



Planning Commission Report

Meeting Date: October 10, 2013

Subject: **300 South Rodeo Drive**
Central R-1 Permit

Request for a Central R-1 Permit to allow the reduction of a rear setback for an addition to an existing single-family residence located on a corner lot.

PROJECT APPLICANT: Andrew and Rachel Kadar

Recommendation: That the Planning Commission:

1. Conduct a public hearing and receive testimony on the project; and
 2. Adopt the attached resolution conditionally approving the requested Central R-1 Permit.
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REPORT SUMMARY

The proposed project involves the construction of a one-story addition to an existing two-story single-family residence located on a corner lot in the Central Area of the City, south of Santa Monica Boulevard. The proposed addition encroaches into the otherwise required rear setback and therefore requires discretionary review by the Planning Commission to allow a reduction in the required rear setback.

This report analyzes the proposed project, with specific analysis of the project's scale and massing, neighbors' access to light and air, neighbors' privacy, and application of the Municipal Code. Staff's analysis concludes that as a result of the proposed configuration of the addition, the project is not anticipated to result in any significant adverse impacts to adjacent properties or the surrounding neighborhood. Therefore, staff recommends approval of the addition to the existing single-family residence.

Attachment(s):

- A. Zoning Compliance Table
- B. Staff Recommended Findings and Conditions of Approval
- C. Draft Resolution
- D. Public Notice
- E. Architectural Plans (Provided as a Separate Attachment)

Report Author and Contact Information:

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BACKGROUND

File Date	9/16/2013
Application Complete	9/30/2013
Subdivision Deadline	N/A
CEQA Deadline	60 days from CEQA Determination
Permit Streamlining	12/10/2013 without extension request from applicant

Applicant(s)	Andrew and Rachel Kadar
Owner(s)	Andrew and Rachel Kadar
Representative(s)	Curtis Hacker

Prior PC Action	None
Prior Council Action	None

PROPERTY AND NEIGHBORHOOD SETTING

Property Information

Address	300 South Rodeo Drive
Legal Description	TRACT # 7710 LOT 121
Zoning District	R-1.5X
General Plan	Single-Family Residential – Low Density
Existing Land Use(s)	Single-Family Residential
Lot Dimensions & Area	61.6 ft. x 127.5 ft. – 7,854 SF
Year Built	1930
Historic Resource	Listed as a potentially historic resource – Proposed addition complies with the Secretary of the Interior Standards for the treatment of historic properties
Protected Trees/Grove	None

Adjacent Zoning and Land Uses

North	R-1.5X – Single-family residential
South	R-1.5X – Single-family residential
East	R-1.5X – Single-family residential
West	R-1.5X – Single-family residential

