At the 40-foot front setback line the height would be 22' with the maximum height at the ridge set back 13' from the front setback line (total of 53' from the front property line). The resulting overall average roof height for the residence will be 22'-6" when all the roof height planes are averaged.



FAÇADE DESIGN APPROVED BY THE DESIGN REVIEW COMMISSION IN FEBRUARY 2013



CURRENT FACADE DESIGN PROPOSED

### Requested Permits

The entitlement requested to allow the proposed project is as follows:

#### **Minor Accommodation.**

- A request for a Minor Accommodation to allow the construction of a second-story addition with a maximum roof height of 32' and an average roof height of 22'-6" when averaging the height of all ridges. The maximum roof height otherwise permitted by the Municipal Code is 28'; however, a Minor Accommodation may be issued pursuant to BHMC §10-3-2403 A.1., to allow a maximum roof height of up to 32' provided that the structure's average roof height does not exceed 28'.

The required findings for a Minor Accommodation for Roof Height Averaging are as follows:

1. *The project will not have an adverse impact on the scale and massing of the streetscape;*
2. *The structure will not have an adverse impact on the neighbors' access to light and air;*
3. *The structure will not have an adverse impact on the neighbors privacy;*
4. *The structure will not have an adverse impact on the garden quality of the City.*

### **ZONING CODE<sup>1</sup> COMPLIANCE**

A detailed review of the proposed project's consistency with applicable zoning standards is provided in [Attachment A](#). The proposed project complies with all applicable codes, or is seeking through the requested permits, permission to deviate from certain code standards, in a manner that is consistent with the Zoning Ordinance.

The existing building is legally non-conforming with regard to current zoning requirements and as such, the project is subject to compliance with the zoning code requirements for additions to legally non-conforming buildings. As shown by the Applicant, the project design is under the 50% demolition rule for zoning compliance as required by Beverly Hills Municipal Code Section 10-3-4100 and these calculations will be verified as part of the plan check process. The Applicant is aware that if the project exceeds the zoning 50% calculation for legally non-conforming buildings, then the project will need to comply with all current zoning requirements, including setbacks.

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<sup>1</sup> Available online at [http://www.sterlingcodifiers.com/codebook/index.php?book\\_id=466](http://www.sterlingcodifiers.com/codebook/index.php?book_id=466)

**GENERAL PLAN<sup>2</sup> POLICIES**

The General Plan includes goals and policies relevant to the Planning Commission’s review of the project, including:

- **Policy LU 2.1 City Places: Neighborhoods, Districts, and Corridors.** Maintain and enhance the character, distribution, built form, scale, and aesthetic qualities of the City’s distinctive residential neighborhoods, business districts, corridors, and open spaces.
- **Policy LU 5.1 Neighborhood Conservation.** Maintain the uses, densities, character, amenities, and quality of the City’s residential neighborhoods, recognizing their contribution to the City’s, identity, economic value and quality of life.
- **Policy LU 6.1 Neighborhood Identity.** Maintain the characteristics that distinguish the City’s single-family neighborhoods from one another in such terms as topography, lot size, housing scale and form, and public streetscapes.

**ENVIRONMENTAL ASSESSMENT**

The subject Project has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines<sup>3</sup>, and the environmental regulations of the City. The Project qualifies for a categorical exemption pursuant to Section 15301 (Class 1)(e)(1) of the Guidelines. Specifically, the proposed Project is an addition to an existing single family residence with a negligible expansion of use and is therefore exempt from further review under the provisions of CEQA.

**PUBLIC OUTREACH AND NOTIFICATION**

Type of Notice	Required Period	Required Notice Date	Actual Notice Date	Actual Period
Posted Notice	N/A	N/A	08/08/2013	4 Days
Newspaper Notice	N/A	N/A	N/A	N/A
Mailed Notice (Owners & Residents - 300' Radius)	10 Days	07/31/2013	07/31/2013	12 Days
Property Posting	N/A	N/A	N/A	N/A
Website	N/A	N/A	08/09/2013	6 Days

Public Comment

As of the writing of this report the City has not received any comments regarding this project.

<sup>2</sup> Available online at [http://www.beverlyhills.org/services/planning\\_division/general\\_plan/genplan.asp](http://www.beverlyhills.org/services/planning_division/general_plan/genplan.asp)

<sup>3</sup> The CEQA Guidelines and Statue are available online at <http://ceres.ca.gov/ceqa/guidelines>

**ANALYSIS**

Project approval, conditional approval, or denial is based upon specific findings for the discretionary application requested by the applicant. Required findings are included with this report and may be used to guide the Planning Commission’s deliberation of the subject project. Key issues related to the requested entitlements are scale and massing/height of structure and privacy of neighbors/neighbors’ access to light and air, which are discussed below. Reasons for requesting the Minor Accommodation, as presented by the Applicant, are as follows:

- The portion of the façade with the increased height above the 28’ height limit is 41’ wide on a 110’ wide lot;
- Code height limit is 28’ and they are asking for 32’;
- The height of the façade at the setback line is only 22’;
- The ridge height of 32’ is 53’ behind the property line;
- The neighbor to the north sits at a higher elevation (approximately 8’ higher) and has a 20 foot wall separating the yards in the back;
- The neighbor to the south is a substantial volume that will not be impacted;
- Several homes on the street have similar volumes including 709 and 714 North Arden Drive;
- The home sits below the street elevation (approximately 1.5’ higher than the grade at the façade) and which will present the height lower than if it was at grade.

