



Planning Commission Report

Meeting Date: December 10, 2015

Subject: **1715 Angelo Drive**
Central R-1 Permit

Request for a Central R-1 Permit to allow a 262-square-foot, two-story addition that exceeds 14' in height within required rear and side yards on a single-family residential property located in the Central Area of the City.

PROJECT APPLICANT: Xavier Beltran

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 Central R-1 permit to allow the construction of the proposed addition.

REPORT SUMMARY

The proposed project involves an addition to both the first and second floors of an existing two-story, single-family residence. The addition would total 262 square feet (111 sq. ft. on the first floor and 151 sq. ft. on the second floor) and would be located at the rear (northwest) corner of the existing residence. The addition would have a maximum height of approximately 23'-10" to match the roofline of the existing residence.

The proposed addition would be located within the required rear and side yard setbacks. It would maintain the legally nonconforming setbacks of the existing residence: it would match the existing 4'-7" setback from the west-side property line and 18'-11" setback from the rear property line. A Central R-1 Permit is required to build an addition taller than 14' within required rear and side yards. Consequently, the proposed project, and specifically the portion of the addition that would be located on the second floor and in a required yard (approximately 133 square feet of new floor area), requires discretionary review by the Planning Commission.

This report analyzes the proposed project, with specific analysis of the project's height and potential impacts to neighbors' access to light, air, and privacy. Staff's analysis concludes that, as a result of the project's siting, design, and surrounding context, the addition is not anticipated to result in any significant adverse impacts to adjacent properties or the surrounding neighborhood. Therefore, staff recommends approval of the requested Central R-1 Permit.

Attachment(s):

- A. Zoning Compliance Table
- B. Required Findings
- C. Public Notice
- D. Draft Resolution
- E. Architectural Plans (provided as a separate attachment)

Report Author and Contact Information:

Emily Gable
(310) 285-1192
egable@beverlyhills.org

BACKGROUND

File Date	10/2/2015
Application Complete	11/2/2015
Subdivision Deadline	N/A
CEQA Determination	Class 1 categorical exemption for minor additions to existing structures.
Permit Streamlining	Take action on project within 60 days of CEQA determination.

Applicant(s)	Xavier Beltran
Owner(s)	Marc and Simone Bretter
Representative(s)	Xavier Beltran, X. Beltran Architects

Prior PC Action	None
Prior Council Action	None

PROPERTY AND NEIGHBORHOOD SETTING

Property Information

Address	1715 Angelo Drive, Beverly Hills CA 90210
Assessor's Parcel No.	4348-020-018
Zoning District	R-1.X
General Plan	Single-Family Residential – Low Density
Existing Land Use(s)	Single-Family Residential
Lot Dimensions & Area	Approximately 75' x 116.5' (avg. width x avg. depth) = 8,739 sq. ft.
Year Built	1926
Historic Resource	Not on the Master Architect list. Not subject to further historic review pursuant to BHMC §10-3-3218.
Protected Trees/Grove	None as part of this project.

Adjacent Zoning and Land Uses

North	R-1.X Single Family Residential (no rear alley)
East	R-1.X Single Family Residential
South	R-1.X Single Family Residential (across Angelo Drive)
West	R-1.X Single Family Residential

Circulation and Parking

Adjacent Street(s)	Angelo Drive
Adjacent Alleys	None
Parkways & Sidewalks	Approximately 1.5' sidewalk along Angelo Drive