Circulation and Parking

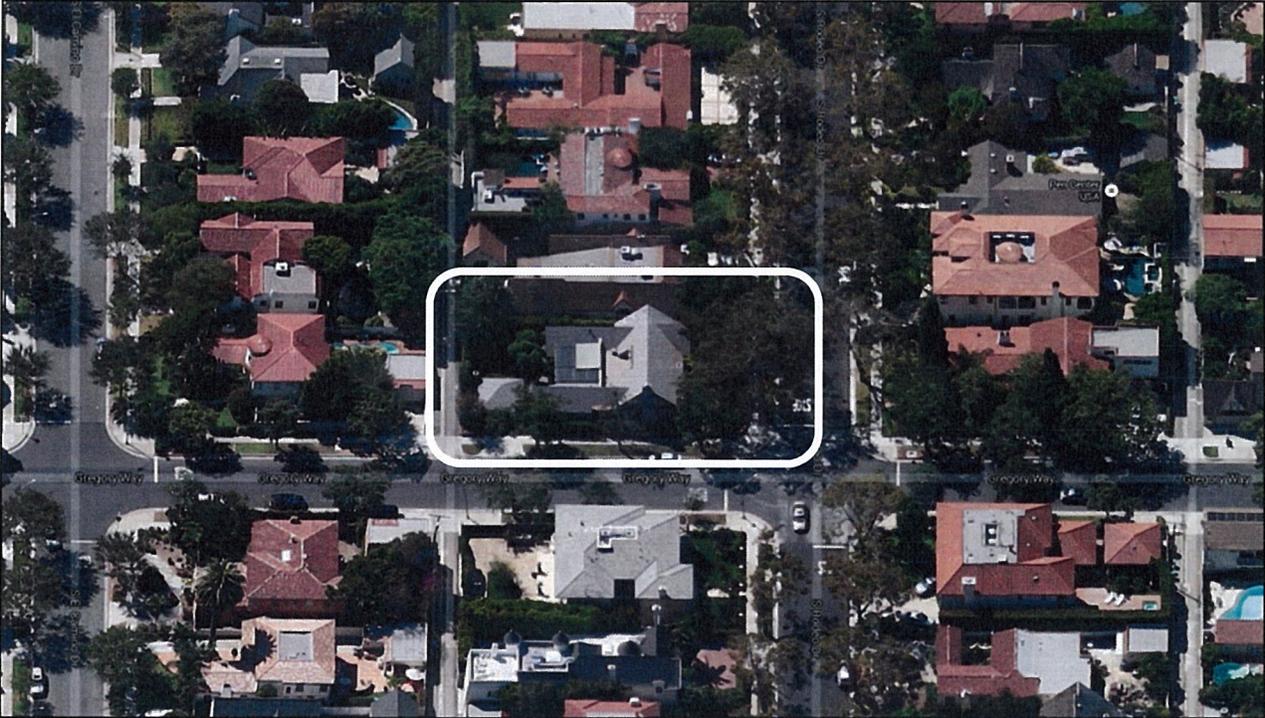
Adjacent Street(s)	Rodeo Drive and Gregory Way
Adjacent Alleys	Along rear of property
Parkways & Sidewalks	12'-6" parkway at Bedford Drive, 12'-6" parkway at Gregory Way
Parking Restrictions	Rodeo Drive – overnight parking is prohibited Gregory Way – overnight parking is prohibited, permit parking only
Nearest Intersection	Rodeo Drive and Gregory Way
Circulation Element	Local Street

Neighborhood Character

The subject property is located on a corner lot in the Central Area of the City, south of Santa Monica Boulevard, and has frontage along Gregory Way and South Rodeo Drive. The property has a site area of 7,854 square feet and is currently developed with a two-story single-family residence and detached garage totaling 3,314 square feet. The existing residence and detached garage were originally

constructed in 1930. The existing detached garage is accessed from Gregory Way.

The existing residence is consistent with the surrounding area, which is characterized by one- and two-story residences with detached accessory structures similar in size and scale to the subject site. The properties in the area are of a comparable size in both width and depth, and are similar in site design to the subject property.



Project Site Looking South

PROJECT DESCRIPTION

The proposed project consists of a new one-story addition to an existing two-story single-family residence. The home has an existing detached garage located adjacent to Gregory Way that would remain in place, while the proposed addition would occur at the rear of the main residence along the south property line (away from Gregory Way). The proposed addition would add 590 square feet of floor area to the existing residence, bringing the total floor area on the site to 3,904 square feet. The proposed addition would be set back 15' from the rear property line along the alley (the otherwise required rear setback is 29'3"), 5' from the south side property line (neighboring property), and approximately 33' along Gregory Way. The maximum height of the addition would be 21', below the 23' maximum height of the existing residence.

Requested Permits

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

Central R-1 Permit.

A request to allow a rear setback reduction for an addition to an existing residence located on a

corner lot. Pursuant to Beverly Hills Municipal Code (BHMC) §10-3-2418(D), a Central R-1 Permit may be issued to allow the rear setback to be reduced so long as the project satisfies the required criteria. The criteria are further explained in the Analysis portion of this staff report.

