



Planning Commission Report

Meeting Date: September 10, 2015

Subject: **809 Hillcrest Road**
Hillside R-1 Permit

Request for a Hillside R-1 Permit to allow the addition of new floor area to the main house and accessory structures resulting in cumulative floor area on the site that exceeds 15,000 square feet; to allow construction of a deck at an existing accessory structure (gym), and a covered porch at a separate existing accessory structure (pool house) to be located more than 3' above finished grade; and, to allow the new covered porch at the pool house and a new accessory structure (cabana) to be located within 100' of the front property line on an estate property located at 809 Hillcrest Road. Pursuant to the provisions set forth in the California Environmental Quality Act (CEQA), the Planning Commission will also consider adoption of a Categorical Exemption for this project.

PROJECT APPLICANT: Brad Korzen (Representative: Jason Somers for Crest Real Estate, LLC)

Recommendation: That the Planning Commission:

1. Conduct a public hearing and receive testimony on the Project; and
2. Adopt the attached resolution conditionally approving a Hillside R-1 Permit

BACKGROUND

The Planning Commission conducted a public hearing on July 9, 2015 for a Hillside R-1 Permit to allow additions to an existing single-family home at 809 Hillcrest Road that result in cumulative floor area that exceeds 15,000 square feet. The project also consists of a new cabana accessory structure, the addition of a 6' high deck to the one-story gym accessory structure located to the rear of the property, and the addition of a covered porch to the pool house accessory structure located 4'-6" above grade. Additional details regarding the proposed project are provided in Attachment A (July 9, 2015 Planning Commission Staff Report) for reference.

At the July 9 Planning Commission hearing, the Planning Commission identified concerns related to the CEQA analysis prepared in conjunction with the project, and raised questions specific to the project's compliance with the Secretary of the Interior's Standards (SOI Standards) for the treatment of historic resources. Compliance with the SOI Standards is particularly important in order to be eligible for a Categorical Exemption under the provisions of CEQA. Accordingly, the Planning Commission requested

Attachment(s):

- A. July 9, 2015 Planning Commission Staff Report
- B. September 2, 2015 Cultural Heritage Commission Staff Report (Excluding Attachments B, C, and D)
- C. Draft Resolution

Report Author and Contact Information:

Cynthia de la Torre
(310) 285-1195
cdelatorre@beverlyhills.org

that the project be reviewed by the Cultural Heritage Commission for a recommendation on the project's eligibility for a Categorical Exemption, as well as conformity with the SOI Standards.

SOI REVIEW

Following the Planning Commission's direction, the project was presented to the Cultural Heritage Commission on September 2, 2015, along with an oral report by the City's historic consultant, Jan Ostashay of Ostashay & Associates Consulting. Prior to the project being presented to the Cultural Heritage Commission, the City's historic consultant reviewed the project and found that, as proposed, some components of the project could adversely alter character-defining spaces and features of the historic resource. Consequently, the City's historic consultant recommended that certain elements of the project be revised to bring the project into compliance with the SOI Standards. The revisions were intended to:

- preserve the important historic materials and character-defining features that identify the property as a historic resource;
- preserve the property's overall historic character; and
- protect the property's historical significance by making a visual, yet compatible distinction between the old and new work.

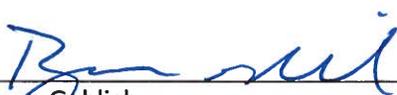
In response to the direction provided by the City's historic consultant, the applicant prepared revised plans to be presented at the Cultural Heritage Commission's September 2, 2015 meeting. During the Cultural Heritage Commission meeting, the City's historic consultant provided analysis of the revised plans and their conformance with the SOI Standards, and concluded that the plans were close to satisfying the SOI Standards, but that some additional refinements should be made. The Cultural Heritage Commission considered this analysis and whether the proposed modifications to the property would cause a substantial adverse change in the significance of the historical resource, and ultimately concluded that sufficient information had not been provided for the Commission to make a recommendation. Consequently, the Commission requested that the applicant provide further information and details related to the proposed scope of work, and continued the matter to a Special Meeting on the morning of September 10, 2015. Given that this staff report has been prepared in advance of the Cultural Heritage Commission's final review of the project, staff will provide an oral report on the Cultural Heritage Commission's recommendation regarding the project's conformity with the SOI Standards and eligibility for a CEQA exemption at the September 10, 2015 Planning Commission hearing.

In anticipation of the project being modified in a manner that is consistent with the SOI Standards, a draft resolution conditionally approving the Hillside R-1 Permit has been provided as Attachment C.

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.

Report Reviewed By:



Ryan Gohlich
Assistant Director of Community Development / City Planner

ATTACHMENT A
July 9, 2015 Planning Commission Staff Report

Begins on the following page.



Beverly Hills

Planning Division

455 N. Rexford Drive Beverly Hills, CA 90210
TEL. (310) 285-1141 FAX. (310) 858-5966

Planning Commission Report

Meeting Date: July 9, 2015

Subject: **809 Hillcrest Road
Hillside R-1 Permit**

Request for a Hillside R-1 Permit to allow the addition of new floor area to the main house and accessory structures resulting in cumulative floor area on the site that exceeds 15,000 square feet; to allow construction of a deck at an existing accessory structure (gym), and a covered porch at a separate existing accessory structure (pool house) to be located more than 3' above finished grade; and, to allow the new covered porch at the pool house and a new accessory structure (cabana) to be located within 100' of the front property line on an estate property located at 809 Hillcrest Road. Pursuant to the provisions set forth in the California Environmental Quality Act, the Planning Commission will also consider adoption of Categorical Exemptions for this project.

PROJECT APPLICANT: Brad Korzen (Representative: Jason Somers for Crest Real Estate, LLC)

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 the addition of 601 square feet of first- and second-floor area to the existing main house, addition of 428 square feet of floor area to a gym accessory structure (one of three existing accessory buildings on the site), and the construction of a new, 468 square-foot cabana accessory structure, for a total net increase of 1,497 square feet of above-grade floor area on the subject property. This addition would result in total above grade floor area of 18,049 square feet on the site. The proposed cumulative floor area on the site (inclusive of basements - see footnote on page 10), would be approximately 20,197 square feet. Up to 29,328 square feet of above-grade development is otherwise allowed on the subject property; however, whenever the cumulative floor area on a property in the Hillside Area exceeds 15,000 square feet, discretionary review pursuant to a Hillside R-1 Permit is required. Other proposed changes to the existing accessory buildings include the addition of a 6' high deck to the one-story gym accessory structure located to the rear of the property, and addition to the pool house accessory structure of a covered porch located 4'-6" above grade near the front setback along Hillcrest Road.

Attachment(s):

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

Report Author and Contact Information:

Cynthia de la Torre, Assistant Planner
(310) 285-1195
cdelatorre@beverlyhills.org

A Hillside R-1 Permit is required for a proposed accessory structure deck or porch located more than 3' above the finished grade on an estate property (site exceeds 24,000 square feet). Finally, accessory structures on an estate property may be located on any part of the site if authorized by the Planning Commission as part of a Hillside R-1 Permit. Consequently, the new porch at the pool house accessory structure, and the new cabana accessory structure require a Hillside R-1 Permit because both are proposed to be located within 100' of the front property line.

This report outlines the details of the proposed project and analyzes the project's potential impact on adjacent properties, with a particular focus on scale, mass, and views. Staff's analysis concludes that the proposed project is not anticipated to result in any adverse impacts to adjacent properties or the surrounding neighborhood. Therefore, the recommendation in this report is for approval of the requested Hillside R-1 Permit.