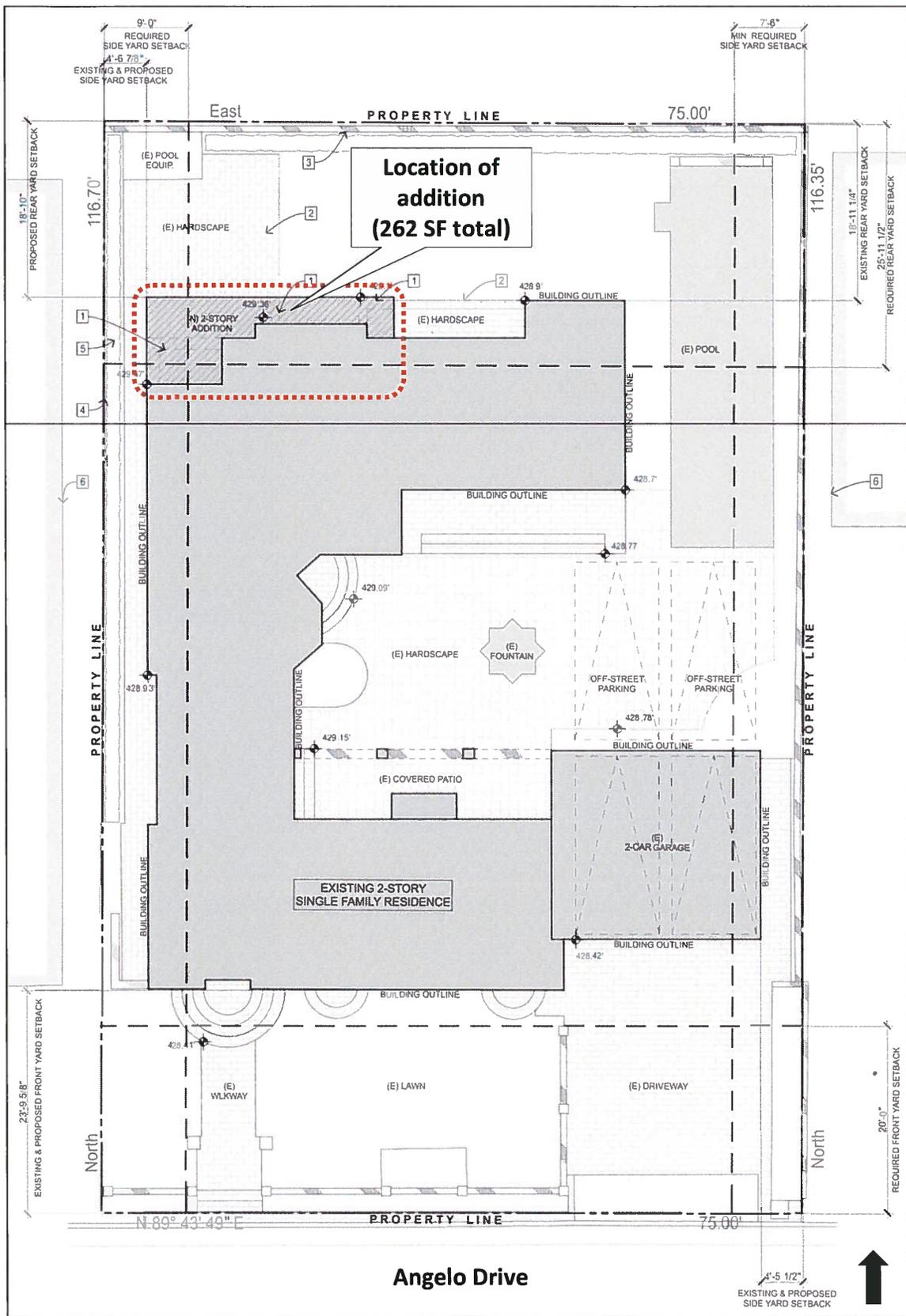
Neighborhood Character

The project site is located on the north side of the 1700 block of Angelo Drive between Benedict Canyon Drive on the east and Chevy Chase Drive on the west. The rear of the subject property adjoins the rear of a property on Ambassador Drive; there is not an alley in this block.

The built environment surrounding the project site consists of single-family homes that are typically two stories in height. Many were originally built in the 1920s and 1930s, and legally nonconforming side and rear setbacks appear common in the neighborhood. At 75' wide, the subject property is approximately 25' narrower than many of the surrounding properties.



