



STAFF REPORT
CITY OF BEVERLY HILLS

For the Design Review
Commission Meeting of
September 3, 2009

TO: Design Review Commission

FROM: Shena Rojemann, Assistant Planner

SUBJECT: A request 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 **229 South Almont Drive**.
(PL 0904084)

EXECUTIVE SUMMARY

A design preview was presented to the Design Review Commission at the March 5, 2009 meeting and a public hearing was held at the April 2, 2009 meeting. At both meetings, the Commission heard presentations from staff and the applicant and the Commission recommended the design be revised and returned to the May 7, 2009 meeting addressing the following concerns

- Increase the height of the tower element (maximum roof height 30');
- The doors and window should be further inset (the exterior walls should be a minimum of 16" thick);
- Revise the landscaping plan and include trees with a minimum 36" box (not 24");
- The arches of the porte cochere should be a minimum of 18" thick;
- Provide a section of the entryway;
- Provide a detail of the waterproofing for the façade detail above the entryway;
- The front door should be one large solid wood door.

At the May 7, 2009 meeting the applicant provided revised elevation plans pursuant to the Commission's direction which addressed the Commission's concerns by making the following changes:

- The applicant has increased the height of the tower element from 26' to 28';
- The applicant has further inset the doors and windows and has increased the exterior walls to 16" in thickness;
- The applicant has revised the landscaping plan and increased the tree sizes from 24" boxes to 36" boxes;
- The arches of the porte cochere have been increased to 18" in thickness;
- The applicant has provided a section of the entryway;
- The applicant has provided a detail of the waterproofing for the façade detail above the entryway;
- The glass and wrought iron have been removed from the front doors. The applicant is proposing to maintain two doors, solid wood, which will contain decorative clavos.

At the May 7, 2009 meeting the Commission approved the new, two-story residence subject to the following condition:

1. The maximum plate height of the tower element shall be twenty two feet (22').

Staff recommends that the attached resolution, which includes the condition above, be approved as presented.



Shena Rojemann
Assistant Planner

Attachments:
Resolution

Staff Report
229 South Almont Drive
September 3, 2009

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 ON THE PROPERTY LOCATED AT 229 SOUTH ALMONT DRIVE.

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

Section 1. Eduardo De La Torre, on behalf of Mr. and Mrs. Sam Bensadigh, property owners (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, south of Santa Monica Boulevard, at 229 South Almont 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 the 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 architectural style of the Project has been called out by the Applicant as Spanish Mission Revival. Although the project substantially adheres to a pure architectural style as outlined by the Style Catalogue, the applicant is not a registered Architect within the State of California. Consequently, 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 averages 50 feet wide by 119 feet long, and is located on the west side of the 200 block of South Almont Drive between Charleville Boulevard and Gregory Way. The lot is currently developed with a one-story residence and garage/guest house. The existing structures will be demolished and replaced with a new two story single-family

residence. The total floor area of the Project will be 3,380 square feet, just under the maximum permitted by the Beverly Hills Municipal Code (“BHMC”) of 3,381 square feet. The proposed Project meets the minimum side setbacks permitted. The single-family residence is proposed to be setback 5 feet from the south lot line. The setback along the north lot line is 9 feet within the first 38 feet behind the front setback, and 5 feet thereafter. The façade of the Project is 35 feet in width. The required front setback for the house is 25 feet, and the proposed design conforms to this setback. The proposed height to the top of the roof is approximately 27 feet 8 inches, which is less than the maximum allowed by Code (30 feet).

Parking for the proposed Project will be provided within the side and rear yards. Two parking spaces have been provided within the side yard and are accessible via the porte cochere, and one space has been provided under a carport within the rear yard, which is accessible via the rear alley. No garage has been proposed in conjunction with the Project. The total number of parking spaces provided is three, which meets the amount required by the zoning code for a house with five bedrooms. New paving within the front yard has been proposed as a part of the landscaping plan. The total area of paved surface within the front yard is approximately 366.5 square feet, which is under the maximum allowed by the BHMC (400 square feet).

A detailed landscaping plan for the project has been prepared, which proposes to install new landscaping.

The proposed Project is called out as the architectural style known as Spanish Mission Revival, and the design provides many architectural elements that are common to this style as described in the City’s Style Catalogue

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 3(a) Categorical Exemption (New Construction or Conversion of Small Structures) in accordance with the requirements of Section 15303 of the Guidelines because the Project involves the construction of one single-family residence, or second dwelling unit in a residential zone. Therefore, no significant impacts to the environment are anticipated.

Section 4. On March 5, 2009, the Project was previewed by the Design Review Commission. On April 2, 2009, 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. On May 7, 2009 revised plans addressing the Commission's concerns were presented for the Commission's consideration. This resolution was presented to the Commission on September 3, 2009.

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; and
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 revised, the design appears to be consistent with a "Spanish Mission Revival" as designed for a smaller lot, as displayed by the low-pitched clay tile roof, the arched windows and entryway, the stucco walls and porte cochere. Therefore, the proposed residence exhibits an internally compatible design scheme.

2. As revised, the design utilizes varying modulation along the front façade to reduce the scale and mass of the structure. A portion of the second floor has been stepped back and the recessed arched entryway incorporates further modulation. Therefore, the scale and mass of the proposed project is not expected to have an adverse impact on the surrounding neighborhood

3. As revised, the Project shall provide a number of elements consistent with the Spanish Mission Revival style of architecture as described in 1 and 2 above. The project utilizes high quality building materials, which shall help to enhance the appearance of the neighborhood. Additionally, a full landscape plan has been submitted which will help to improve the proposed residence. Thus, the proposed project is expected to enhance the appearance of the neighborhood.

4. As revised, the Project meets the City's setback requirements. The residence is proposed to be 27 feet 8 inches in height, 2 feet 4 inches below the maximum permitted by code (30 feet). The southern elevation contains small windows along the second story which would have a minimal impact on the neighbor's privacy. Along the northern elevation, the windows are mostly smaller in size as well, thus the proposed development is designed to balance reasonable expectation of development for the owner and the reasonable expectation of privacy of the neighbors.

5. The design patterns in the area are characterized by consistent setbacks and straight driveways located at the side property lines leading to a garage and/or a porte cochere and a walkway leading from the public sidewalk to the entryway of the residence. The existing neighborhood is composed of one and two-story single-family residences. The Project site design is consistent with this pattern, and thus having design patterns consistent with those of the neighboring properties will ensure harmony between old and new homes 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 maximum plate height of the tower element shall be 22 feet.

2. The Project as submitted shall be built in substantial compliance with the plans submitted for the July 2, 2008 Design Review Commission meeting, on file with the Department of Community Development. The Director of Community Development shall approve any modifications to the plans prior to any work being done on the Project; however, if corrections of building or zoning code issues result in a greatly altered design, the Design Review Commission must approve the revised design.

Standard Conditions:

6. 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.

7. 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.

8. 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:

Hamid Gabbay
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:

Jonathan Lait, AICP
City Planner