BACKGROUND

File Date	12/08/2014
Application Complete	6/29/2015
CEQA Determination	Class 1 Categorical Exemption for additions and modifications to an existing residential structure and a Class 3 Categorical Exemption for the construction of an accessory structure.
CEQA Deadline	60 days from CEQA Determination
Permit Streamlining	Take action on project within 60 days of CEQA determination.
Applicant(s)	Brad Korzen
Owner(s)	Brad Korzen
Representative(s)	Jason Somers for Crest Real Estate, LLC
Prior PC Action	None
Prior Council Action	None

PROPERTY AND NEIGHBORHOOD SETTING

Property Information

Address	809 Hillcrest Road
APN	4350-003-020
Zoning District	R-1.X
General Plan	Single-Family Residential – Low Density
Existing Land Use(s)	Single-Family Residential
Lot Dimensions & Area	356' (average width) x 385' (average depth). Lot area is approximately 139,000 SF (3.19 acres) per LA County Assessor Map. Property exceeds 24,000 SF and is therefore an "estate property" pursuant to Code
Year Built	1926
Historic Resource	The existing residence on the subject property was originally built in 1926 and remodeled into the Hollywood Regency style in 1934 by Master Architect James E. Dolena. 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 that will be affected by this project.

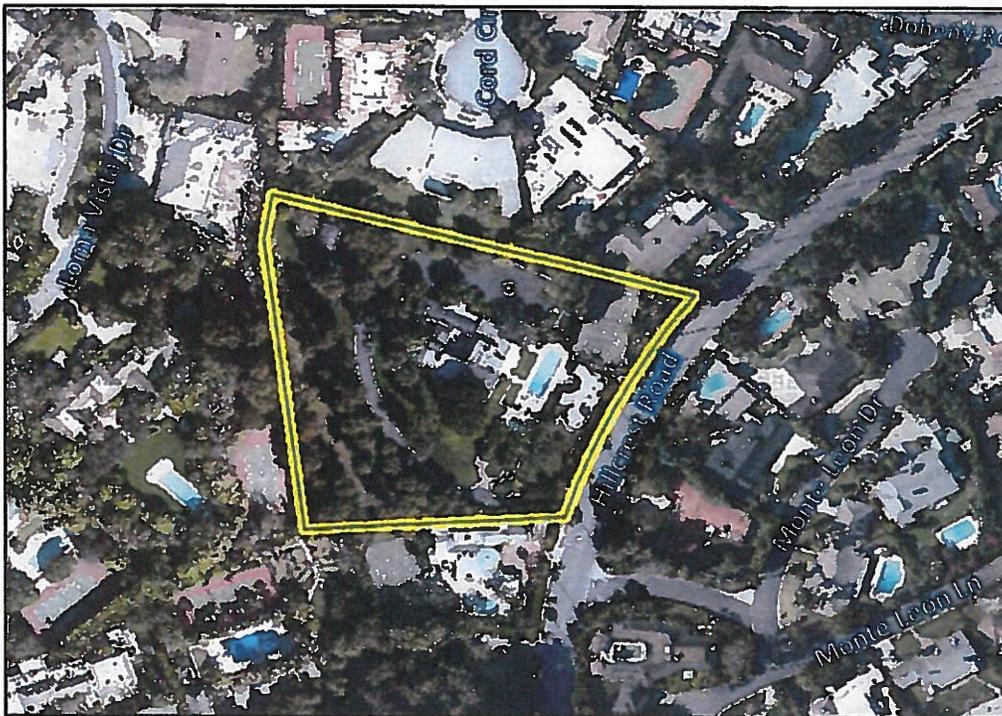
Adjacent Zoning and Land Uses

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)	Hillcrest Road
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Adjacent Alleys	None
Parkways & Sidewalks	10' parkway along Hillcrest Road
Parking Restrictions	Overnight parking is prohibited Hillcrest Road – Two-hour parking from 8am – 6 pm
Nearest Intersection	Doheny Road and Hillcrest Road
Circulation Element	Hillcrest Road is a local street



Project Site Looking North

Neighborhood Character

The subject property is located on Hillcrest Road, north of Sunset Boulevard, on the west side of Hillcrest Road, to the east of Loma Vista Drive in the Hillside Area of the City. Properties in the vicinity of the subject site tend to be larger in size and many are over one acre; consequently, the area contains mainly estate properties. The average lot size in the vicinity of 809 Hillcrest Road is 48,561 square feet (see following table, "Adjacent Neighborhood Statistics"). The residences are a mix of one- and two-story homes with above-grade square footages ranging from 3,498 square feet to 12,029 square feet. Although the subject property contains the second-largest above-grade square footage in the vicinity, the property's current floor area ratio (FAR) of 8.2% is well below the average FAR of 20% for properties in the immediate area. Like the subject property, many of the homes in the neighborhood are obscured from view due to mature landscaping and front yard walls/fences with mature landscaping that provide screening from the street.

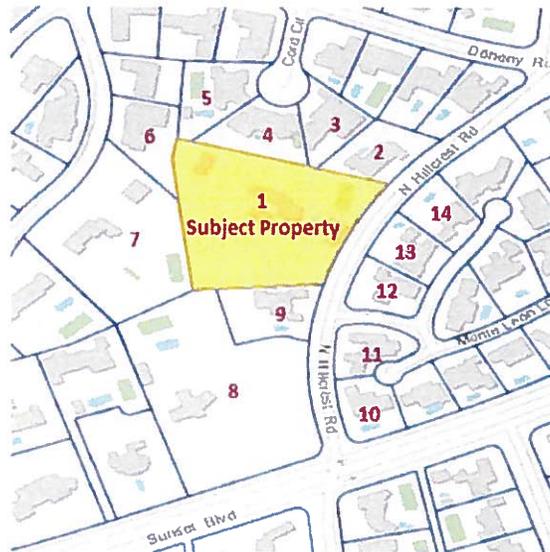
The subject property is a roughly trapezoidal-shaped lot with a site area of approximately 139,000 square feet. Due to the subject property's site area, which is greater than 24,000 square feet, the property is considered an estate property. The subject property is currently developed with a two-

story single-family residence with an attached garage, built in 1926 with a maximum height of just under 36'. There are three accessory structures on the site: a detached guest house accessory structure with an attached two-car garage located to the rear of the property (not part of the proposed construction project); a detached gym accessory structure (currently labeled "Library" on plans); and, a pool house accessory structure, located closest to Hillcrest Road. The site also includes a tennis court and a pool.