**Properties on the 700 Block of North Arden Drive**

Address	Year Built	Height	Roof	Approximate Min. Setback Provided	Approximate Maximum Setback Provided
700 North Arden Drive	1952	26’	Slope	40’	50’
701 North Arden Drive	1932/1946	25’	Slope	40’	40’
703 North Arden Drive	1929/1980	30’	Slope	50’	
704 North Arden Drive	1929/1956	30’	Slope	40’	40’
705 North Arden Drive	1927/1947	24’	Slope	40’	80’
706 North Arden Drive	1988	34’	Slope	40’	40’
707 North Arden Drive	1929/1936	30’	Slope	40’	40’
708 North Arden Drive	1933/1945	26’	Slope	40’	60’
709 North Arden Drive	1939/1962	38’	Slope	40’	60’
710 North Arden Drive	1999/2001	32’	Flat	40’	60’
711 North Arden Drive	2000	28’	Flat	40’	60’
712 North Arden Drive	1951/1987	21’-5” (ridge)	Slope	40’	70’
713 North Arden Drive (Subject)	Remodel 2013	32’ (proposed)	Slope	40’	45’
714 North Arden Drive	2002	30’	Slope	40’	40’
715 North Arden Drive	1951/1960	24’-6”	Slope	40’	60’
716 North Arden Drive	1952/1955	24’	Slope	40’	60’
717 North Arden Drive	1998	31’	Slope	40’	50’
718 North Arden Drive	1952/1953	(no height info.)	Slope	40’	40’

**Scale and Massing/Height of Structure.** The 700 block of North Arden Drive is comprised of large two-story homes which vary in architectural style and have been built in time frames from 1930 to the present. Many of the neighboring residences have large two story volumes at the street façade with roof heights that range from 21.5' to 38' in height.

The property to the immediate south of the subject property has a flat roof with a total height of 28' to the top of the parapet and to the immediate north the house is 24'-6". The property directly across the street at 714 North Arden Drive is a traditional Georgian Revival built in 2000 with a plate height of 26' and a total height of 30'. The overall maximum ridge height proposed for the property is higher than the majority of the residences on the street, but only a portion of the structure has the 32' ridge height. Although the additional height would be limited to the central portion of the residence, it should also be noted that Arden Drive slopes down toward the south, which may result in the northern portion of the residence appearing more prominent due to the elevated grade. For these reasons, the Planning Commission may wish to discuss whether the 32' height proposed is in keeping with the block's characteristics or whether a reduction in the ridge height may be appropriate.

**Prevailing Setbacks.** The prevailing setback along the 700 block of Arden Drive is 40', measured from the front property line. Although this is the prevailing setback, many of the homes on the block provide substantial modulation, with portions of the homes set back beyond the 40' setback line. In contrast, the subject property at 713 Arden Drive provides limited modulation, with much of the home built right at the 40' setback line. This configuration was appropriate for the previously proposed design with steeply sloped roof and dormer windows; however, the revised design adds additional mass at the setback line by increasing the height of the front façade. Based on the proposed design, the Planning Commission may wish to discuss whether the project's modulation is consistent with that of the block.

**Privacy of Neighbors/Neighbors' Access to Light.** The portion of the proposed addition over 28' in height is located to the center of the property and is set back a greater distance than the required side yard setbacks of 11' on the north (distance from the addition to the north side property line is 24') and 16' on the south (distance from the addition to the south side property line is 44'). In addition, the additional height is for a sloped roof with higher interior ceiling heights, but does not introduce additional window height or upper decks that could potentially result in an adverse impact to the privacy of the adjacent neighbors. Potential shadows cast by the addition would be cast to the north where the one-story portion of the subject residence is located.

**NEXT STEPS**

It is recommended that the Planning Commission conduct the public hearing, provide direction regarding the proposed project, and direct staff to prepare a resolution memorializing the Planning Commission's findings.

