



Planning Commission Report

Meeting Date: March 13, 2014

Subject: **9521 Sunset Boulevard**
Hillside R-1 Permit

Request for a Hillside R-1 Permit to allow cumulative floor area in excess of 15,000 square feet, and the installation of four 22' tall game court lights within a required rear setback on the property located at 9521 Sunset Boulevard in the Hillside Area of the City.

PROJECT APPLICANT: Armand Newman

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 Hillside R-1 Permit.

REPORT SUMMARY

The proposed project involves an addition and renovations at the subject property. The proposed scope of work results in a net increase of 4,389 square feet of floor area on the subject property, which causes the cumulative floor area on the subject property to be approximately 18,138 square feet. Up to 19,204 square feet of above-grade development (excluding basements) is otherwise allowed on the subject property. Whenever the cumulative floor area on a property in the Hillside Area of the City exceeds 15,000 square feet, discretionary review pursuant to a Hillside R-1 Permit is required. In addition, the renovations include installation of eight new lights around the existing tennis court. Of the eight lights, four are proposed to be located within the required rear setback, requiring a Hillside R-1 Permit. This report outlines the details of the proposed scope of work and analyzes the project's potential impact on adjacent properties, with a particular focus on scale and mass, as well as light spillover associated with the proposed lighting. Staff's analysis concludes that with specific conditions of approval regarding the project's roof design and lighting fixture design, no adverse impacts will result from the project. Therefore, the recommendation in this report is for approval of the requested Hillside R-1 Permit.

Attachment(s):

- A. Draft Resolution
- B. Findings Submitted by Applicant
- C. Public Notice
- D. Architectural Plans (Provided as a Separate Attachment)

Report Author and Contact Information:

Ryan Gohlich, Senior Planner
(310) 285-1194
rgohlich@beverlyhills.org

BACKGROUND

| | |
|----------------------|--|
| File Date | 12/10/2013 |
| Application Complete | 1/9/2014 |
| CEQA Determination | Class 1 categorical exemption for additions and modifications to existing residential structures, and a Class 31 categorical exemption for restoration and rehabilitation of a historic resource |
| CEQA Deadline | 60 days from CEQA Determination |
| Permit Streamlining | 5/13/2014 without extension request from applicant |
| Applicant(s) | Armand Newman |
| Owner(s) | Armand Newman |
| Representative(s) | Jason Somers |
| Prior PC Action | None |
| Prior Council Action | None |

PROPERTY AND NEIGHBORHOOD SETTING

Property Information

| | |
|-----------------------|---|
| Address | 9521 Sunset Boulevard |
| APN | 4350-007-010 |
| Zoning District | R-1.X |
| General Plan | Single-Family Residential – Low Density |
| Existing Land Use(s) | Single-Family Residential |
| Lot Dimensions & Area | 173.08' (average width) x 379.86' (average depth) – 61,420 SF or 1.41 acres |
| Year Built | 1933 |
| Historic Resource | The existing residence on the subject property was built in 1933 and designed by Master Architect C.S. Arganbright. In order to ensure that the proposed project would not impact the integrity of the existing residence, staff consulted with the City's Urban Designer to ensure that the addition was appropriately designed in accordance with the Secretary of the Interior's standards for rehabilitation of potentially historic structures. The City's Urban Designer has concluded that the addition is consistent with the Secretary of the Interior's standards, and the project would not result in any adverse impacts. |
| 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) | Sunset Boulevard and Foothill Road |
| Adjacent Alleys | None |
| Parkways & Sidewalks | 16' parkway along Sunset Boulevard |

