



STAFF REPORT
CITY OF BEVERLY HILLS

**For the Design Review
Commission Meeting of
December 4, 2008**

TO: Design Review Commission

FROM: Ivy Nguyen, Assistant Planner

SUBJECT: A resolution approving an R-1 Design Review Permit to allow a new, two-story single-family residence, located in the Central Area of the City, north of Santa Monica Boulevard at **716 Alta Drive.**

EXECUTIVE SUMMARY

At its August 7, 2008 and October 2, 2008 meetings, the Design Review Commission initially reviewed the proposed façade remodel. At both meetings, the Commission heard presentations from staff and the applicant and the Commission recommended conditional approval of the design, subject to the following conditions:

1. Side yard along the subterranean garage shall provide a minimum of two feet of planting area adjacent to the side property line wall.
2. New landscape plan to be submitted to staff to eliminate fence at the front yard.
3. Detail of front door to be submitted to staff.
4. Shutters to be verified that it is the same width as the windows on the second floor.

The applicant has provided revised elevation plans that addresses all of the Commission's concerns and above conditions are included in the resolution. The applicant has made the following revisions:

1. Applicant has submitted revised set of plans to provide a 2 foot wide planter along southern property line.
2. Applicant has submitted revised set of plans to eliminate fence at front yard.
3. Picture of wood front door was provided to staff.
4. Width of shutters have been verified to be the same width as the windows.

716 Alta Drive
R-1 Design Review
For the Design Review Commission Meeting of December 4, 2008

Staff recommends the Design Review Commission adopt the resolution as presented.



Ivy Nguyen, Assistant Planner

Attachment:
Resolution

RESOLUTION NO.

RESOLUTION OF THE DESIGN REVIEW COMMISSION OF THE CITY OF BEVERLY HILLS CONDITIONALLY APPROVING AN R-1 DESIGN REVIEW PERMIT TO ALLOW A NEW TWO-STORY SINGLE-FAMILY RESIDENCE AT PROPERTY LOCATED IN THE CENTRAL AREA OF THE CITY, NORTH OF SANTA MONICA BOULEVARD AT 716 ALTA DRIVE.

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

Section 1. Ben Kalaf and Vigen Pezeshkian, on behalf of the property owner 716 North Alta Drive, LLC (collectively, the “Applicant”), has applied for an R-1 Design Review Permit to allow a new two-story single-family residence located in the Central Area of the City, north of Santa Monica Boulevard, at 716 Alta Drive (the “Project”). As proposed, the Project meets all required zoning standards, including height, setbacks, parking and floor area.

Pursuant to Beverly Hills Municipal Code Section 10-3-4408, no single-family residence located in a Central R-1 Zone shall be erected, constructed, altered or remodeled unless elevations and plans for the exterior portions and areas visible from the street are reviewed and approved by the City. The Design Review Commission is the reviewing authority if it has first been determined that the design does not otherwise qualify for a staff-level review of the proposed project. The design was prepared by a licensed architect, but did not substantially conform to a pure architectural style when submitted. Therefore, it has been determined that the Design Review Commission shall be the reviewing authority.

Pursuant to Beverly Hills Municipal Code Section 10-3-4415, the request for a Design Review Permit may be approved, provided the Design Review Commission makes certain findings.

Section 2. The Project site is a rectangular-shaped lot that is 105 feet wide by 215 feet long, and is located on the east side of the 700 block of North Alta Drive, between Elevado Avenue and Sunset Avenue. The lot is currently developed with a one-story residence with

attached garage at the front of the property. The existing residence will be demolished, and replaced with a new, two-story, 9,778 square foot residence (not including basement and subterranean garage) and 1,129 square foot accessory structure and attached garage in the rear of the property. The accessory structure has been specified to be a two-car garage (accessible from the alley) and guest house. The total square footage for the Project is 10,507 square feet, which excludes the area of the basement and includes a 400 square feet allowance for a garage. The maximum allowed floor area for the Project is 10,642 square feet, and the Project utilizes nearly the maximum allowed floor area. The Project meets the minimum side setbacks allowed for the house, 10 feet 8 inches to the north and 15 feet 3 inches to the south. The required front setback for the house is 40 feet. The design of the house provides modulation as the main entry door is set back 20 feet behind the required front yard setback. Additionally, modulation is enhanced with balconies located on the first and second floors. The proposed height to the top of the roof is 30 feet 7 inches, which is 1 foot 5 inches less than the maximum allowed by Code (32 feet). Surrounding development consists primarily of two-story single-family residences.