Subject Property looking North



Site Plan

PROJECT DESCRIPTION

The proposed project is an addition to an existing two-story, 3,812 square foot, single-family residence that was built in 1926. The proposed project would consist of the following:

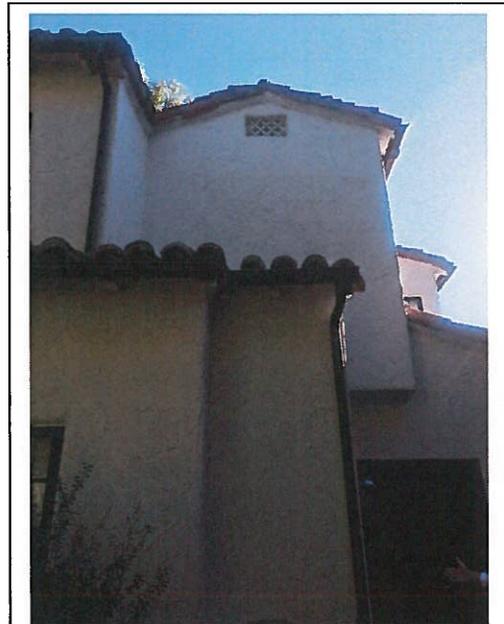
- Located at the rear (northwest corner) of the existing residence, approximately 88' from the front property line
- 262 square feet across two stories, resulting in a total floor area of 4,074 square feet
 - First floor: add 111 square feet to accommodate a reconfigured laundry room and bathroom and add a bedroom
 - Second floor: add 151 square feet to accommodate a bath and closet for the master bedroom
- The addition of one bedroom requires one additional parking space, which would be accommodated by creating a pull-through garage
- Extend the existing 4'-7" west side setback (which encroaches into the required 9' side yard) towards the rear of the property
- Match the existing 18'-11" rear setback (which encroaches into the required 26' rear yard)
- Extend the existing ridgeline of the roof over the new addition and match the 23'-10" maximum building height

Requested Entitlements. As proposed, the project requires the following entitlement in order to be constructed:

- **Central R-1 Permit:** An addition to a primary residence is allowed to extend (or match) existing legally nonconforming rear and side setbacks as long as it meets certain requirements. The proposed project meets all the specific requirements except that it will exceed 14' in height (see table in Attachment A). However, a Central R-1 Permit may allow an addition in the rear and side setbacks to exceed 14' in height.¹

ZONING CODE² COMPLIANCE

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



Location of proposed addition, looking south at the existing rear walls (west side of residence & west side setback are to the right)

¹ Pursuant to Beverly Hills Municipal Code §10-3-2405(C), §10-3-2406(C), and §10-3-2450

² Available online at http://www.sterlingcodifiers.com/codebook/index.php?book_id=466

GENERAL PLAN³ POLICIES

The General Plan includes numerous goals and policies intended to help guide development in the City. Some policies relevant to the Planning Commission's review of the project include:

- **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.
- **Policy LU 6.2 Housing Character and Design.** Require that new, renovated, and additions to housing be located and designed to maintain the distinguishing characteristics and qualities of the neighborhoods in which they are located, including prevailing lot sizes, building form, scale, massing, relationship to street frontages, architectural design, landscaping, property setbacks, and other comparable elements.

ENVIRONMENTAL ASSESSMENT

The project has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (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 a Class 1 Categorical Exemption (§15301(e) regarding additions to existing structures) for "additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less." The proposed project would add 262 square feet to the existing 3,812-square-foot residence; thus it is eligible for the exemption.