ADJACENT NEIGHBORHOOD STATISTICS

Map #	Address	Site Area*	Floor Area*	% of Floor Area to Site Area	Year Built
<u>1.</u>	809 Hillcrest Road (Subject Property)	139,000 square feet	11,371 square feet	8.2%	1926/1934
<u>2.</u>	811 Hillcrest Road	26,220 square feet	5,177 square feet	19.7%	1969 / 1972
<u>3.</u>	810 Cord Circle	19,590 square feet	6,706 square feet	34.2%	1969
<u>4.</u>	800 Cord Circle	28,400 square feet	6,169 square feet	21.7%	1972
<u>5.</u>	805 Cord Circle	30,680 square feet	11,047 square feet	36.0%	1992
<u>6.</u>	850 Loma Vista Drive	29,560 square feet	8,086 square feet	27.3%	1968/1974
<u>7.</u>	840 Loma Vista Drive	108,460 square feet	8,891 square feet	8.1%	1937
<u>8.</u>	803 Hillcrest Road	165,963 square feet	12,029 square feet	7.2%	1926/1960
<u>9.</u>	805 Hillcrest Road	29,620 square feet	5,066 square feet	17.1%	1954/1970
<u>10.</u>	9390 Monte Leon Lane	20,470 square feet	5,528 square feet	27.0%	1951/1990
<u>11.</u>	9398 Monte Leon Lane	20,473 square feet	4,210 square feet	20.5%	1951 / 1960
<u>12.</u>	808 Hillcrest Road	20,040 square feet	3,779 square feet	18.8%	1952/1962
<u>13.</u>	813 Monte Leon Drive	20,910 square feet	3,721 square feet	17.7%	1952/1955
<u>14.</u>	817 Monte Leon Drive	20,470 square feet	3,498 square feet	17.0%	1952

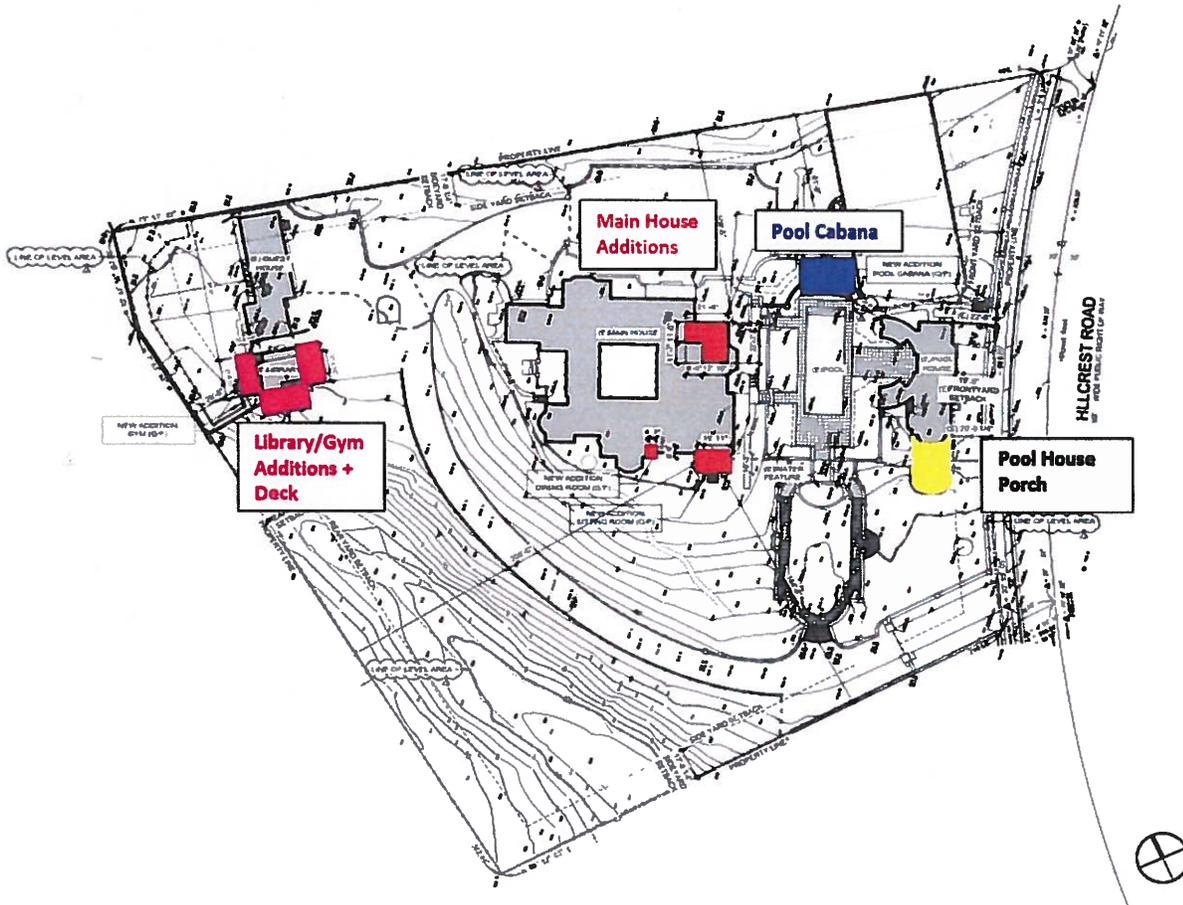
* Information taken from the Los Angeles County Recorder Records – Floor Area is generally above grade



Project Description

The project includes modifications to the subject property that would result in the addition of new floor area to the main residence and an existing accessory structure, the construction of a new deck and a new porch at two existing accessory structures, and the construction of a new cabana accessory structure. No additions to the basement area are proposed. The project includes the following elements:

- An addition of approximately 601 square feet to the main house, consisting of the following:
 - A 383-square-foot master closet addition on the second floor (24'-3" in height)
 - A 163-square-foot sitting room addition on the first floor (14'-9" in height)
 - A 55-square-foot addition to enlarge an existing room on the first floor (15'-11" in height)
- An addition of 428 square feet to the existing gym accessory structure located towards the rear of the site (17'-11" in height)
- The construction of a deck located 6' above finished grade along the south elevation of the gym accessory structure
- The construction of a covered porch located 4'-6" above finished grade at the pool house and located within 100' of the front property line
- The construction of a 468-square-foot pool cabana located within 100' of the front property line (12'-7" in height).



Floor Area Table

FLOOR AREA	EXISTING FLOOR AREA*	NEW FLOOR AREA*	TOTAL FLOOR AREA* PROPOSED (existing + new)	CUMULATIVE FLOOR AREA**
Main House				
1 st Floor	7,891.77 SF	217.91	8,109.68 SF	8,109.68 SF
2 nd Floor	4,337.29 SF	383.20 SF	4,720.49 SF	4,720.49 SF
Garage	418.61 SF	0	418.61 SF	418.61 SF
Garage Exemption	-400 SF	0	-400 SF	0
Basement	1,738.84 SF	0	1,738.84 SF	1,738.84 SF
Basement Exemption	-1,738.84 SF	0	-1,738.84 SF	-300 SF (basement mechanical)
MAIN HOUSE TOTAL	12,247.67 SF	601.11 SF	12,848.78 SF	14,687.62 SF
Pool House				
First Floor	1,748.74 SF	0	1,748.74 SF	1,748.74 SF
Basement	308.96 SF	0	308.96 SF	308.96 SF
Basement Exemption	-308.96 SF	0	-308.96 SF	0
POOL HOUSE TOTAL	1,748.74 SF	0	1,748.74 SF	2,057.7 SF
Two-Story Guest House and Garage				
1 st Floor	333.62 SF	0	333.62 SF	333.62 SF
2 nd Floor	708.99 SF	0	708.99 SF	708.99 SF
Garage	1,034.99 SF	0	1,034.99 SF	1,034.99 SF
GUEST HOUSE TOTAL	2,077.6 SF	0	2,077.6 SF	2,077.6 SF
(E)Gym	477.72 SF	428.15 SF	905.87 SF	905.87 SF
(E)Gym TOTAL	477.72 SF	428.15 SF	905.87 SF	905.87 SF
Pool Cabana	0 SF	0 SF	468 SF	468 SF
POOL CABANA TOTAL	0 SF	468 SF	468 SF	468 SF
TOTAL FLOOR AREA	16,551.73 SF	1,497.26 SF	18,048.99 SF	20,196.79 SF

*Basement square footage and up to 400 SF of above grade garage area are excluded from this calculation
 **The "cumulative floor area" calculation includes all above grade floor area and below grade square footage (basements); provided, up to 1,600 SF of basement garage area and up to 300 SF of basement mechanical area shall not be included in the calculation of the floor area of a basement for the purposes of this paragraph—per BHMC 10-3-2502B

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 20,197 square feet. Additionally, a Hillside R-1 Permit is required to allow a new deck at a separate existing accessory structure (gym), and a new porch at an existing accessory structure (pool house) to be located more than 3' above the finished grade on an estate property (site exceeds 24,000 square feet in area), and to allow the new porch and the new cabana accessory structure to be located within 100' of the front property line.