Parking for the proposed Project will be provided for in a two-car garage accessible from the alley and three parking spaces in the basement. The Project provides for five parking spaces, which exceeds the number of spaces required by Code (four parking spaces required for residences with more than 6 bedrooms). New paving within the front yard has been proposed as a part of the landscaping plan. The Project utilizes the circular driveway method, with a 12 foot wide circular driveway and a 9 foot wide driveway connecting the circular driveway leading to subterranean parking.

A detailed landscaping plan for the Project is provided with landscaping along the fence at the front and side yards.

This Project came before the Design Review Commission at its meetings of August 7, 2008 and October 2, 2008. At its meeting of August 7, 2008 the Commission requested several design changes and returned the Project for restudy. At the meeting of October 2, 2008, the Applicant returned with revised plans that incorporated design changes requested by the Commission, and the Commission approved the Project, subject to the following conditions:

1. Side yard along the subterranean garage shall provide a minimum of two feet of planting area adjacent to the side property line wall.

2. New landscape plan to be submitted to staff to eliminate fence at the front yard.
3. Detail of front door to be submitted to staff.
4. Shutters to be verified that it is the same width as the windows on the second floor.

The Applicant has revised the Project to respond to the Commission's concerns. The revisions are as follows:

1. Applicant has submitted revised set of plans to provide a 2 foot wide planter along southern property line.
2. Applicant has submitted revised set of plans to eliminate fence at front yard.
3. Picture of wood front door was provided to staff.
4. Width of shutters have been verified to be the same width as the windows.

Section 3. The Project has been environmentally reviewed pursuant to the California Environmental Quality Act (CEQA), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 *et seq*, hereafter the "Guidelines"), and the City's environmental guidelines. The City has determined that the Project qualifies for a Class 2 Categorical Exemption (Replacement or Reconstruction) in accordance with the requirements of Section 15302 of the Guidelines because the Project involves the demolition of an existing single family residence, and reconstruction of a new single family residence on the same site and which will have substantially the same purpose and capacity as the structure replaced. Therefore, no significant impacts to the environment are anticipated.

Section 4. On August 7, 2008 and October 2, 2008, the Design Review Commission held a duly noticed public hearing to consider the application. Evidence, both written and oral, was presented at said hearing, and the hearing was closed.

Section 5. In reviewing the application and pursuant to Beverly Hills Municipal Code Section 10-3-4415, the Design Review Commission considered whether the proposed Project meets the following criteria:

1. The proposed development's design exhibits an internally compatible design scheme.
2. The proposed development's design appropriately minimizes the appearance of scale and mass and enhances the garden like quality of the City and appropriately maximizes the use of required open space within the proposed architectural style.
3. The proposed development will enhance the appearance of the neighborhood.
4. The proposed development is designed to balance the reasonable expectation of development for the owner with the reasonable expectation of privacy of neighbors.
5. The proposed development respects prevailing site design patterns, carefully analyzing the characteristics of the surrounding group of homes, and integrates appropriate features that will ensure harmony between old and new homes.

Section 6. Based upon the evidence presented at the hearing, including the staff report, the Design Review Commission hereby finds:

1. As conditioned, the Project exhibits a design that is internally compatible and exhibits features that are similar to those of Spanish Colonial styles. The balance of the Project appears to exhibit an internally compatible design scheme.