³ Available online at

<http://www.beverlyhills.org/business/constructionlanduse/generalplan/generalplandocument/>

PUBLIC OUTREACH AND NOTIFICATION

Type of Notice	Required Period	Required Notice Date	Actual Notice Date	Actual Period
Posted Notice	N/A	N/A	12/3/2015	7 Days
Newspaper Notice	N/A	N/A	N/A	N/A
Mailed Notice (Owners & Residential Occupants - 500' radius + block-face)	10 Days	11/30/2015	11/30/2015	10 Days
Property Posting	10 Days	11/30/2015	11/30/2015	10 Days
Website	N/A	N/A	12/3/2015	7 Days

Public Comment

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

ANALYSIS⁴

Project approval, conditional approval, or denial is based upon specific findings for the discretionary application requested by the applicant. The specific findings that must be made in order to approve the project are provided as Attachment B to this report, and the draft resolution in Attachment D contains draft language for findings that may be used to guide the Planning Commission’s deliberation on the subject project.

In reviewing the requested entitlement, the Commission may wish to consider the following information as it relates to the project and required findings.

Massing and the Streetscape. The addition would be located approximately 88’ from the front property line. It would extend the west side wall and the roofline of the existing residence towards the rear of the property. It would be nearly invisible from the street, and the landscaping along the side property line that is proposed to remain would block all views of the addition. Therefore the proposed project is not anticipated to affect the scale and massing of the streetscape.

Landscaping. Mature landscaping exists along all side and rear property lines of the project site. This landscaping is proposed to remain. The landscaping would shield the addition from adjacent properties, reducing any potential privacy impacts and maintaining the garden quality of the city.

Height and Proximity to Adjacent Properties. The proposed addition would have a maximum height of 23’-10” to match the sloped roof with true ridgeline of the existing residence. The requested Central R-1 Permit is required because the project exceeds the 14’ height allowed by-right for additions that extend legally nonconforming setbacks in rear or side yards. However, the proposed

⁴ The information provided in this section is based on analysis 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 make alternate findings. A change to the findings may result in a final action that is different from the staff recommended action in this report.

23'-10" height is more than 8' below the allowed maximum height for a residence in this area with this roof shape.

The proposed addition would be located at the northwest corner of the existing house. Therefore, as noted above, it would not have an effect on properties located to the south across Angelo Drive. Similarly, the addition would be located approximately 44' from the east side property line. If landscaping were removed, a small portion of the second story addition could be seen from the adjacent property to the east; however, it is not anticipated to result in any impacts to privacy or access to light and air for properties to the east due to the significant separation.



Subject Property and Neighboring Sites

With respect to potential impacts on the adjacent property to the north (rear), the proposed addition would encroach approximately 7' into the required 26' rear yard. The rear setback of 1715 Angelo Drive would continue to be almost 19', and the separation from the residence on the property to the north would continue to be almost 70'. As viewed from the rear property line (or the adjacent property to the north), the addition would fill in and slightly expand a heavily modulated corner of the existing residence. Although windows are proposed on the expanded second story facing north, the distance and mature landscaping along the rear property line would provide adequate protection of the neighbors' privacy. The 19' rear setback would also provide adequate separation to ensure the neighbors' access to light and air would not be affected.

The proposed addition would encroach almost 4 ½' into the required 9' west side yard, leaving a 4'-7" setback. The property to the west is developed with a two-story residence with approximately

4' setbacks on both the east side (adjoining the subject property) and the rear. The separation between the two residences is approximately 8 ½' for their entire existing length, and the length of 1715 Angelo Drive would be increased by the proposed addition. As viewed from the neighboring property to the west, the addition would increase the length of the nearest wall of the residence by approximately 9' on the first story and 17' on the second story (see West Elevation on Sheet A3.11). The portion of the neighboring residence that would directly face the new addition does not have any windows on the second floor. Due to the existing height and minimal windows of the property to the west and the side yard fence and landscaping that are proposed to remain, the addition is not anticipated to affect the neighbors' privacy or access to light and air.

NEXT STEPS

Staff recommends that the Planning Commission conduct the public hearing and adopt a resolution conditionally approving the requested Central R-1 Permit for the proposed project.