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.

GENERAL PLAN² POLICIES

The General Plan includes goals and policies intended to help guide development in the City. Some of the goals and polices 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.

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

² Available online at <http://www.beverlyhills.org/business/constructionlanduse/generalplan/>

ENVIRONMENTAL ASSESSMENT

The project has been reviewed pursuant to the California Environmental Quality Act (CEQA), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 et seq.), and the City's Local CEQA guidelines. The project qualifies for a Class 1 Categorical Exemption pursuant to Section 15301 (e) and a Class 3 Categorical Exemption pursuant to Section 15303(e). Specifically, the proposed project involves additions to an existing single-family residence and accessory structures, as well as the construction of a new accessory structure. Therefore, the proposed project is 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 (agenda)	3 Days	7/6/2015	7/2/2015	7 Days
Newspaper Notice	N/A	N/A	N/A	N/A
Mailed Notice (Owners & Residents - 500' Radius)	10 Days	6/29/2015	6/29/2015	10 Days
Property Posting	10 Days	6/29/2015	6/29/2015	10 Days
Website	N/A	N/A	7/2/2015	7 Days

Public Comment

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

ANALYSIS³

Project approval, conditional approval, or denial is based upon specific findings for each discretionary application requested by the applicant. The specific findings that must be made in order to approve the project are included with this report in Attachment B (Required Findings), 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 20,197 square feet on the subject property, which exceeds the City's by-right threshold of 15,000 square feet. Although the 15,000 square foot threshold triggers discretionary review, it is not the maximum amount of floor area that could be developed on the subject property. With the necessary entitlements, the subject property is allowed to contain up to 29,328 square feet of above-grade floor area (basements and up to 400 square feet of garage area are not counted). The proposed project's above-grade floor area totals 18,049 square feet (well below the 29,328-square-foot maximum), and its cumulative floor area totals 20,197 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 resulting from the proposed additions is a relatively small 1,497 square feet. Furthermore, the property totals approximately 3.19 acres (139,000 square feet), which is consistent with larger estates in the neighborhood. The proposed additions would increase the site's FAR from a current 8.2% to 13%, still well below the average FAR of 20% in the area.

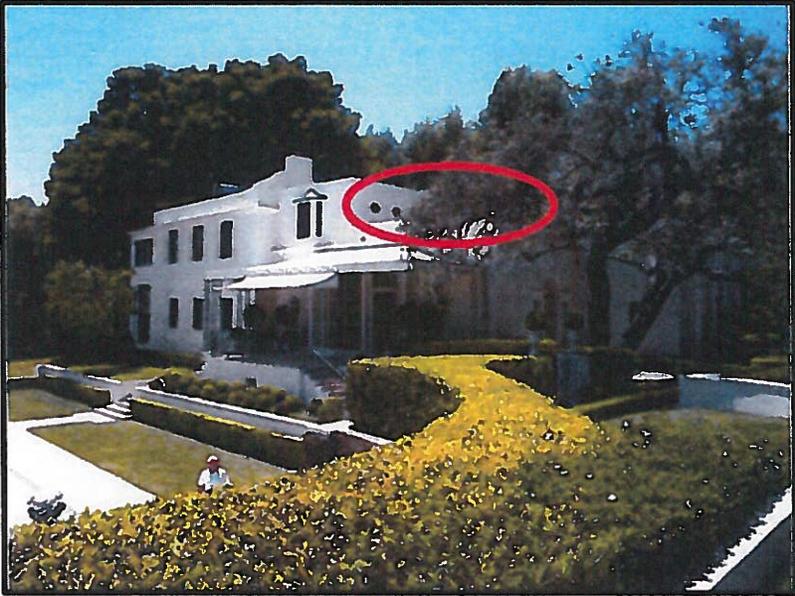
Scale, Massing, and Privacy. The site is very large (139,000 square feet) and all of the project components are proposed within the principal building area, outside of the required setbacks for the site, with generous setbacks from both side property lines adjacent to neighboring properties. The additions proposed at the main house, totaling 601 square feet, have a maximum height of 24'-3" which is well below the maximum height of the main house (almost 36') and the maximum height currently allowed (30'). The second-floor addition will align with the existing parapet so that the height of the addition is flush with the existing height of the second floor. Furthermore; the proposed second-floor addition will appear as a lateral extension of the existing second floor, aligning two proposed windows so they sit symmetrically on either side of a bay window on the first floor. The additions to the main house will not be visible from the public right-of-way because the additions will be screened by both the 18' tall pool house accessory structure and 25' tall Cyprus trees that border the front property line.

The maximum height of an accessory structure on the site will be 18 feet to the top of the roof of the pool house covered porch which is located in the principal building area with an allowed maximum height of 30 feet. While the proposed 468-square-foot cabana accessory structure will be located within

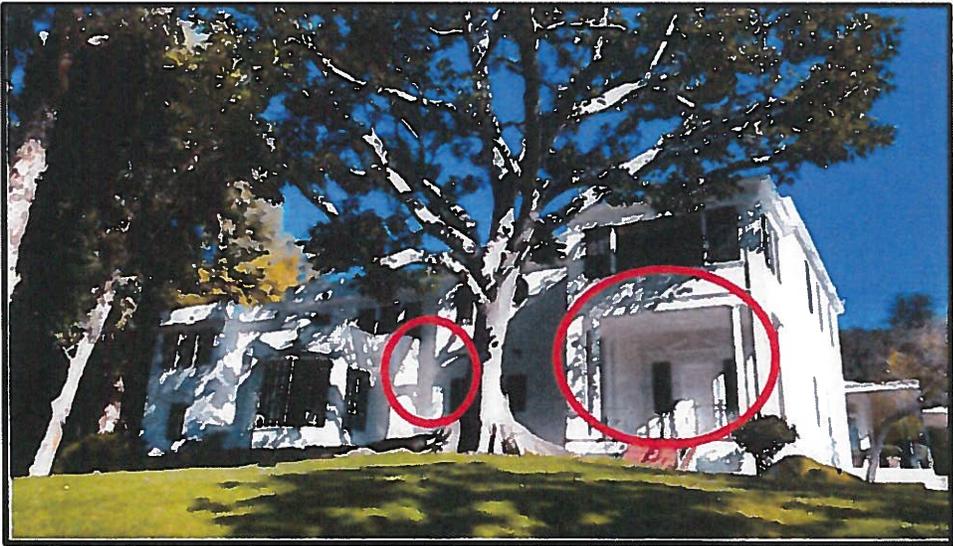
³ The analysis provided in this section is based on draft findings prepared by the report author prior to the public hearing. The Planning Commission in its review of the administrative record and based on public testimony may reach a different conclusion from that presented in this report and may choose 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 BHMC §10-3-2502(B) Floor Area: The cumulative floor area developed on any one site area, in combination with the floor area of all basements constructed on that site, shall not exceed fifteen thousand (15,000) square feet unless permitted by a Hillside R-1 permit issued. Provided, however, that up to one thousand six hundred (1,600) square feet of basement garage area and up to three hundred (300) square feet of basement mechanical area shall not be included within the calculation of the floor area of a basement for the purposes of this paragraph. 'Cumulative floor area' is separate and distinct from 'floor area', which does not include basements.