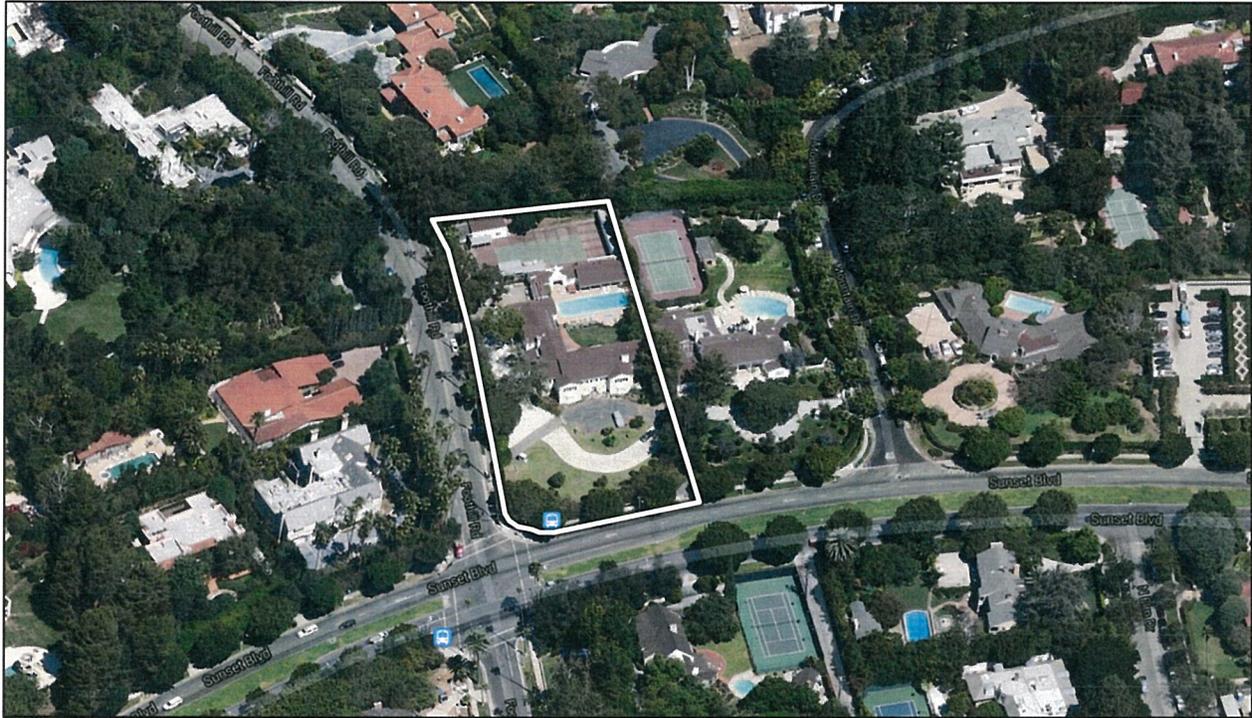
10' parkway along Foothill Road
 Parking Restrictions Overnight parking is prohibited
 Sunset Boulevard – No stopping 7:00 AM to 9:00 AM, and 3:00 PM to 6:00 PM
 Foothill Road – No restrictions
 Nearest Intersection Sunset Boulevard and Foothill Road
 Circulation Element Sunset Boulevard is an arterial
 Foothill Road is a local street

Neighborhood Character

The subject property is located at the corner of Sunset Boulevard and Foothill Road in the Hillside Area of the City. Properties in the vicinity of the subject site tend to be larger in size (most are over one acre) with larger, two-story homes. Many of the homes are obscured from view due to mature landscaping, and the area is generally considered to contain mostly estate-type properties.

Zoning Regulations

| REGULATIONS | ALLOWED / REQUIRED | PROPOSED | NOTES |
|----------------------------------|--|--|---|
| Main Residence | | | |
| Height | 30' | 29'4" | |
| Floor Area (Above-Grade Only) | 19,204 SF | 17,290 SF | |
| Cumulative Floor Area | No Limit | 18,138 SF | Hillside R-1 Permit required for floor area in excess of 15,000 square feet |
| Front Setback | 80' | 124'4" | No change to existing |
| Side Setback (Foothill Road) | 20' | 23' | |
| Side Setback (East) | 20'9" | 82' to addition 15' to existing house | |
| Rear Setback | 57'3" | 84' | |
| Parking | 4 spaces (2 covered) | 3 spaces within structure, plus three uncovered spaces on driveway (outside of setback) | |
| Game Court Lights | | | |
| Light Standards | 22' within principal building area, 7' within setbacks | 22' within principal building area and required rear setback | Hillside R-1 Permit required for light standards exceeding 7' in height within rear setback |