ZONING CODE¹ COMPLIANCE

A detailed review of the proposed project's consistency with applicable zoning standards is provided in [Attachment A](#). As conditioned, 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.

GENERAL PLAN² POLICIES

The General Plan includes goals and policies intended to guide development in the City. Some of the goals and policies relevant to the Planning Commission's review of the project are set forth below.

- **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, character, 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 Guidelines³, and the environmental regulations of the City. In its assessment, staff found that the existing residence was identified on the City's 1985-1986 Historic Resource Survey as being potentially historic. Pursuant to CEQA Guidelines, categorical exemptions cannot be issued for a project that may cause a substantial adverse change to the significance of a historic resource. Consequently, the project has been designed in accordance with the Secretary of the Interior's standards for the treatment of historic properties. As proposed, the project does not cause a substantial adverse change to the significance of the potential resource, which allows the project to qualify for a Categorical Exemption from CEQA for the construction of an addition less than 2,500 square feet and less than fifty percent (50%) of the existing floor area of the residence, pursuant to Section 15301 (Class 1(e)) of the CEQA Guidelines.

¹ Available online at http://www.sterlingcodifiers.com/codebook/index.php?book_id=466

² Available online at http://www.beverlyhills.org/services/planning_division/general_plan/genplan.asp

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

PUBLIC OUTREACH AND NOTIFICATION

Type of Notice	Required Period	Required Notice Date	Actual Notice Date	Actual Period
Posted Notice	N/A	N/A	10/4/2013	6 Days
Newspaper Notice	N/A	N/A	N/A	N/A
Mailed Notice (Owners & Residents - 300' Radius)	10 Days	9/30/2013	9/30/2013	10 Days
Property Posting	N/A	N/A	N/A	N/A
Website	N/A	N/A	10/4/2013	6 Days

Public Comment

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

ANALYSIS⁴

Project approval, conditional approval, or denial is based upon specific findings for the discretionary application requested by the applicant. Draft findings are included with this report in Attachment B and may be used to guide the Planning Commission’s deliberation of the subject project.

Design and Streetscape. The proposed addition would be located toward the south side of the subject property, away from Gregory Way and beyond the existing two-car garage that fronts on Gregory Way. As a result of its proposed location, the addition will generally not be visible from the street except for the top ridge of the sloped roof. Furthermore, the sloped roof will be consistent with the existing home’s architecture, and will appear as a natural extension of the existing home since the building materials will be consistent with those currently present on the home. Consequently, the proposed addition is not anticipated to materially alter the streetscape of the surrounding neighborhood or the design and character of the existing home.

Neighboring Properties. As a result of the proposed addition being located toward the south side of the subject property, the addition will be only 5’ from the neighboring property to the south. Additionally, the addition would encroach 15’ into the otherwise required 29’3” rear setback. Ordinarily, staff would have some concerns about the proximity of the rear setback encroachment to the neighboring property to the south; however, the encroachment is a single story with a steeply pitched roof that slopes up and away from the neighboring residence, and reaches its maximum ridge height of 21’ at a location that is approximately 16’ away from the neighbor’s property line. Furthermore, the rear setback of the existing residence on the neighboring property to the south is 18’, only 3’ more than what is proposed for the subject addition. As a result of the addition’s design and general alignment with the neighboring structure to the immediate south, the project is not anticipated to adversely impact the adjacent property. With respect to the neighboring property across the alley, the proposed addition would be located approximately 30’ from the neighbor’s property line, would be screened by an existing, mature

⁴ The analysis provided in this section is based on draft findings prepared by the report author prior to the public hearing. The Planning Commission in its review of the administrative record and based on public testimony may reach a different conclusion from that presented in this report and may choose to modify the findings. A change to the findings may result in a final action that is different from the staff recommended action in this report.

tree on the subject property, and would not provide any views into the neighboring property since the proposed addition would be a single story.