100' of the front property line, with a height of 12'-7" and a setback of 77'-6" from the front property line, the cabana will not contribute to scale and massing as viewed from the public right of way. The addition to the gym accessory structure will maintain the existing height of 17'-11" and is located approximately 29' from the rear property line with the gym deck located 32' from the rear property; neither the addition or the deck is expected to be visible from the public right of way or to impact neighboring properties. The project design maintains and enhances an existing home designed by a Master Architect. The integration of the additions with existing structures, including consistency with heights and design, ensures that the project will not have an adverse impact on overall scale and massing. The location and size of the additions ensures that the project will not have an adverse impact on neighbors' privacy.

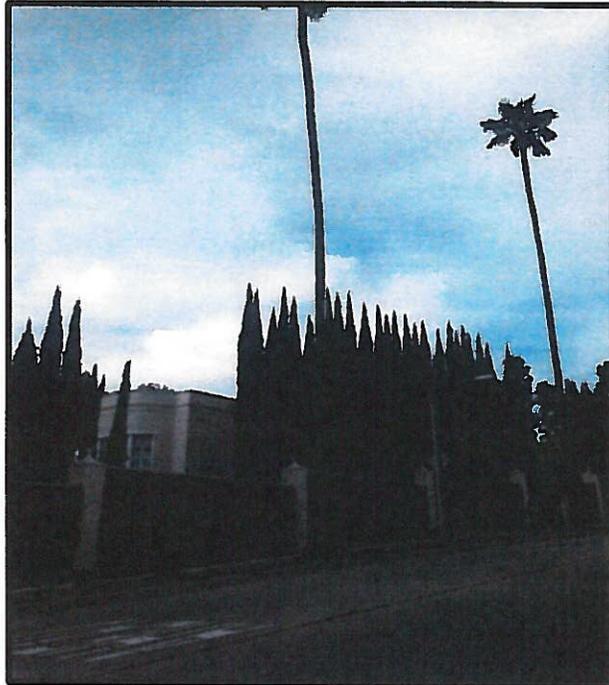


Second-Floor Addition



First-Floor Additions

Views. The proposed additions are minimal, well integrated into existing structures with relatively low heights, and are in locations where they are not anticipated to impact views from other properties. The new structure, the cabana accessory structure, is proposed to have a maximum height of 12'-7" in the principal building area and will not impact views from other properties.



Existing Pool House as Viewed from Hillcrest 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:

Michele McGrath, Principal Planner

ATTACHMENT A Zoning Compliance Table

REGULATIONS	ALLOWED / REQUIRED	EXISTING	PROPOSED	NOTES
Floor Area (above-grade only)	29,328 SF	16,552 SF	18,049 SF	Does not include basement, crawl spaces, and up to 400 SF of garage area.
Cumulative Floor Area (Inclusive of basement area)	No Limit	18,700 SF	20,197 SF	A Hillside R-1 Permit is required for cumulative floor area in excess of 15,000 square feet.
Main Residence				
Height	30'	35'-10 1/2"	24'3" (second floor); 14'-9 1/2" (first floor)	Max 30' when constructed within a height envelope that begins at 22' at front setback line; max 26' without a height envelope.
Front Setback (Hillcrest Road)	24'	19'	19'	No change to existing.
Side Setback (North)	17'-8"	4'	17'-8"	No change to existing. Two-story guest house towards the rear is approximately 5' from the north side property line.
Side Setback (South)	17'-8"	17'-8"	17'-8"	No change to existing.
Rear Setback (West)	25'2"	4'	25'-2"	No change to existing. Propane tank and generator enclosure is located in the required rear yard.
Parking	4 spaces (2 covered)	5 covered spaces provided in the two-story garage and guest house structure.	5 covered spaces provided in the two-story garage and guest house structure.	No change to existing.
Pool House Covered Porch Front Setback	Set back at least 100' from the front lot line.	0'	20'-9"	A Hillside R-1 Permit is required for the porch to be located within 100' of the front property line.
Porch Height	Maximum 3' above finished grade	0'	4'-6"	There currently isn't a porch at the pool house. A Hillside R-1 Permit is required for a porch located more than 3' above finished grade.
Porch Roof Height	Max 22'	18' (Existing building height)	18'	22' building envelope applies.
Cabana Front Setback	Set back at least 100' from front lot line.	0'	77'-6"	There currently isn't a cabana on the property. A Hillside R-1 Permit is required for the cabana because it is located within 100' of the front property line.
Height	Max 30'	0'	12'-7"	Max 30' when constructed within a height envelope that begins at 22' at front setback line; max 26' without a height envelope.
Gvm	Max 30'	17'-11"	17'-11"	No change—new roof will align with existing roof.
Deck Height	Maximum 3' above finished grade	0'	6'	There currently isn't a porch at the pool house. A Hillside R-1 Permit is required for a porch located more than 3' above finished grade.

ATTACHMENT B Required Findings

REQUIRED FINDINGS

Hillside R-1 Permit (Floor Area: 1,497 SF addition)

The reviewing authority may issue a Hillside R-1 permit to allow the total of the cumulative floor area developed on a site, in combination with the floor area of all basements on that site as measured pursuant to subsection 10-3-2502B of this chapter, to exceed fifteen thousand (15,000) square feet if the floor area ratio formula set forth in subsection 10-3-2502B of this chapter would so permit and the reviewing authority finds that 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. The reviewing authority may require the applicant to submit such information and reports as the reviewing authority deems appropriate to determine the nature and extent of impacts on the scale, integrity and character of the area and on the privacy of neighboring properties.

Hillside R-1 Permit (Accessory Structures: cabana and pool house porch located within 100' of front property line; porch and deck located more than 3' above the finished grade)

The reviewing authority may issue a Hillside R-1 permit if the reviewing authority finds that the structure will not have a substantial adverse impact on the scale or character of the area, on the privacy of neighboring properties, on the neighbors' access to light and air, or on the streetscape.

ATTACHMENT C
Draft Resolution

Provided on the following page.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BEVERLY HILLS CONDITIONALLY APPROVING A HILLSIDE R-1 PERMIT TO ALLOW THE ADDITION OF NEW FLOOR AREA TO THE MAIN HOUSE AND ACCESSORY STRUCTURES RESULTING IN CUMULATIVE FLOOR AREA ON THE SITE THAT EXCEEDS 15,000 SQUARE FEET; TO ALLOW CONSTRUCTION OF A DECK AT AN EXISTING ACCESSORY STRUCTURE (GYM), AND A COVERED PORCH AT A SEPARATE EXISTING ACCESSORY STRUCTURE (POOL HOUSE) TO BE LOCATED MORE THAN 3' ABOVE FINISHED GRADE, AND, TO ALLOW THE NEW COVERED PORCH AT THE POOL HOUSE AND A NEW ACCESSORY STRUCTURE (CABANA) TO BE LOCATED WITHIN 100' OF THE FRONT PROPERTY LINE ON AN ESTATE PROPERTY LOCATED IN THE HILLSIDE AREA OF THE CITY AT 809 HILLCREST ROAD.