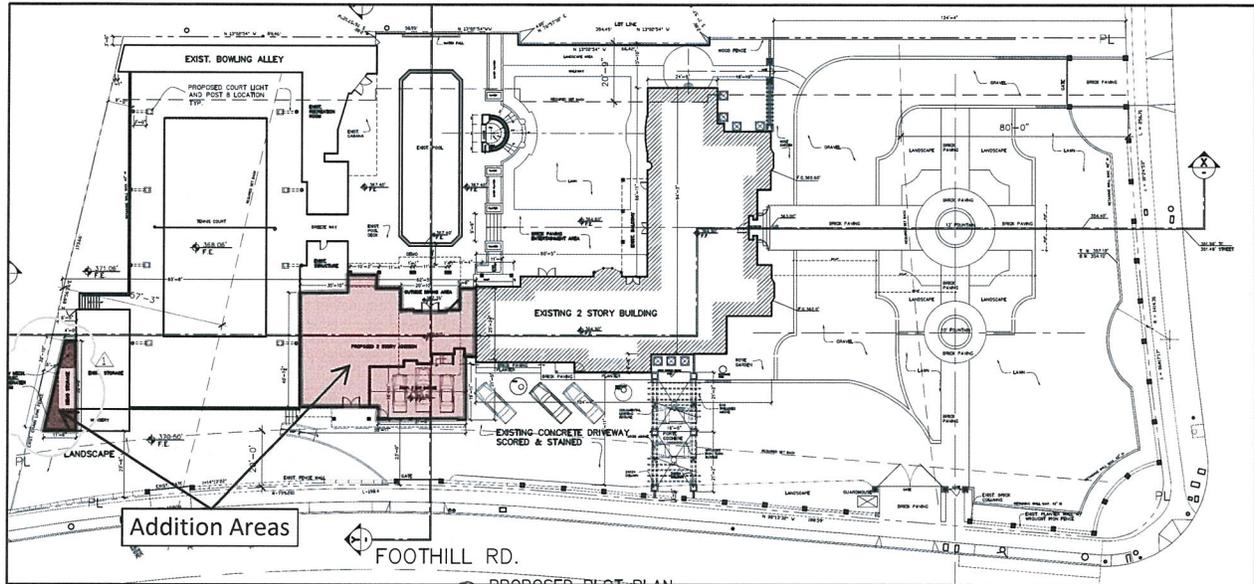


Project Site Looking North

PROJECT DESCRIPTION

The project includes a variety of modifications to the subject property that would result in demolition of some existing areas, as well as the addition of new floor area to the main residence and an accessory structure. The project includes the following elements:

- Demolition of 1,140 square feet from the main house, and 91 square feet from an existing accessory structure.
- An addition of 5,373 square feet to the main house, to be located along the Foothill Road elevation, consisting of the following elements:
 - Two stories, 29'4" in height
 - 3-car garage
 - Multi-purpose room/gym
 - Wine tasting room
 - Kitchenette and bar
 - 3 bedrooms plus a study
 - 5 bathrooms
- An addition of 247 square feet to an existing one-story accessory structure, to house mechanical and electrical equipment
- Installation of eight, 22' tall lights around the existing tennis court



Proposed Site Plan

Requested Permits

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

Hillside R-1 Permit.

A Hillside R-1 Permit is required to allow the cumulative floor area on the subject property to exceed 15,000 square feet. As proposed, the project would contain a cumulative floor area of 18,138 square feet. Additionally, a Hillside R-1 Permit is required to allow game court lights located within a required setback to exceed 7' in height. Four of the proposed game court lights are located within the required rear setback, and have a maximum height of 22', requiring a Hillside R-1 Permit.

ZONING CODE¹ COMPLIANCE

A detailed review of the proposed project's consistency with applicable zoning standards has been conducted. 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.

Agency Review

In reviewing the proposed project, City staff consulted with the Development Services Program, which includes the Building & Safety Division, the Fire Department, and Public Works Department, to identify potential issues that should be addressed prior to Planning Commission review. At the time of review, no issues were identified that would result in the need for significant project modifications.

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

GENERAL PLAN² POLICIES

The General Plan includes goals and policies intended to help guide development in the City. Some of the goals and policies applicable to the proposed project are provided below to help guide the Planning Commission in its deliberations.

- **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.