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.

Report Reviewed By:



Ryan Gohlich, City Planner

ATTACHMENT A
Zoning Compliance Tables

ZONING ANALYSIS

REGULATIONS	ALLOWED / REQUIRED	EXISTING CONDITIONS	PROPOSED PROJECT	NOTES
Floor Area	4,996 SF max.	3,812 SF	4,074 SF	Lot Area: 8,739 SF 391 SF garage exempt
Plate Height	22'	19'-9"	19'-9"	
Building Height	32' max. building height 28' average roof height	23'-10" max. building height	23'-10" max. building height	Existing residence and addition have a sloping roof with true ridgeline
Front Setback (South, Angelo Dr)	20'	23'-10"	approx. 88' (addition). No changes to front of residence.	6' utility easement at front of property.
Rear Setback (North)	25'-11 1/2"	18'-11"	18'-11" Addition in line with existing setback.	
Side Setback (West)	9' Sum of side setbacks = 16'-6" minimum	4'-7"	4'-7" Addition in line with existing setback.	
Side Setback (East)	7'-6" Sum of side setbacks = 16'-6" minimum	4'-5 1/2"	approx. 44' (addition). No changes to the east side of residence.	
Bedrooms	N/A	4	5	
Parking	4 bedrooms = 3 spaces required 5 bedrooms = 4 spaces required	3	4	All spaces 9' x 19' per code

Development requirements when extending legally nonconforming rear and side setbacks are:

Code Section	Requirement	Project Complies?
§10-3-2406(C)(1)	Minimum side setback of 3'	Yes, min. setback of 4'-7"
§10-3-2405(C)(1)	Minimum rear setback of 15'	Yes, min. setback of 18-11"
§10-3-2405(C)(2)	Structures cover less than 50% of the rear yard area	Yes, structure covers approx. 15% of rear yard area.
§10-3-2405(C)(3)	The extension is the lesser of 1000 sq. ft. or 20% of the existing floor area	Yes, area of extension in required yards above 14' in height is approximately 133 sq. ft.
§10-3-2405(C)(3), §10-3-2406(C)(2)	The height of the addition within the rear and side yards does not exceed 14'	No, the addition exceeds 14' in height. Central R-1 Permit required.

ATTACHMENT B
Required Findings

REQUIRED FINDINGS

Central R-1 Permit Findings: The reviewing authority shall not issue a Central R-1 permit to allow an addition to exceed fourteen feet (14') in height within required rear and side yards unless the reviewing authority finds that the proposed development will not have a substantial adverse impact on:

1. *The scale and massing of the streetscape*
2. *Neighbors' access to light and air*
3. *Neighbors' privacy, and*
4. *The garden quality of the city*

ATTACHMENT C
Public Notice



NOTICE OF PUBLIC HEARING

DATE: December 10, 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, December 10, 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 for a Central R-1 Permit to allow a 262 square foot, two-story addition at the rear of an existing single-family residence located in the Central Area of the City at 1715 North Angelo Drive. The Central R-1 Permit is required to build an addition taller than 14' within required rear and side yards.

The proposed project would add 262 square feet to the northwest corner of the existing house, approximately 133 square feet of which would be on the second story and located within a required setback. Only this second-story portion requires a Central R-1 Permit. The addition would be located in the rear and side yards of the property, and would maintain the legally nonconforming setbacks of the existing residence: it would match the existing 4'-7" setback from the west-side property line and 18'-11" setback from the rear property line. The addition would have a maximum height of approximately 23'-10" to match the roofline of the existing residence. The request for a Central R-1 Permit is being made pursuant to Beverly Hills Municipal Code §10-3-2405(C), §10-3-2406(C), and §10-3-2450.

The project has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (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 a Class 1 Categorical Exemption (§15301(e) additions to existing structures) for "additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less," and the project has been determined not to have a significant environmental impact and is exempt from the provisions of CEQA.