Applicability of Code Provisions for Rear Setback Reduction. The section of the Municipal Code that allows the Planning Commission to approve a reduction in the otherwise required rear setback is specific to corner properties located south of Santa Monica Boulevard. During adoption of the ordinance that allows for such a reduction to be granted, much of the discussion was associated with allowing rear setback reductions along a street side property line to offer greater privacy and protection for corner lots, which by their very nature are more exposed to adjacent streets, without impacting interior properties that may share a side property line with a corner property. Although this was the primary discussion, the ordinance does not preclude a property owner from proposing an addition away from the adjacent street. While it is possible that some additions located away from the street and adjacent to a neighboring property could be impactful, staff's analysis above discusses why such a design may be appropriate for the subject property. Furthermore, the subject property is already protected from the street by its detached garage, and allowing the addition to occur away from the street ensures that the integrity of a potential historic resource will be preserved without altering the appearance of the street or impacting neighboring properties. For these reasons, staff believes that the proposed addition is an appropriate project for a rear setback reduction.

Special Conditions. As a component of project approval, staff is recommending two special conditions of approval. Condition No. 1 requires that the project comply with the Secretary of Interior Standards in order to ensure that the potentially historic property is not impacted by the addition. Condition No. 2 relates to an unpermitted conversion of the upstairs portion of the house from a one-bedroom configuration to a two-bedroom configuration, which was identified by staff during the application review process. While it is unclear when the conversion occurred, the condition recommended by staff requires that the upstairs either be restored to its prior configuration, or that permits be obtained and a parking space added to allow for the additional bedroom.

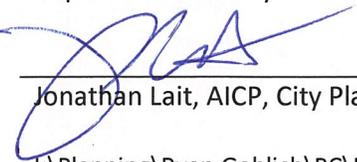
NEXT STEPS

It is recommended that the Planning Commission conduct the public hearing and adopt the attached resolution conditionally approving the Central R-1 Permit.

Alternatively, the Planning Commission may consider the following actions:

1. Approve the project with modified findings or conditions of approval.
2. Deny the project, or portions of the project, based on revised findings.
3. Direct staff or applicant as appropriate and continue the hearing to a date (un)certain, consistent with permit processing timelines, and at applicant's request or consent.

Report Reviewed By:



Jonathan Lait, AICP, City Planner

ATTACHMENT A Zoning Compliance Table

REGULATIONS	ALLOWED / REQUIRED	EXISTING CONDITIONS	PROPOSED ADDITION	NOTES
Main Residence				
Height	30'	23'	21'	
Floor Area	4,642 SF	3,314 SF	Addition: 590 SF Total: 3,904 SF	Excludes 400 SF for existing garage
Front Setback (South Rodeo Drive)	25'	25'	No change	
Street Side Setback (Gregory Way)	5'	5'	33'	
South Setback (neighbor side)	6'2"	5'	5'	The existing 5' setback is allowed to be extended by-right
West Setback (rear at alley)	29'3"	31'	15'	Requires Central R-1 Permit for reduction of a rear yard setback
Bedrooms	No limit	4	No Change	A 5 th bedroom located upstairs and not a part of the addition requires permits to be legalized as a 5 th bedroom
Parking Spaces	2 spaces (for 4 bedrooms)	2	No Change	A 3 rd parking space will be required to be added to the site if the 5 th bedroom identified above is maintained and permitted. If the 5 th bedroom is removed, the 3 rd parking space will not be required

Compliance with Zoning Code Criteria for Rear Setback Reduction

In order to consider the requested Central R-1 Permit allowing the reduction in the rear yard setback, specific criteria must be met pursuant to BHMC Section 10-3-2418(D):

- 1. Location: The corner lot in question is located south of Santa Monica Boulevard.*

The subject project is located on a corner lot, south of Santa Monica Boulevard, on the southeast corner of South Rodeo Drive and Gregory Way.