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

Section 1. Brad Korzen, 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; the construction of a deck at an existing accessory structure (gym), and a porch at a separate existing accessory structure (pool house), both to be located more than 3' above finished grade, and to allow the new porch at the pool house and a new accessory structure (cabana) to be located within 100' of the front property line on an estate property (site exceeds 24,000 square feet) located at 809 Hillcrest Road 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 modifications to the subject property that would result in additions to the main residence, existing accessory structures, and the construction of a new accessory structure. The project includes the following elements:

- An addition of 601 square feet to the main house, to be located behind the accessory pool house that faces Hillcrest Road, consisting of the following elements:
 - A 383 square-foot master closet addition on the second floor (24'-3" in height)
 - A 163-square-foot sitting room addition on the first floor (14'-9" in height)
 - A 55-square-foot addition to enlarge an existing room on the first floor (15'-11" in height)
- An addition of 428 square feet to an existing one-story gym accessory structure (17'-11" in height)
- The construction of a deck located 6' above finished grade along the south elevation of the existing gym accessory structure
- The construction of a covered porch located 4'-6" above finished grade at the existing accessory pool house, and located within 100' of the front property line
- The construction of a 12'-7" high, 468-square-foot pool cabana located within 100' of the front property line.
- The Project has 16,552 square feet of existing above grade floor area and 2,048 square feet of existing below grade basement area. The Project is proposed to add

1,497 square feet of new above grade floor area, for a total of 18,049 above grade floor area on the site. No new basement floor area is proposed and the proposed cumulative floor area (inclusive of basement area) would be 20,197 square feet. The total allowable above grade floor area for the site is 29,328 square feet.

Section 3. The Project has been reviewed pursuant to the California Environmental Quality Act (CEQA), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 et seq.), and the City's Local CEQA guidelines. The Planning Commission finds that the Project qualifies for a Class 1 Categorical Exemption pursuant to Section 15301(e) and a Class 3 Categorical Exemption pursuant to Section 15303(e) of the Guidelines. Specifically, the proposed Project involves additions to an existing single-family residence and accessory structures, as well as the construction of a new accessory structure.

Section 4. Notice of the Project and public hearing was mailed on June 29, 2015 to all property owners and residential occupants within a 500-foot radius of the property. On July 9, 2015 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 addition of 1,497 square feet to the site, resulting in total cumulative floor area exceeding 15,000 square feet 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 addition of the pool house covered porch, gym deck, and cabana accessory structure will not have a substantial adverse impact on the scale or character of the area, on the privacy of neighboring properties, on the neighbors' access to light and air, or on the streetscape.

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

1. Although the cumulative floor area of the Project would be 20,197 square feet, exceeding the 15,000 square foot threshold, the total above grade floor area is substantially below the maximum amount permitted for the property (29,328 square feet) and consistent with development on properties in the vicinity. The site is very large (139,000 square feet) and all of the project components are proposed within the principal building area, outside of the required setbacks for the site, with generous setbacks from both side property lines adjacent to neighboring properties. The additions proposed at the main house, totaling 601 square feet, have a maximum height of 24'-3" which is well below the maximum height of the main house (almost 36') and the maximum structure height currently allowed (30'). The second-floor addition will align with the existing parapet so that the height of the addition is flush with the existing height of the second floor. The 1,497-square-foot addition to the site will be distributed among the existing main house, existing gym accessory structure, and new cabana, rather than being concentrated in one particular location on the site. The additions to the main house will not be visible from the public right-of-way because the additions will be screened by both the 18' tall pool house

accessory structure and existing mature landscaping at the front property line. Consequently, the proposed additions are consistent with the scale, integrity, and character of the site and of the area. Furthermore, the additions respect prevailing site design and orientation in order to be compatible with the neighborhood. Therefore, the 1,497-square-foot addition will not result in a substantial adverse impact on the scale, integrity, or character of the area or on the privacy of neighboring properties.

2. The pool house porch, gym deck, and cabana will all be located in the principal building area, outside of required setbacks for the site. The pool house porch and the gym deck are proposed as additions to existing accessory structures, thereby minimizing the likelihood of a substantial adverse impact on the scale or character of the area. At approximately 21' from the front property line, the proposed 4.5' high pool house porch will be the closest accessory structure element to the public right-of-way. The porch will be screened by an existing 9' tall landscaped wall located along the front property line. The gym accessory structure deck is proposed approximately 32' from the rear property line, is only 6' high, and cannot be viewed from the public right of way. The new cabana accessory structure will have a maximum height of 12'-7" and will be set back a substantial 77.5' from the front property line. As a result, the pool house porch, gym deck, and cabana will not have a substantial adverse impact on the scale or character of the area, on the privacy of neighboring properties, on the neighbors' access to light and air, or on the streetscape.

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 July 9, 2015.

2. The project site may contain cumulative floor area (measured pursuant to Beverly Hills Municipal Code section 10-3-2502B including basement area) of up to 20,197 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 revisions that occur as a result of the plan check process.

3. 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.

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.

4. 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.

5. 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.

6. 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.

7. 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.

8. 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: July 9, 2015

Alan Robert Block
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

Ryan Gohlich
City Planner

ATTACHMENT D
Public Notice

Provided on the following page.



NOTICE OF PUBLIC HEARING

DATE: July 9, 2015

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, July 9, 2015, will hold a public hearing beginning at 1:30 PM, or as soon thereafter as the matter may be heard to consider a request to allow additions to an existing single-family home and accessory structures located at 809 Hillcrest Road. Construction of the proposed project requires the following entitlements:

Hillside R-1 Permit:

Cumulative Floor Area. A Hillside R-1 Permit is required for projects in the Hillside Area of the City that result in a cumulative floor area over 15,000 square feet. The subject property currently has a cumulative floor area of approximately 18,700 square feet, including all basement areas. The proposed additions would bring the total cumulative floor area to approximately 20,197 square feet. The proposed additions would comply with the required height restrictions and setbacks.

Accessory Structures. A Hillside R-1 Permit is required to permit an accessory building located on a residential site with an area that equals or exceeds twenty four thousand (24,000) square feet to include a porch or deck located more than 3' above finished grade. The project is proposed with a 4'-6" tall porch at the pool house and a 6' tall deck at the gym accessory structure located at the rear of the property. A Hillside R-1 Permit is also required to allow the pool house porch and a new, one-story cabana to be located within 100' of the front property line on a residential site that equals or exceeds 24,000 square feet.

The project has been reviewed pursuant to the California Environmental Quality Act (CEQA), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 et seq.), and the City's Local CEQA guidelines. The Project qualifies for a Class 1 Categorical Exemption pursuant to Section 15301(e) and a Class 3 Categorical Exemption pursuant to Section 15303(e) of the Guidelines.

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 **Cynthia de la Torre, Assistant Planner** in the Planning Division at (310) 285-1195, or by email at cdelatorre@beverlyhills.org. Copies of the project plans and associated application 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:



Cynthia de la Torre, Assistant Planner

Mailed: June 29, 2015

ATTACHMENT E
Architectural Plans

Provided as a separate attachment.

ATTACHMENT B
September 2, 2015 Cultural Heritage Commission Staff Report
(Excluding Attachments B, C, and D)

Begins on the following page.