PUBLIC OUTREACH AND NOTIFICATION

| Type of Notice | Required Period | Required Notice Date | Actual Notice Date | Actual Period |
|--|-----------------|----------------------|--------------------|---------------|
| Posted Notice | N/A | N/A | 3/6/2014 | 7 Days |
| Newspaper Notice | N/A | N/A | N/A | N/A |
| Mailed Notice (Owners & Residents - 300' Radius) | 10 Days | 3/3/2014 | 3/3/2014 | 10 Days |
| Property Posting | N/A | N/A | N/A | N/A |
| Website | N/A | N/A | 3/6/2014 | 7 Days |

Public Comment

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

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

ANALYSIS³

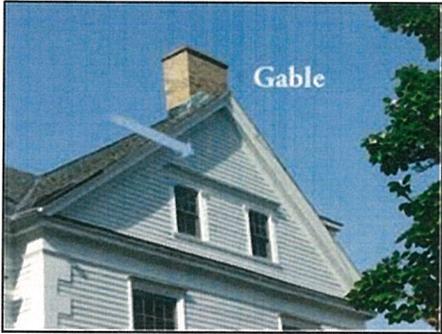
Project approval, conditional approval, or denial is based upon specific findings for each discretionary application requested by the applicant. Draft findings are included with this report in Attachment A (Draft Resolution) and may be used to guide the Planning Commission's deliberation of the subject project. Key issues related to the requested entitlements are discussed as follows:

Cumulative Floor Area. The proposed project would result in a cumulative floor area⁴ of 18,138 square feet on the subject property, which exceeds the City's by-right threshold of 15,000 square feet. The 15,000 square foot cumulative floor area threshold was established by the City Council when the current hillside development standards were adopted in the early- and mid-1990s, as 15,000 square feet was considered to be a larger than average amount of development that could benefit from discretionary review to ensure that neighborhood impacts would be avoided. Although 15,000 square feet is a threshold that triggers discretionary review, it is not the maximum amount of floor that could be developed on the subject property. With the necessary entitlements, the subject property is allowed to contain up to 19,204 square feet of above-ground floor area (basements are not counted). The proposed project's above-grade floor area totals 17,290 square feet (less than the 19,204 square foot maximum), and its cumulative floor area totals 18,138 square feet. While the proposed project is somewhat large from a cumulative perspective, much of the development on the property is existing, and the net increase in floor area caused by the proposed addition is limited to 4,389 square feet. Furthermore, the property totals approximately 1.41 acres (61,420 square feet), which is consistent with larger estates in the neighborhood. Including the proposed addition, the floor area ratio on the subject property would be 0.28 to 1, which is consistent with typical floor area ratios in the Hillside Area. For these reasons, staff does not consider the proposed floor area to be excessive, and the addition actually allows for the preservation of an existing home designed by a Master Architect.

Scale and Massing. The proposed addition maintains the architectural style of the existing residence; however, the addition has a maximum height of 29'4", whereas the existing residence has a height of approximately 24' in the location where it would join the addition. Further, the addition has somewhat large gables facing the street. Due to the transition in height and the large gables, staff is concerned that the addition overpowers the existing residence and unnecessarily adds to the scale and massing of the structure. In order to prevent an unnecessary increase in scale and mass, staff worked with the City's Urban Designer to identify design alternatives that could reduce the appearance of scale and mass. Accordingly, staff recommends a condition of approval that would cause the standard gables to be modified to Dutch gables, which would have the effect of adding some pitched roofing in place of some of the vertical gables, thereby reducing the visual appearance of building height and mass. An example of a standard gable and Dutch gable is provided on the following page. Finally, the redesigned gables would be subject to review and approval by the City's Urban Designer. With this condition, the scale and massing of the addition is expected to be compatible with the existing residence and surrounding neighborhood.

³ 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.

⁴ Cumulative floor area includes all above- and below-grade construction, except that up to 1,600 square feet of subterranean garage and 300 square feet of subterranean mechanical rooms may be exempted. 'Cumulative floor area' is separate and distinct from 'floor area', which does not include basements.



Game Court Lights. The proposed project includes the installation of eight, 22' tall lights around the existing tennis court. Game court lights of up to 22' in height are allowed by-right when located outside of required setbacks, but require a Hillside R-1 Permit when located within a required setback. The required rear setback for the subject property is 57'3", and four of the eight lights are located within this setback. The light located closest to the rear property line and within the rear setback is 9' from the rear property line, while the light located furthest from the rear property line but still within the rear setback is 22' from the rear property line. Typical concerns associated with game court lighting include light spillover into adjacent properties, and the visual appearance of the lights from adjacent properties or the public right-of-way. In the case of the subject property, dense vegetation separates the game court lights from the nearest property to the north, and the adjacent property to the east is separated by vegetation, as well as containing a tennis court with eight lights of its own. While the proposed lights are not anticipated to be materially visible from adjacent properties or Foothill Boulevard, staff is recommending a condition of approval that would require shields on the lights in order to direct light onto the tennis court and away from neighboring properties and Foothill Boulevard, with the light source to be blocked from view. With respect to the adjacent right-of-way, the light nearest to an adjacent street will be approximately 60' from Foothill Road, and anticipated to be minimally visible (if at all), and will not result in any adverse impacts.