- 2. Rear Lot Line: The rear lot line of the corner lot is located along an alley.*

The rear lot line of the subject property abuts an alley.

- 3. Corner Lot Width: The corner lot has a minimum width of fifty four feet (54').*

The subject project has a lot width of 61.6 feet.

4. *Minimum Street Side Setback: A minimum five foot (5') street side setback is provided by the existing principal residential building and the proposed addition.*

The existing residence and proposed addition both have a minimum street side setback of 5'-0".

5. *Height of Principal Building: The height of the existing principal residential building on the corner lot complies with the maximum building height requirements set forth in BHMC §10-3-2403(B).*

The BHMC §10-3-2403(B)⁵ permits structures, with sloped roofs, located on lots South of Santa Monica within the principal building area to extend to a maximum roof height of 30'. The existing residence is 23' in height, less than the maximum 30' permitted.

6. *Height of Addition: The height of the addition does not exceed the height of the existing principal residential building.*

The BHMC §10-3-2403(B) permits structures, with sloped roofs, located on lots South of Santa Monica within the principal building area to extend to a maximum roof height of 30'. The proposed addition would extend up to 21', less than the maximum 23' height of the existing two-story residence.

7. *Coverage: The existing principal residential building and the addition do not cover more than fifty percent (50%) of the required rear yard area, excluding porches and decks that are attached to the building and constructed in accordance with BHMC §10-3-2409(C)⁶ of this chapter.*

The required rear yard area for the subject property is 1,775 square feet. The proposed addition will result in 1,070 square feet of rear setback area being maintained, which equates to 60% of the rear setback area being maintained.

8. *Rear Setback: For the first floor or up to fourteen feet (14') in height the proposed addition maintains a minimum eight foot (8') rear setback, unless the addition contains a two (2) car garage at a minimum that is not accessed from the alley, in which case no rear setback shall be required. The second floor or any portion of the addition over fourteen feet (14') in height shall be well modulated with stepbacks or architectural details or a combination thereof, unless the planning commission finds that the modulation would be inconsistent with the architectural style of the primary residential building and is not necessary to maintain privacy.*

The proposed addition provides a minimum 15' rear setback.

9. *Street Side Modulation Requirement: In addition to the street side setback and rear setback required by this section, the street side facade of the proposed addition shall be well modulated with stepbacks or architectural details or a combination thereof, unless the planning commission finds that the modulation would be inconsistent with the architectural style of the primary residential building.*

The proposed addition is located away from Gregory Way, is consistent with the architectural style of the residence, and therefore does not require additional modulation.

⁵ BHMC §10-3-2403(B) Height in the Principal Building Area for Lots South of Santa Monica Boulevard: Structures, with a sloped roof, located in the principal building area are restricted to a maximum roof height of 30'-0".

⁶ BHMC §10-3-2409(C): Porches and decks located at or below the first level of the residence

ATTACHMENT B
Staff Recommended Findings and Conditions of Approval

DRAFT FINDINGS

Central R-1 Permit

1. *The project will not have a substantial adverse impact on the scale or massing of the streetscape;*

The proposed project is located within a neighborhood that contains properties which are developed primarily with one- and two-story single-family residences and one- and two-story accessory structures. The proposed project is in keeping with the scale of other residences and accessory structures in the area. The addition is consistent with the architectural style of the existing residence, includes a steeply sloped roof, and is located away from Gregory Way and screened by an existing two-car garage that will be preserved. As a result of the project's design and siting, the project will be minimally visible from the street and will not have a substantial adverse impact on the scale or massing of the streetscape.