Report Reviewed By:

  
Ryan Gohlich, Senior Planner

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## ATTACHMENT A Zoning Compliance Table

REGULATIONS	EXISTING	PROPOSED PROJECT	Code Required	NOTES
<b>Site Area</b>	24,103 square feet	N/C	N/C	
<b>Height</b>				
<b>Main Residence</b>	25'-2" (Existing roof area proposed to have additional height)	32' max. with average height of 22'-6"	28'  A Minor Accommodation may be issued to allow a maximum height of 32' with an average roof height maximum of 28'	* A Minor Accommodation was granted previously to allow a 32' height for the roof ridge behind the proposed ridge on the facade
<b>Floor Area</b>				
<b>Main Residence</b>	1 <sup>st</sup> floor – 3,947 sq.ft. 2 <sup>nd</sup> floor – 698 sq.ft. Garage – 416 sq.ft.(400 exempt) Total = 4,661 sq.ft.	Addition 1 <sup>st</sup> floor – 697 sqft. Addition 2 <sup>nd</sup> floor – 1,778 <hr/> Totals 1 <sup>st</sup> floor – 4,644 sq.ft. 2 <sup>nd</sup> floor – 2,476 sq.ft. Garage – 416 sq.ft.(400 exempt) Total Floor Area – 7,136 sq.ft.	.40 x 24,103 + 1500 = 11,141 sqft.	Total 7,136 sq.ft. < 11,141 sq.ft. allowed
<b>Basement</b>	1,176 sq.ft.	1,176 sq.ft.	N/A	* Exempt from the floor area calculations
<b>Setbacks</b>				
Front (East) Setback	40'	N/C	40'	
Side (North) Setback	4'-6" (Existing)	N/C	11'	
Side (South) Setback	6'-0"	N/C	16'	
Rear (West) Setback	86'-1"	N/C	57'	
<b>Parking Spaces</b>	4 Spaces	4 spaces	4 spaces	

**ATTACHMENT B**  
**Neighboring Properties Photos**



700 Arden Drive  
Built – 1952  
Height – 26 feet



701 Arden Drive  
Built – 1932/1946  
Height – 25 feet



703 Arden Drive  
Built – 1929/1980  
Height – 30 feet



704 Arden Drive  
Built – 1929/1956  
Height – 30 feet



705 Arden Drive  
Built – 1927/1947  
Height – 24 feet



706 Arden Drive  
Built – 1988  
Height – 34 feet



707 Arden Drive  
Built – 1929/1936  
Height – 30 feet



708 Arden Drive  
Built – 1933/1945  
Height – 26 feet



709 Arden Drive  
Built – 1939/1962  
Height – 38 feet



710 Arden Drive  
Built – 1999/2001  
Height – 32 feet



711 Arden Drive  
Built – 2000  
Height – 28 feet



712 Arden Drive

Built – 1951/1987

Height – 21 feet, 5 inches (ridge); 23 feet, 6 inches (cupola)



714 Arden Drive  
Built – 2002  
Height – 30 feet



715 Arden Drive  
Built – 1951/1960  
Height – 24 feet, 6 inches



716 Arden Drive  
Built 1952/1955  
Height – 24 feet



717 Arden Drive  
Built – 1998  
Height – 31 feet



718 Arden Drive  
Built 1952/1953  
Height – Not on Permit

**ATTACHMENT C**  
**Public Notice**



### **NOTICE OF PUBLIC HEARING**

**DATE:** August 12, 2013  
**TIME:** 1:30 PM, or as soon thereafter as the matter may be heard  
**LOCATION:** Commission Meeting Room 280A  
Beverly Hills City Hall  
455 North Rexford Drive  
Beverly Hills, CA 90210

The Planning Commission of the City of Beverly Hills, at its SPECIAL meeting on Monday, August 12, 2013, will hold a public hearing beginning at **1:30 PM**, or as soon thereafter as the matter may be heard to consider:

A request for a Minor Accommodation to allow the construction of a second-story addition with a maximum roof height of 32' on the property located at 713 North Arden Drive. The proposed addition would have a maximum ridge height of 32', while the house would have an average roof height of 22'-6" when averaging the height of all ridges. The maximum roof height otherwise permitted by the Municipal Code is 28'; however, a Minor Accommodation may be issued pursuant to BHMC §10-3-2403 A.1., to allow a maximum roof height of up to 32' provided that the structure's average roof height does not exceed 28'.

This project has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the environmental regulations of the City. The Project qualifies for a categorical exemption pursuant to Section 15301(Class 1)(e)(1) of the Guidelines. Specifically, the proposed Project is an addition to an existing single family residence with a negligible expansion of use and is therefore exempt from further review under the provisions of CEQA.

Any interested person may attend the meeting and be heard or present written comments to the Commission.

According to Government Code Section 65009, if you challenge the Commission's action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City, either at or prior to the public hearing.

If there are any questions regarding this notice, please contact **Georgana Millican, Associate Planner** in the Planning Division at **310.285.1121** or by email at **[gmillican@beverlyhills.org](mailto:gmillican@beverlyhills.org)**. Application materials associated with the project are on file with the Community Development Department and can be reviewed by any interested person at 455 North Rexford Drive, Beverly Hills, CA 90210. Please contact the project planner listed above to schedule an appointment to view the application materials. Appointments should be scheduled 72 hours in advance to ensure the documents are available for viewing.

Approved as to form:

  
\_\_\_\_\_  
Ryan Gohlich, Senior Planner

Mailed: July 31, 2013

**ATTACHMENT D**  
**Architectural Plans**

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