View of Tennis Court from Foothill Road

NEXT STEPS

It is recommended that the Planning Commission conduct the public hearing and adopt the attached resolution conditionally approving the Hillside 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

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ATTACHMENT A
DRAFT RESOLUTION

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BEVERLY HILLS CONDITIONALLY APPROVING A HILLSIDE R-1 PERMIT TO ALLOW CUMULATIVE FLOOR AREA IN EXCESS OF 15,000 SQUARE FEET AND THE CONSTRUCTION OF FOUR GAME COURT LIGHTS WITHIN A REQUIRED REAR SETBACK ON A PROPERTY LOCATED IN THE HILLSIDE AREA OF THE CITY AT 9521 SUNSET BOULEVARD.

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

Section 1. Armand Newman, applicant and property owner (the “Applicant”), has submitted an application for a Hillside R-1 Permit to allow cumulative floor area in excess of 15,000 square feet and the installation of four, 22’ tall game court lights within a required rear setback for a property located at 9521 Sunset Boulevard in the Hillside 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 Hillside R-1 Permit.

Section 2. The project includes a variety of modifications to the subject property that would result in demolition of some existing areas, as well as the addition of new floor area to the main residence and an accessory structure. The project includes the following elements:

- Demolition of 1,140 square feet from the main house, and 91 square feet from an existing accessory structure.
- An addition of 5,373 square feet to the main house, to be located along the Foothill Road elevation, consisting of the following elements:
 - Two stories, 29'4" in height
 - 3-car garage
 - Multi-purpose room/gym
 - Wine tasting room
 - Kitchenette and bar
 - 3 bedrooms plus a study
 - 5 bathrooms
- An addition of 247 square feet to an existing one-story accessory structure, to house mechanical and electrical equipment
- Installation of eight, 22' tall lights around the existing tennis cou

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. The project qualifies for categorical exemptions pursuant to Section 15301 (Class 1) and Section 15331 (Class 31) of the Guidelines. Specifically, the proposed project involves modifications and additions to a single-family residence, and restoration and rehabilitation of a potentially historic structure, and is therefore exempt from further review under the provisions of CEQA.

Section 4. Notice of the Project and public hearing was mailed on March 3, 2014 to all property owners and residential occupants within a 300-foot radius of the property. On March 13, 2014 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 Hillside R-1 Permit, the Planning Commission considered whether it could make the following findings in support of the Project:

1. The development will not have a substantial adverse impact on the scale, integrity, or character of the area or on the privacy of neighboring properties;
2. The game court lighting will not have a substantial adverse impact on access to light and air by neighboring properties; and
3. The game court lighting will not have a substantial adverse impact on the visual character of the area as viewed from streets and neighboring properties.

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

1. As conditioned, the development is of a limited intensity that adds toward the rear of an existing residence while preserving the existing, Master-Architect-designed residence on the property. The addition exceeds all required setbacks, and respects prevailing site design and orientation in order to be a compatible addition to the neighborhood. Although the cumulative floor area would be 18,138 square feet, exceeding the 15,000 square foot threshold, the total floor area is below the amount permitted for the property. Based on the limited intensity,

setbacks, and configuration, the Project will not result in substantial adverse impacts on the scale, integrity, or character of the area or on the privacy of neighboring properties.

2. The game court lighting is located a minimum of 9' from the nearest adjacent property, and is further buffered by existing landscaping. Based on the provided setbacks and existing conditions, the game court lighting will not have a substantial adverse impact on access to light and air by neighboring properties.

3. The game court lighting is located a minimum of 9' from the nearest adjacent property, and is further buffered by existing landscaping. With respect to views from streets, the game court lighting is located approximately 60' from Foothill Road, and will be minimally visible. Based on the provided setbacks, existing landscaping, and limited visibility of the game court lighting, the Project will not result in adverse impacts on the visual character of the area as viewed from streets and neighboring properties.

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

1. The Project shall be constructed in substantial compliance with the plans and specifications approved by the Planning Commission on March 13, 2014.