2. *The structure will not have a substantial adverse impact on the privacy of neighboring properties;*

The project is a single-story addition that includes a steeply pitched roof that slopes up and away from the neighboring residence to the south, and reaches its maximum ridge height of 21' at a location that is approximately 16' away from the neighbor's property line. Furthermore, the rear setback of the existing residence on the neighboring property to the south is 18', only 3' more than what is proposed for the project. As a result of the project's design and general alignment with the neighboring structure to the immediate south, the project is not anticipated to adversely impact the privacy of the adjacent property to the south. With respect to the neighboring property across the alley to the east, the project would be located approximately 30' from the neighbor's property line, would be screened by an existing, mature tree on the subject property, and would not provide any views into the neighboring property since the proposed addition would be a single story.

3. *The structure will not have a substantial adverse impact on the neighbors' access to light and air; and*

The project is a single-story addition that includes a steeply pitched roof that slopes up and away from the neighboring residence to the south, and reaches its maximum ridge height of 21' at a location that is approximately 16' away from the neighbor's property line. Furthermore, the rear setback of the existing residence on the neighboring property to the south is 18', only 3' more than what is proposed for the project. As a result of the project's design and general alignment with the neighboring structure to the immediate south, the project is not anticipated to adversely impact access to light and air for the adjacent property to the south. With respect to the neighboring property across the alley to the east, the project would be located approximately 30' from the neighbor's property line, would be screened by an existing, mature tree on the subject property, and would therefore not adversely impact the neighbor's access to light and air.

4. *The structure will not have a substantial adverse impact on the garden quality of the city.*

The existing property contains some landscaping, trees, and hardscape within the rear setback. The project will generally replace existing hardscape, and will not materially alter the existing landscaping within the rear setback. Consequently, the project will not have an adverse impact on the garden quality of the City.

DRAFT CONDITIONS

Project Specific Conditions

1. The Project shall comply with the Secretary of the Interior's Standards for Historic Preservation.
2. Permits shall be obtained to either restore the upstairs portion of the residence to a one-bedroom configuration, or shall be obtained to legalize the two-bedroom configuration, inclusive of a code-compliant third parking space.

Standard Conditions

See Draft Resolution (Attachment C)

ATTACHMENT C
DRAFT RESOLUTION

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BEVERLY HILLS CONDITIONALLY APPROVING A CENTRAL R-1 PERMIT TO ALLOW THE REDUCTION OF A REAR SETBACK FOR AN ADDITION TO AN EXISTING TWO-STORY SINGLE-FAMILY RESIDENCE LOCATED ON A CORNER LOT IN THE CENTRAL AREA OF THE CITY AT 300 SOUTH RODEO DRIVE.

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

Section 1. Andrew and Rachel Kadar, applicants and property owners (the “Applicant”), has submitted an application for a Central R-1 Permit to allow the reduction of a rear yard setback for an addition to an existing two-story single-family residence located at 300 South Rodeo Drive in the Central Area of the City (the “Project”). The Project does not meet all by-right development standards, and therefore requires entitlements that can be granted by the Planning Commission pursuant to the issuance of a Central R-1 Permit.

Section 2. The proposed project consists of a new one-story addition to an existing two-story single-family residence. The home has an existing detached garage located adjacent to Gregory Way that would remain in place, while the proposed addition would occur at the rear of the main residence along the south property line (away from Gregory Way). The proposed addition would add 590 square feet of floor area to the existing residence, bringing the total floor area on the site to 3,904 square feet. The proposed addition would be set back 15’ from the rear property line along the alley (the otherwise required rear setback is 29’3”), 5’ from the south side property line (neighboring property), and approximately 33’ along Gregory Way.

The maximum height of the addition would be 21', below the 23' maximum height of the existing residence.

Section 3. The Project has been environmentally reviewed pursuant to the provisions of the California Environmental Quality Act (Public Resources Code Sections 21000, *et seq.* ("CEQA"), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000, *et seq.*), and the environmental regulations of the City. In its assessment, staff found that the existing residence was identified on the City's 1985-1986 Historic Resource Survey as being potentially historic. Pursuant to CEQA Guidelines, categorical exemptions cannot be issued for a project that may cause a substantial adverse change to the significance of a historic resource. Consequently, the project has been designed in accordance with the Secretary of the Interior's standards for the treatment of historic properties. As proposed, the project does not cause a substantial adverse change to the significance of the potential resource, which allows the project to qualify for a Categorical Exemption from CEQA for the construction of an addition less than 2,500 square feet and less than fifty percent (50%) of the existing floor area of the residence, pursuant to Section 15301 (Class 1(e)) of the CEQA Guidelines.