City of Beverly Hills

Planning Division

455 N. Rexford Drive Beverly Hills, CA 90210
TEL. (310) 285-1141 FAX. (310) 858-5966

Cultural Heritage Commission Report

Meeting Date: September 2, 2015

Subject: 809 Hillcrest Road CEQA Determination Recommendation

Recommendation: That the Cultural Heritage Commission consider whether modifications to the structure at 809 Hillcrest Road would cause a substantial adverse change in the significance of a historical resource.

REPORT SUMMARY

Based on a request from the Planning Commission at its July 9, 2015 meeting, this item is presented to the Cultural Heritage Commission for its consideration and recommendation regarding application of the historical resource aspects of the California Environmental Quality Act (CEQA) to a proposed project at 809 Hillcrest Road.

BACKGROUND

On July 9, 2015, the Planning Commission conducted a public hearing and received testimony on a Hillside R-1 Permit request to allow the following changes to the Master Architect property at 809 Hillcrest Road:

- an addition of approximately 1,500 square feet to the main house and accessory structures resulting in cumulative floor area that exceeds 15,000 square feet on the site;
- the construction of a new deck and a new porch at two existing accessory structures; and
- the construction of a new cabana accessory structure. (Refer to Attachment B for additional project information).

The existing main residence on the subject property was originally built in 1926 and remodeled into the Hollywood Regency style in 1934 by Master Architect James E. Dolena. Staff previously determined that the property is considered a potential historical resource under the guidelines of CEQA because the structure represents significant architecture in California and embodies distinctive characteristics of the type and period of architecture representing the work of an important creative individual, and possesses high artistic value.

When a project involves a potential historical resource, the question arises as to whether the project will "cause a substantial adverse change in the significance" of that resource. For CEQA purposes, a substantial adverse change in the significance of an historical resource is considered to be a significant environmental impact. The State CEQA Guidelines, 14 California Code of Regulations, Section 15064.5(b)(1) provide that "[s]ubstantial adverse change in the significance of an historical resource

Attachment(s):

- A. Recommended Revisions for Compliance with SOI Standards Table
- B. July 9, 2015 Planning Commission Staff Report (Excluding Attachments)
- C. Revised Plans
- D. Originally Proposed Plans

Report Author and Contact Information:

Cynthia de la Torre
Assistant Planner
(310) 285-1195
cdelatorre@beverlyhills.org

means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.”

The Guidelines further provide that the significance of a historical resource is materially impaired when a project:

- (A) Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register of Historical Resources; or
- (B) Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to section 5020.1(k) of the Public Resources Code or its identification in an historical resources survey meeting the requirements of section 5024.1(g) of the Public Resources Code, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
- (C) Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA. (14 Cal. Code Regs. 15064.5(b)(2).)

Further, “a project that follows the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995), Weeks and Grimmer, shall be considered as mitigated to a level of less than a significant impact on the historical resource.” (14 Cal. Code Regs. 15064.5(b)(3).)

Therefore, the Department has treated proposed projects that comply with the Secretary of the Interior's (SOI) Standards as not materially impairing the significance of an historical resource, and thus such projects could qualify for certain categorical exemptions from CEQA. Projects that are not exempt from CEQA are subject to more exacting levels of review for a negative declaration (ND), mitigated negative declaration (MND) or an environmental impact report (EIR).

As part of its CEQA analysis of the 809 Hillcrest property, staff consulted with the City's Urban Designer prior to the July 9 Planning Commission hearing. The City's Urban Designer made a preliminary determination that the proposed changes to the property comply with the Secretary of the Interior's Standards and could therefore qualify for an exemption from CEQA as repair and minor alterations to an existing structure (CEQA Guidelines Section 15301; Class 1 exemption) and new construction of small accessory structures (CEQA Guidelines Section 15303; Class 3 exemption). At the July 9 Planning Commission hearing, the Planning Commission identified concerns related to the CEQA analysis and compliance with the SOI Standards for Rehabilitation. Please see the reference material included in Tab 3 of this packet.

Due to the concerns identified at the July 9 meeting, the Planning Commission requested that the project be reviewed by the Cultural Heritage Commission for a recommendation on the conformity with the Secretary of the Interior Standards and the CEQA determination.

DISCUSSION

The City's historic consultant, Jan Ostashay of Ostashay & Associates Consulting, conducted a subsequent review of the project for compliance with the Secretary of the Interior's Standards for Rehabilitation. Pursuant to the SOI Standards, new additions to a potentially historic structure are appropriate as long as they do not destroy historic features, materials, and spatial relationships that are significant to the original building and site. Furthermore, new additions should be compatible yet differentiated from the original building, and should be constructed so that they can be removed in the future without damage to the original building.

After reviewing the project scope at 809 Hillcrest Road, the City's historic consultant found that as proposed, some components of the project could adversely alter character-defining spaces and features of the historic resource. Consequently, the City's historic consultant recommended that certain elements of the project be revised to bring the project into compliance with the SOI Standards. The revisions aim to:

- preserve the important historic materials and character-defining features that identify the property as a historic resource;
- preserve the property's overall historic character; and
- protect the property's historical significance by making a visual, yet compatible distinction between the old and new work.

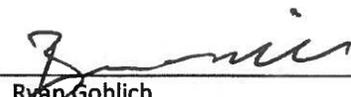
In sum, the revisions aim to restore original, character-defining elements obscured by past remodels and differentiate new elements from original elements to avoid lending a false sense of historicism while achieving compatibility between new and old.

These recommended revisions have been discussed with both the project architect and representative, and are included as Attachment A of this report. As a result of this discussion, the applicant has prepared revised plans. Staff has not had the opportunity to review the revised plans prior to the writing of this report, but they are included as Attachment C of this report. Staff will provide a verbal analysis of the revised plans and their conformance with the SOI Standards during the September 2nd meeting.

NEXT STEPS

Should the Cultural Heritage Commission conclude that the revisions contemplated by the project will not cause a substantial adverse change in the significance of a historical resource, that information will be conveyed to the Planning Commission, along with staff's recommendation that the project qualifies for exemption from CEQA.

Report Reviewed By:



Ryan Gohlich
Assistant Director of Community Development / City Planner

ATTACHMENT A
Recommended Revisions for Compliance with SOI Standards

Begins on the following page.

PROPOSED WORK SCOPE	<u>Recommended Revisions for Compliance with SQI Standards</u>
<p>Main House</p> <p><i>South Elevation (rear, primary elevation)</i></p>	<ul style="list-style-type: none"> • The original windows with their shutters should be maintained. • A wall return should be incorporated into the design of the addition. • In enclosing the existing porch to create a sitting room, original elements such as the Doric columns, the original door, and surrounding details should be visible. • The sitting room enclosure should incorporate fewer new details in order to highlight the original character-defining elements.
<p><i>East Elevation (side, secondary elevation)</i></p>	<ul style="list-style-type: none"> • New windows should not include shutters; original windows with shutters should be preserved. • The existing, non-original second-story addition should be reduced in height in conjunction with the proposed, second-story addition. • The height of the second-story addition should be dropped to continue the line of the original parapet wall and a wall return should be included. • The new railing at the proposed balcony should vary in design and height from the original railings at the residence to avoid lending a false sense of history.
<p><i>North Elevation (front, a primary elevation)</i></p>	<ul style="list-style-type: none"> • Shutters should be maintained at all original windows. • The new second-story addition should be set back to ensure that the original first story remains the focal point.
<p><u>Cabana (new structure)</u></p>	
	<ul style="list-style-type: none"> • Elements of the cabana should take cues from the existing house. • The roof of the cabana must be changed to be more consistent with the low-pitch type roof of the residence, i.e. pyramid or flat roof. Connectivity to the existing elements of the residence is needed but new elements must be offset to distinguish them from original elements. • The width of the framing members should be reduced. • Cabana should be designed to appear lighter. • The size and scale should be reduced so as to not overpower the original main building as well as the overall site. • The finish of the cabana walls may be compatible but differentiated from the adjacent historic buildings. • Columns or other sympathetic architectural features may be integrated into the proposed cabana as long as the columns differ from the original columns at the main house.
<p><u>Pool House (existing structure)</u></p>	<ul style="list-style-type: none"> • The proposed Doric columns at the porch should be differentiated from the original columns at the pool house. • The size of the porch canopy should be minimized so as to not accentuate the non-original aspects of the later addition at the pool house. • The railing at the landing should be differentiated from the original railings located at the main residence.
<p><u>Gym (existing detached accessory structure)</u></p>	
	<ul style="list-style-type: none"> • The deck at the gym should include a different railing style, so as to differentiate it from the original railing feature.