Any interested person may attend the meeting and be heard or present written comments to the Commission. Please note that any communication received by the City becomes part of the public record.

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 **Emily Gable, Assistant Planner** in the Planning Division at **(310) 285-1192**, or by email at **egable@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:

A handwritten signature in black ink, appearing to read "Emily Gable", written over a horizontal line.

Emily Gable, Assistant Planner

Mailed: November 30, 2015

ATTACHMENT D
Draft Resolution

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BEVERLY HILLS CONDITIONALLY APPROVING A CENTRAL R-1 PERMIT TO ALLOW THE CONSTRUCTION OF A 262-SQUARE-FOOT, TWO-STORY, 23'-10" TALL ADDITION TO AN EXISTING RESIDENCE THAT IS LOCATED WITHIN REQUIRED REAR AND SIDE YARD SETBACKS ON A PROPERTY LOCATED IN THE CENTRAL AREA OF THE CITY AT 1715 ANGELO DRIVE.

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

Section 1. Xavier Beltran, representative of Marc and Simone Bretter, property owners (collectively the "Applicant"), has submitted an application for a Central R-1 Permit to allow a 262-square-foot, two-story addition to an existing residence to exceed fourteen feet (14') in height and be located within the required rear and west side yards on the property located at 1715 Angelo Drive in the Central Area of the City (the "Project"). The Project does not meet all by-right development standards, and therefore requires entitlements that can be granted by the Planning Commission pursuant to the issuance of a Central R-1 Permit.

Section 2. The Project consists of a two-story, 262-square-foot addition at the rear (northwest corner) of an existing two-story, 3,812-square-foot, single-family residence. The Project would add 111 square feet to the first floor and 151 square feet to the second floor and would accommodate an additional bedroom and expansion of the master bedroom suite. The added bedroom would result in a total of five (5) bedrooms, for which four (4) parking spaces

would be required. The rear wall of one of the existing garage spaces would be removed and replaced with a door so that four (4) parking spaces can be accommodated on site.

The existing residence has legally nonconforming rear and side setbacks. The current Municipal Code requires a 25'-11½" rear setback, a 9' west side setback, and a 7'-6" east side setback on the subject property. The existing residence has legally nonconforming setbacks of 18'-11" in the rear, 4'-7" on the west side, and 4'-5½" on the east side. The Project would extend the nonconforming rear and west side setbacks at the northwest corner of the existing residence and would have a maximum height of 23'-10" to match the existing roofline. The addition requires a Central R-1 Permit because it is over 14' in height and located within both required rear and side yards (Beverly Hills Municipal Code §10-3-2405.C.3 and §10-3-2406.C.2.a).

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 Project consists of a 262-square-foot addition to an existing 3,812-square-foot residence. Therefore the Planning Commission finds that the project is exempt from CEQA pursuant to Section 15301(e) of the CEQA Guidelines for "additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,400 square feet, whichever is less."

Section 4. Notice of the Project and public hearing was mailed on November 30, 2015 to all property owners and residential occupants within a 500-foot radius plus block-face of the property in the Central Area of the City and within a 500-foot radius of the property

in the Hillside Area of the City. On December 10, 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 Central R-1 Permit, the Planning Commission considered whether it could make the following findings in support of the Project:

1. The Project will not have a substantial adverse impact on the scale and massing of the streetscape;
2. The Project will not have a substantial adverse impact on neighbors' access to light and air;
3. The Project will not have a substantial adverse impact on neighbors' privacy; and
4. The Project will not have a substantial adverse impact on the garden quality of the city.

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

1. The Project is located approximately 88' from the front property line of the subject property, at the rear of the existing residence that fronts on Angelo Drive. The addition will match the maximum height of the existing residence. The existing residence and landscaping will obscure views of the Project, and the Project will therefore not result in a substantial adverse impact on the scale and massing of the streetscape.