Section 4. Notice of the Project and public hearing was mailed on September 30, 2013 to all property owners and residential occupants within a 300-foot radius of the property. On December 13, 2012 the Planning Commission considered the application at a duly noticed public hearing. Evidence, both written and oral, was presented at the meeting.

Section 5. In reviewing the request for a Central R-1 Permit, the Planning Commission considered whether the Project would have a substantial adverse impact on the following:

1. The structure will not have a substantial adverse impact on the scale or character of the area;
2. The structure will not have a substantial adverse impact on the privacy of neighboring properties;
3. The structure will not have a substantial adverse impact on the neighbors' access to light and air; and
4. The structure will not have a substantial adverse impact on the garden quality of the city.

Section 6. Based on the foregoing, the Planning Commission hereby finds and determines as follows with respect to the Central R-1 Permit:

1. The proposed project is located within a neighborhood that contains properties which are developed primarily with one- and two-story single-family residences and one- and two-story accessory structures. The proposed project is in keeping with the scale of other residences and accessory structures in the area. The addition is consistent with the architectural style of the existing residence, includes a steeply sloped roof, and is located away from Gregory Way and screened by an existing two-car garage that will be preserved. As a result of the project's design and siting, the project will be minimally visible from the street and will not have a substantial adverse impact on the scale or massing of the streetscape.

2. The project is a single-story addition that includes a steeply pitched roof that slopes up and away from the neighboring residence to the south, and reaches its maximum ridge height of 21' at a location that is approximately 16' away from the neighbor's property line. Furthermore, the rear setback of the existing residence on the neighboring property to the south is 18', only 3' more than what is proposed for the project. As a result of the project's design and general alignment with the neighboring structure to the immediate south, the project is not anticipated to adversely impact the privacy of the adjacent property to the south. With respect to the neighboring property across the alley to the east, the project would be located approximately 30' from the neighbor's property line, would be screened by an existing, mature tree on the subject property, and would not provide any views into the neighboring property since the proposed addition would be a single story.

3. The project is a single-story addition that includes a steeply pitched roof that slopes up and away from the neighboring residence to the south, and reaches its maximum ridge height of 21' at a location that is approximately 16' away from the neighbor's property line. Furthermore, the rear setback of the existing residence on the neighboring property to the south is 18', only 3' more than what is proposed for the project. As a result of the project's design and general alignment with the neighboring structure to the immediate south, the project is not anticipated to adversely impact access to light and air for the adjacent property to the south. With respect to the neighboring property across the alley to the east, the project would be located approximately 30' from the neighbor's property line, would be screened by an

existing, mature tree on the subject property, and would therefore not adversely impact the neighbor's access to light and air.

4. The existing property contains some landscaping, trees, and hardscape within the rear setback. The project will generally replace existing hardscape, and will not materially alter the existing landscaping within the rear setback. Consequently, the project will not have an adverse impact on the garden quality of the City.

Section 7. Based on the foregoing, the Planning Commission hereby grants the requested Central R-1 Permit, subject to the following conditions:

1. The Project shall comply with the Secretary of the Interior's Standards for Historic Preservation.

2. Permits shall be obtained to either restore the upstairs portion of the residence to a one-bedroom configuration, or shall be obtained to legalize the two-bedroom configuration, inclusive of a code-compliant third parking space.

3. The Project shall be constructed in substantial compliance with the plans and specifications approved by the Planning Commission on October 10, 2013.

4. APPROVAL RUNS WITH LAND. These conditions shall run with the land and shall remain in full force for the duration of the life of the Project.