2. As conditioned, the Project appropriately minimizes the appearance of scale and mass as the front entrance of the residence is set back behind the required front yard setback, through the use of balconies and inset windows, and meets all Code required setbacks. The Project, as conditioned, includes appropriate façade modulation and proposes new landscaping, specifically throughout the front and street side yards. The Project enhances the garden like quality of the City and appropriately maximizes the use of required open space within the proposed architectural style.

3. As conditioned, the Project will enhance the appearance of the neighborhood as a result of the revisions made to the design as discussed under Section 2 of this Resolution and as a result of the Project's use of quality materials, modulation and extensive landscaping including trees. The Project utilizes thoughtful high quality building materials including stucco

walls with wood doors and windows and decorative detailing (such as balconies and wrought iron railings), which will help to enhance the neighborhood.

4. As conditioned, the Project is designed to balance the reasonable expectation of development for the owner with the reasonable expectation of privacy of neighbors. The subject site abuts two-story neighbors at the northern and southern property lines, and an alley at the rear of the property. At the southern property line, the Project specifies a driveway leading to subterranean parking that will be offset with landscaping in a two foot wide planter. The north and south elevations utilize a minimal amount of windows and doors, respecting the privacy of adjacent properties, and is therefore not anticipated to create an adverse impact on privacy.

5. As conditioned, the Project, with the revisions and features described above, respects prevailing site design pattern and integrates appropriate features that will ensure harmony between old and new homes. The properties along North Alta Drive are developed with structures varying in size and scale and there does not appear to be a consistent design pattern at present. There are several new two-story residences built to the maximum floor area and parking at the ground level that can be seen in the neighborhood. Therefore, it appears that the proposed development is in harmony with the old and new residences in the surrounding area.

Section 7. Based on the foregoing, the Design Review Commission hereby grants the R-1 Design Review Permit for the Project, subject to the following conditions:

1. The Project as submitted shall be built in substantial compliance with the plans submitted for the Design Review Commission meeting, which are on file with the Department of Community Development. Any modification to the plans shall be approved by the Planning Department prior to any work being done on the Project; however, the Design Review Commission must approve the revised design if substantial changes are proposed.

2. Applicant shall maintain planting along the southern property line to ensure appropriate screening and privacy for the adjacent neighbor.

Standard Conditions:

3. Prior to the issuance of building permits, the Applicant shall prepare a construction management plan for review and approval by the Department of Community Development. The plan shall include the location of construction parking, loading and hauling routes and locations, and number of construction employees anticipated on site. All construction-related parking, staging and hauling shall conform to the construction parking and hauling plan submitted to and approved by the Building Official and the City Engineer.

4. The Applicant shall maintain the site in an orderly condition prior to commencement of and during construction, including, but not limited to, maintenance of the orderly appearance of existing structures and landscaping on the site, dust suppression for areas cleared by demolition, maintenance of safety barriers and adjacent public sidewalks, and provision of a contact person directly accessible to the public by telephone in the event that the public has any concerns regarding maintenance of the site. The name and telephone number of the contact person shall be transmitted to the Director of Community Development and the Building Official. In addition, the Applicant shall post the name and telephone number of the contact person on the site in a location readily visible to the general public and approved by the Director of Community Development.

5. These conditions of approval shall run with the land and shall remain in full force and effect for the duration of the life of this approval. This resolution approving the R-1 Design Review 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 this resolution as an exhibit.

The Applicant shall deliver the executed covenant to the Department of Community Development **within 60 days** of the Design Review 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 R-1 Design Review **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 R-1 Design Review.

Section 8. The Secretary of the Design Review Commission shall certify to the passage, approval, and adoption of this resolution, and shall cause this resolution and certification to be entered in the Book of Resolutions of the Design review Commission of the City.

Adopted:

Howard Szabo
Chair of the Design Review
Commission of the City of Beverly Hills,
California

Attest:

Secretary

Approved as to form:

David M. Snow
Assistant City Attorney

Approved as to content:

Anne Browning McIntosh, AICP
Interim Director of Community Development