2. The Project will extend the roofline of the existing residence towards the rear of the property. The addition will be 23'-10" in height to match the existing roofline, with the maximum height occurring at the top ridge of the sloped roof. The addition will be located at the northwest corner of the existing residence, approximately 88' from the front property line and 44' from the east side property line. The addition will match the existing rear and west side setbacks of the existing residence; thus the addition will be located 18'-11" from the rear (north) property line and 4'-7" from the west side property line. Based on the distance and landscaping between the addition and neighboring properties and structures, the Project will not affect access to light and air for properties to the north, east, and south of the subject property. Furthermore, while the addition is 4'-7" from the west side property line and approximately 8'-7" from the neighboring residence to the west, the neighboring structure already faces a fence on the property line and does not have second-story windows facing the location of the Project. Therefore the Project will not have a substantial adverse impact on neighbors' access to light and air.

3. The Project includes windows on the second story of the addition facing West, North (toward the rear property line) and East. Mature landscaping along the side and rear property lines will help obscure views into neighboring properties. In addition, the neighboring residence to the west, which is the structure closest to the Project, does not have windows on the second story in the area adjacent to the location of the addition. Therefore, due to the location of the Project and the surrounding structures and landscaping, the Project will not have a substantial adverse impact on neighbors' privacy.

4. The Project site includes extensive mature landscaping consisting of trees, shrubs, hedges, and groundcover across the property and along the rear and side property lines. The existing fences and landscaping are proposed to remain and would obscure most views of the addition from adjacent properties. A condition of this approval will require that the existing landscaping be maintained or replaced as needed after construction of the Project. Consequently, the Project will not have a substantial adverse impact on the garden quality of the City.

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

1. This approval allows a 262-square-foot, two-story addition to an existing residence to be constructed within required rear and side yards on the property located at 1715 Angelo Drive. This Central R-1 Permit allows the addition to extend the legally nonconforming rear and west side setbacks of the existing residence and exceed 14' in height. The addition may be constructed and maintained with a minimum rear (north) setback of 18'-11" and a minimum west side setback of 4'-7". The addition may have a maximum height of 23'-10" to match the maximum height of the existing roofline. The Project shall be constructed in substantial compliance with the plans and specifications approved by the Planning Commission on December 10, 2015. Any minor changes to the Project, as determined by the Director of Community Development, shall be reviewed and approved by staff. Substantive changes, as determined by the Director of Community Development, shall be returned to the Planning Commission for review and approval.

2. Four (4) code-compliant parking spaces shall be provided on the subject property for the five (5) bedrooms as defined by Beverly Hills Municipal Code §10-3-100.

3. Existing fences and landscaping at the side and rear property lines shall be maintained or replaced as necessary after construction. The fences and landscaping shall be subject to review and approval by the Director of Community Development or his or her designee, and shall be maintained for the life of the Project.

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

5. 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. This resolution approving the Central R-1 Permit shall not become effective until the owner of the Project site records a covenant, satisfactory in form and content to the City Attorney, accepting the

conditions of approval set forth in this resolution. The covenant shall include a copy of the resolution as an exhibit. The Applicant shall deliver the executed covenant to the Department of Community Development **within 60 days** of the Planning Commission decision. At the time that the Applicant delivers the covenant to the City, the Applicant shall also provide the City with all fees necessary to record the document with the County Recorder. If the Applicant fails to deliver the executed covenant within the required 60 days, this resolution approving the Project shall be **null and void** and of no further effect. Notwithstanding the foregoing, the Director of Community Development may, upon a request by the Applicant, grant a waiver from the 60 day time limit if, at the time of the request, the Director determines that there have been no substantial changes to any federal, state, or local law that would affect the Project.

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

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: *December 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
Interim City Attorney

Ryan Gohlich, AICP
City Planner



ATTACHMENT E
Architectural Plans

PROVIDED UNDER SEPARATE COVER