2. The roof line of the proposed addition to the main residence shall be modified to incorporate Dutch gables, and shall be subject to final review and approval by the City's Urban Designer.

3. All game court light fixtures shall be fitted with shields to direct light onto the tennis court and away from adjacent properties and the public right-of-way. The shields shall further prevent views of the actual light source from adjacent properties and Foothill Road

4. The project site may contain a cumulative floor area of up to 18,138 square feet, and the Director of Community Development, at his or her discretion, may approve minor changes to the cumulative floor area in order to accommodate any revisions that occur as a result of the plan check process.

5. The residence shall not contain more than one kitchen unless a separate application for a Second Unit Use permit is applied for and approved in accordance with Municipal Code requirements.

6. 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.

7. 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.

8. 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.

9. 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.

10. RECORDATION. The resolution approving the Hillside 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.

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

12. 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: March 13, 2014

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 B

FINDINGS SUBMITTED BY APPLICANT

DECEMBER 10, 2013

REQUEST FOR HILLSIDE R-1 PERMIT

BETWEEN: The Planning Commission of the City of Beverly Hills (the Commission). Whose address is: 4555 North Rexford Drive, Beverly Hills, CA 90210. (310) 285-1123.

AND: Mr. Jason Somers, a representative of the owners who resides at 9521 Sunset Blvd. Beverly Hills, CA 90210. (310) 344-8474.

I. STATEMENT OF OWNERSHIP AND INTEREST

- a. The Applicant is the owner of the property located at 9521 Sunset Blvd. Beverly Hills, CA 90210 (the property) as evidenced by a copy of a grant deed (Exhibit "A").
- b. Legal Description of the subject property:
 - APN Number – 4350007010
 - Tract # 7447
 - Lot 7

II. REQUEST 1: CUMULATIVE FLOOR AREA IN EXCESS OF 15,000 SQUARE FEET.

The Applicant requests permission to increase the cumulative floor area in excess of 15,000 square feet. Pursuant to Beverly Hills Municipal Code Section 10-3-2502(E), a Hillside R-1 Permit may be issued to allow the cumulative floor area on site to exceed 15,000 square feet. The maximum allowable floor area of the proposed project under this section is 19,204 square feet. The existing total built floor area is 12,609 square feet. The addition of 5,373 maintains the cumulative floor area over the 15,000 square foot threshold at 17,982 square feet, thus necessitating the application for an R-1 permit.

A. The project will not have an adverse impact on the scale or character of the area.

The subject property is located in the R-1.X zone and has a use designation of single-family residential (low density). The proposed addition of 5,373 square feet is within the maximum allowable floor area is in conformity with the scale of other residences in the

area. If approved, the cumulative floor area will be 17,982 square feet (sf). The subject home sits on a lot that is 1.44 acres and is located within a neighborhood that primarily consists of two-story single-family residences and accessory structures. The granting of R-1 approval shall not constitute a grant of a special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated.

A number of nearby homes maintain cumulative floor areas in excess of 15,000 square feet, including but not limited to: 601 Mountain Dr. (27,470 sf); 900 N. Alpine Dr. (21,525 sf); 608 Mountain Dr. (15,687 sf); 807 N. Elm Dr. (16,381); 9491 Sunset Blvd. (16,621 sf). A single-family residence greater than 15,000 sf is not uncommon in the area. The addition will not result in any significant change to the general character of the neighborhood topography. The proposed addition is set back significantly from neighboring properties and both Sunset Blvd. and Foothill Road (closest cross streets). The proposed addition envisions a first floor addition of 2,535, and a second floor addition of 2,675, situated directly above. The addition extends the structure further into the main building area for the site and will not extend into any setbacks.

The project will not have an adverse impact on the privacy of neighboring properties. As stated above, the proposed addition will not extend into any required setback. The proposed location of the addition will not affect neighbor's access to light or air. The subject property will satisfy all required parking ratios. As the project contains substantial setbacks from all neighboring properties and lush landscaping along all property lines, it is not anticipated that the project would have an adverse impact on the privacy of neighbors.

Because the proposed project envisions development that is consistent with other properties in the area, it is not anticipated that the project would have an adverse impact on the scale and character of the area. The granting of R-1 approval will not be materially detrimentally to the public welfare or injurious to property and improvements in the zoning district and neighborhood in which the property is located.