ATTACHMENT C
Draft Resolution

Provided as a separate attachment.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BEVERLY HILLS CONDITIONALLY APPROVING A HILLSIDE R-1 PERMIT TO ALLOW THE ADDITION OF NEW FLOOR AREA TO THE MAIN HOUSE AND ACCESSORY STRUCTURES RESULTING IN CUMULATIVE FLOOR AREA ON THE SITE THAT EXCEEDS 15,000 SQUARE FEET; TO ALLOW CONSTRUCTION OF A DECK AT AN EXISTING ACCESSORY STRUCTURE (GYM), AND A COVERED PORCH AT A SEPARATE EXISTING ACCESSORY STRUCTURE (POOL HOUSE) TO BE LOCATED MORE THAN 3' ABOVE FINISHED GRADE, AND, TO ALLOW THE NEW COVERED PORCH AT THE POOL HOUSE AND A NEW ACCESSORY STRUCTURE (CABANA) TO BE LOCATED WITHIN 100' OF THE FRONT PROPERTY LINE ON AN ESTATE PROPERTY LOCATED IN THE HILLSIDE AREA OF THE CITY AT 809 HILLCREST ROAD.

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

Section 1. Brad Korzen, 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; the construction of a deck at an existing accessory structure (gym), and a porch at a separate existing accessory structure (pool house), both to be located more than 3' above finished grade, and to allow the new porch at the pool house and a new accessory structure (cabana) to be located within 100' of the front property line on an estate property (site exceeds 24,000 square feet) located at 809 Hillcrest Road 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 modifications to the subject property that would result in additions to the main residence, existing accessory structures, and the construction of a new accessory structure. The project includes the following elements:

- An addition of 601 square feet to the main house, to be located behind the accessory pool house that faces Hillcrest Road, consisting of the following elements:
 - A 382-square-foot master closet addition on the second floor (24'-3" in height)
 - A 163-square-foot sitting room addition on the first floor (14'-9" in height)
 - A 55-square-foot addition to enlarge an existing room on the first floor (15'-11" in height)
- An addition of 428 square feet to an existing one-story gym accessory structure (17'-11" in height)
- The construction of a deck located 6' above finished grade along the south elevation of the existing gym accessory structure
- The construction of a covered porch located 4'-6" above finished grade at the existing accessory pool house, and located within 100' of the front property line
- The construction of a 12'-7" high, 468-square-foot pool cabana located within 100' of the front property line.
- The Project has 16,552 square feet of existing above grade floor area and 2,048 square feet of existing below grade basement area. The Project is proposed to add

1,497 square feet of new above grade floor area, for a total of 18,049 above grade floor area on the site. No new basement floor area is proposed and the proposed cumulative floor area (inclusive of basement area) would be 20,197 square feet. The total allowable above grade floor area for the site is 29,328 square feet.

Section 3. The Project has been reviewed pursuant to the California Environmental Quality Act (CEQA), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 et seq.), and the City's Local CEQA guidelines. The Planning Commission finds that the Project qualifies for a Class 1 Categorical Exemption pursuant to Section 15301(e) and a Class 3 Categorical Exemption pursuant to Section 15303(e) of the Guidelines. Specifically, the proposed Project involves additions to an existing single-family residence and accessory structures, as well as the construction of a new accessory structure.

Section 4. Notice of the Project and public hearing was mailed on June 29, 2015 to all property owners and residential occupants within a 500-foot radius of the property. On July 9, 2015 and September 10, 2015, the Planning Commission considered the application at duly noticed public hearings. Evidence, both written and oral, was presented at the meetings.

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 addition of 1,497 square feet to the site, resulting in total cumulative floor area exceeding 15,000 square feet 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 addition of the pool house covered porch, gym deck, and cabana accessory structure will not have a substantial adverse impact on the scale or character of the area, on the privacy of neighboring properties, on the neighbors' access to light and air, or on the streetscape.

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

1. Although the cumulative floor area of the Project would be 20,197 square feet, exceeding the 15,000 square foot threshold, the total above grade floor area is substantially below the maximum amount permitted for the property (29,328 square feet) and consistent with development on properties in the vicinity. The site is very large (139,000 square feet) and all of the project components are proposed within the principal building area, outside of the required setbacks for the site, with generous setbacks from both side property lines adjacent to neighboring properties. The additions proposed at the main house, totaling 601 square feet, have a maximum height of 24'-3" which is well below the maximum height of the main house (almost 36') and the maximum structure height currently allowed (30'). The second-floor addition will align with the existing parapet so that the height of the addition is flush with the existing height of the second floor. The 1,497-square-foot addition to the site will be distributed among the existing main house, existing gym accessory structure, and new cabana, rather than being concentrated in one particular location

on the site. The additions to the main house will not be visible from the public right-of-way because the additions will be screened by both the 18' tall pool house accessory structure and existing mature landscaping at the front property line. Consequently, the proposed additions are consistent with the scale, integrity, and character of the site and of the area. Furthermore, the additions respect prevailing site design and orientation in order to be compatible with the neighborhood. Therefore, the 1,497-square-foot addition will not result in a substantial adverse impact on the scale, integrity, or character of the area or on the privacy of the neighboring properties.

2. The pool house porch, gym deck, and cabana will all be located in the principal building area, outside of required setbacks for the site. The pool house porch and the gym deck are proposed as additions to existing accessory structures, thereby minimizing the likelihood of a substantial adverse impact on the scale or character of the area. At approximately 21' from the front property line, the proposed 4.5' high pool house porch will be the closest accessory structure element to the public right-of-way. The porch will be screened by an existing 9' tall landscaped wall located along the front property line. The gym accessory structure deck is proposed approximately 32' from the rear property line, is only 6' high, and cannot be viewed from the public right-of-way. The new cabana accessory structure will have a maximum height of 12'-7" and will be set back a substantial 77.5' from the front property line. As a result, the pool house porch, gym deck, and cabana will not have a substantial adverse impact on the scale or character of the area, on the privacy of neighboring properties, on the neighbors' access to light and air, or on the streetscape.

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 September 10, 2015.

2. Final plans shall be subject to review and approval by the Director of Community Development for compliance with the Secretary of the Interior's Standards for Rehabilitation.

3. The project site may contain cumulative floor area (measured pursuant to Beverly Hills Municipal Code section 10-3-2502B including basement area) of up to 20,197 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 revisions that occur as a result of the plan check process.

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. 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.

5. 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.

6. 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.

7. 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.

8. 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.

9. 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: September 10, 2015

Alan Robert Block
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

Ryan Gohlich
City Planner