5. Minor amendments to the plans shall be subject to approval by the Director of Community Development. A significant change to the approved Project shall be subject to Planning Commission Review. Construction shall be in

conformance with the plans approved herein or as modified by the Planning Commission or Director of Community Development.

6. Project Plans are subject to compliance with all applicable zoning regulations, except as may be expressly modified herein. Project plans shall be subject to a complete Code Compliance review when building plans are submitted for plan check. Compliance with all applicable Municipal Code and General Plan Policies is required prior to the issuance of a building permit.

7. APPEAL. Decisions of the Planning Commission may be appealed to the City Council within fourteen (14) days of the Planning Commission action by filing a written appeal with the City Clerk. Appeal forms are available in the City Clerk's office. Decisions involving subdivision maps must be appealed within ten (10) days of the Planning Commission Action. An appeal fee is required.

8. RECORDATION. The resolution approving the Central R-1 Permit shall not become effective until the owner of the Project site records a covenant, satisfactory in form and content to the City Attorney, accepting the conditions of approval set forth in this resolution. The covenant shall include a copy of the resolution as an exhibit. The Applicant shall deliver the executed covenant to the Department of Community Development **within 60 days** of the Planning Commission decision. At the time that the Applicant delivers the covenant to the City, the Applicant shall also provide the City with all fees necessary to record the document with the County Recorder. If the Applicant fails to deliver the executed covenant within the required 60 days, this resolution approving the Project shall be **null and void** and of no further effect. Notwithstanding the foregoing, the Director

of Community Development may, upon a request by the Applicant, grant a waiver from the 60 day time limit if, at the time of the request, the Director determines that there have been no substantial changes to any federal, state, or local law that would affect the Project.

9. EXPIRATION. Central R-1 Permit: The exercise of rights granted in such approval shall be commenced within three (3) years after the adoption of such resolution.

10. VIOLATION OF CONDITIONS: A violation of any of these conditions of approval may result in termination of the entitlements granted herein.

Section 8. The Secretary of the Planning Commission shall certify to the passage, approval, and adoption of this resolution, and shall cause this resolution and his/her Certification to be entered in the Book of Resolutions of the Planning Commission of the City.

Adopted: October 10, 2013

Brian Rosenstein
Chair of the Planning Commission of the
City of Beverly Hills, California

Attest:

Secretary

Approved as to form:

Approved as to content:

David M. Snow
Assistant City Attorney

Jonathan Lait, AICP
City Planner

ATTACHMENT D

PUBLIC NOTICE



NOTICE OF PUBLIC HEARING

DATE: October 10, 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 REGULAR meeting on Thursday, October 10, 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 Central R-1 Permit to allow the construction of a one-story addition to an existing two-story single-family residence located on a corner lot at **300 South Rodeo Drive**. The Central R-1 Permit has been requested in order to allow the proposed addition to encroach into the otherwise required rear setback for the property. As proposed, the addition would be located toward the south side of the property, contain a total of 590 square feet of floor area, have a maximum height of 21 feet, and provide a minimum rear setback of 15 feet. The request for the Central R-1 Permit is being made pursuant to Beverly Hills Municipal Code Section 10-3-2418 D.

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 Class 1 Categorical Exemption for the construction of an addition to an existing single-family residence, and therefore the project has been determined not to have a significant environmental impact and is exempt from 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 **Ryan Gohlich, Senior Planner** in the Planning Division at 310.285.1194, or by email at rgohlich@beverlyhills.org. Copies of the application and associated project materials are on file in the Community Development Department, and can be reviewed by any interested person at 455 North Rexford Drive, Beverly Hills, CA 90210.

Sincerely:


Ryan Gohlich, Senior Planner

Mailed: September 30 2013

ATTACHMENT E
ARCHITECTURAL PLANS
(PROVIDED AS A SEPARATE ATTACHMENT)