III. REQUEST 2: GAME COURT LIGHTING.

The Applicant requests the Commission to issue an R-1 permit to allow for game court lighting at the subject property. The proposed height of the lighting is 22 feet, which is the allowable maximum pursuant to Beverly Hills Municipal Code Section 10-3-2550 (D). The proposed location is within the rear yard and side yard setbacks, however the minimum light pole distance from the property line is 9'-0" from the base of the light pole and the actual light fixture extends with 3'-0" arm from pole into the tennis court.

A. The game court lighting will not have a substantial adverse impact on access to light and air by neighboring properties.

The proposed game court lighting will not impact the quality of life enjoyed by neighboring properties. Specifically, neighbor access to light and air will not be adversely impacted. The proposed lighting will contain shields that will direct the projection of light forward and away from neighboring properties. The light levels at the property line will not exceed one (1) footcandle. The proposed lighting will have no impact on neighbor access to air.

B. The lighting will not have a substantial adverse impact on the visual character of the area as viewed from streets and neighboring properties.

There is currently a tennis court in the rear of the property (See site map) and the proposed lighting is intended to light the court. This section of the property is not adjacent to the main dwelling of any neighboring property. The closest dwelling abuts the rear of the subject property and there is nearly 100 feet of tall trees that insolate the tennis court from the rear property line. On one sideyard is Foothill Road where the view is insolated by trees that exceed the height of the proposed lighting. The other sideyard abuts the lighted tennis court of the neighboring home. There is a landscaped privacy wall between the properties. The proposed location of lighting is in an area that does not obstruct the visual character of the area when viewed from the street or neighboring properties.

The proposed project is requesting an R-1 Permit for game court lighting. The size and lighting characteristics will not adversely impact neighbor access to light or air, nor will it obstruct the character of the area when viewed from the street or neighboring properties.

Please contact Jason Somers (310) 344-8474, Jason@CrestRealEstate.com of Crest Real Estate, LLC with questions or concerns related to this application.

Report Prepared by:

Jason H. Somers | President
Crest Real Estate, LLC
(310) 344-8474
10960 Wilshire Blvd., Suite 1510
Los Angeles, CA 90024
www.CrestRealEstate.com
Jason@CrestRealEstate.com

"Trusted through our Knowledge, Hard Work & Dedication"

ATTACHMENT C

PUBLIC NOTICE



NOTICE OF PUBLIC HEARING

DATE: March 13, 2014

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, March 13, 2014, 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 Hillside R-1 Permit associated with game court lights and an addition on the property located at 9521 Sunset Boulevard. The project includes the demolition of approximately 1,200 square feet of floor area along Foothill Road, and the construction of approximately 5,600 square feet of new floor area along Foothill Road. Additionally, the project includes the installation of eight new light fixtures around the existing tennis court. A Hillside R-1 Permit is required for the following components of the project:

Floor Area in Excess of 15,000 Square Feet: Existing development on the subject property totals approximately 13,301 square feet. With the proposed addition, the total floor area on the subject property would be approximately 17,290 square feet. While the proposed total of 17,290 square feet is less than the code-maximum 19,204 square feet allowed for the property, discretionary review by the Planning Commission is required whenever the cumulative floor area on a property in the Hillside Area of the City exceeds 15,000 square feet.

Game Court Lights: As proposed, the project includes the installation of eight lights around the existing tennis court. The proposed lights would have a maximum height of 22' above the tennis court. Lights up to 22' in height are permitted by right if constructed outside of all required setbacks; however, lights located within a required setback require discretionary review by the Planning Commission. In the case of the proposed project, four of the eight lights are proposed to be located within the required rear setback and have a maximum height of 22'. Consequently, the four lights located within the rear setback require a Hillside R-1 Permit.

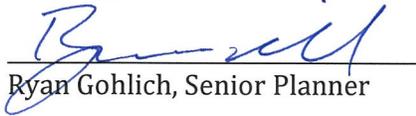
The Project has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the environmental regulations of the City. The City has determined that the Project will not have a significant environmental impact and is exempt from CEQA pursuant to Section 15301 (Class 1(e)) of Title 14 of the California Code of Regulations, as the project involves modifications and an addition to an existing single-family residence.

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 plans and associated project documents 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: March 3, 2014

ATTACHMENT D

ARCHITECTURAL PLANS

(PROVIDED AS A SEPARATE ATTACHMENT)