



STAFF REPORT
CITY OF BEVERLY HILLS

**For the Design Review Commission
Meeting of September 3, 2009
(PL 092 2048)**

TO: Design Review Commission

FROM: Rita Naziri, Senior 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, south of Santa Monica Boulevard at **218 North Palm Drive** (Continued from July 2, 2009)

EXECUTIVE SUMMARY

This project was before the Design Review Commission at its meeting of July 2, 2009. At that meeting, the Commission discussed the project and requested that the project return for restudy with the following guidance:

| Commission Comment | Proposed Modification |
|--|--|
| The overall mass needs to be restudied, mainly at the second floor. The building should be redesigned to be more compatible with the streetscape and neighborhood. | Revision to the second floor façade would include addition of windows, articulation and use of aluminum-anodized veneer panels as originally proposed. The proposed panels would be sand blasted in varying gray tones instead of bronze as proposed in the original design. |
| The applicant shall consider using different material and color scheme for the façade to present a neighborhood compatible building. | Please see the above. |
| In redesign of second floor, the architect should consider more modulation to soften the building façade and reduce the building mass for a corner property. | Palm Drive Elevation would include a round window as proposed in the original design. In addition, the applicant also proposing opening cuts into anodized aluminum panels facing Palm Drive. Dayton Way Elevation would include 17-foot recessed window panels in front of the interior staircase. This window would be ornamented with |

| Commission Comment | Proposed Modification |
|--|--|
| | wood slots. No specification of the wood treatment is provided. A secondary window is also proposed along Dayton way façade, which would be of clear glass. This window is proposed to encroach six inches to the street side setback. It should be noted that this is not a permissible encroachment. |
| Consider providing appropriate landscaping for the project including landscaping between the concrete wall and sidewalk to soften the streetscape. | The landscape plan is revised to include landscaping along Dayton Way wall to soften the streetscape. The seven-foot concrete wall along Dayton way will be set back by 12 inches from the property line to allow planting of Dwarf Burgundy Fountain Grass. |
| Commission also advised the applicant to consult with a structural engineer to make sure the design is structurally appropriate because any future changes may send the project back to the Commission for further review. | Due to the changes to the Palm Drive and Dayton Way facades, the applicant has also modified the interior spacing including adding supporting columns. |

The Commission also noted that design appears to be at a conceptual stage and appears to be top heavy and give the impression of being commercial or industrial structure rather than a house.

BACKGROUND

Niloo Aryanpanah, with Tag Front on behalf of the property owner Pablo Mejia, has filed an application for a Track 2 Design Review Permit to allow the construction of a new single-family residence at **218 North Palm Drive.**

Reason for Review by the Commission

Pursuant to Beverly Hills Municipal Code Section 10-3-4408, no single-family residence located in the 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 shall be the reviewing authority if it has first been determined that the design does not otherwise substantially adhere to a pure architectural style. In addition, the Design Review Commission has directed that corner lots and lots with street frontage in excess of 80 feet require special scrutiny due to the impact on two public streets. The proposed residential development design contains design elements commonly found with the

International architectural style. Given the perceived mass and bulk of this project, the project is before the Design Review Commission for review. In addition, the subject project is on a corner further supporting review under the Track 2 process.

Adherence to Zoning Code

As proposed, the design generally meets required zoning standards such as height, setbacks, parking, and floor area requirements with exception of encroachment of second floor window into the street side setback and front yard paving.

| GENERAL INFORMATION | |
|---|--|
| Applicant | Niloo Aryanpanah, Tag Front |
| Project Owner | Pablo Mejia |
| Zoning District | Central R-1 Area – South of Santa Monica Boulevard |
| Parcel Size | 7,500 Square Feet |
| Listed in City’s Historic Survey | No |

SITE AND AREA CHARACTERISTICS

The 7,500 square feet project site is located on the southeast corner of North Palm Drive and Dayton Way on the 200 block of North Palm Drive. The lot is currently developed with a one-story single-family residence with a detached one-story garage accessed from Dayton Way. The applicant is proposing to demolish the main residence and maintain and remodel the garage.

PROJECT DESCRIPTION

Building Envelope

The proposed project consists of a new two-story residence with an existing detached two-car garage in the rear to be accessed from the alley and one additional space along the northern side property setback, accessed from Dayton Way. The proposed house and garage would have a total floor area of 4,430 square feet, which is below the maximum allowable building area of 4,500 square feet for the subject site. A 1,500 square foot basement and 400 square feet of the detached garage are exempt from the floor area calculation.

As proposed, the total height of the residence would be 23 feet 9 inches, which is below the maximum height of 25 feet allowed by Code for a house with a flat roof.

Parking

The proposed residence requires two parking spaces by Code. A total of three parking spaces will be provided on-site. The proposed parking will be provided by a two-car garage within the rear yard, and one additional space will be provided within the rear and street side setback area.

Design

The proposed design of the structure is most closely identified as “International Style,” as listed in the City of Beverly Hill’s Residential Design Style Catalogue, and includes the following features:

- Solid cantilevered upper story creating bold horizontal projections on either side of the house;
- Punched opening within the solid second story volume towards the back yard creating a balcony for the master bedroom and proposed windows facing Dayton Way;
- Slots cut into aluminum panels facing Palm Drive;
- Recessed ribbon windows on the lower story;
- Flat roof with four skylights;
- Pond within the front with sculptural stone in water.

Materials

The materials and colors proposed for the new structure are as follows:

- First floor exterior wall- smooth stucco wall gray in color;
- Second floor Exterior Wall – sand blasted anodized aluminum panels in varying gray tones;
- Decorative mosaic wall in red at the entry;
- Interior tiled wall: black etched granite;
- Windows – plate glass, frosted white (facing the southerly neighbor), clear glass with wood slats (unspecified color for wood) facing Dayton way, a round clear glass window facing Palm Drive
- Doors – Glass Framed in Metal;
- Exterior walls include plate glass and seven feet tall concrete wall facing Dayton Way.

Paving

The plans show a total front yard paving of the proposed design is approximately 227 square feet of concrete, however, the applicant is proposing a decomposed granite

area with trees within the southerly landscaping area, which is considered as hardscape; therefore, it appears that the proposed hardscape area is exceeding the maximum allowable front yard paving of 400 square feet.

Landscape Design

The proposed landscape plan provides certain species including trees along southerly property line to provide privacy for the neighboring property. Proposed landscaping includes "Pyrus Calleryana/ Callery Pear "Redspire", Festuca Glauca/Fescue, Betula pendula "Fastigiata" European White Birch and paspalum vaginatum"Adalayd" Seashore Paspalum within the front and street side setback and side setback areas. The proposed landscaping appears to be consistent with the proposed style of architecture. As mentioned above, the proposed decomposed granite area is considered hardscape; therefore, the landscape plan shall be revised.

PUBLIC NOTICE AND COMMENTS

Notice of the proposed project and public hearing was mailed on June 19, 2009 to all property owners and residential tenants within a 100-foot radius from the exterior boundaries of the property as required by Code. Staff received one phone call from the neighbor on Oakhurst Drive, which also testified at the July 2, 2009 meeting regarding the design and material compatibility of the proposal.

ENVIRONMENTAL DETERMINATION

The project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and the City's environmental guidelines, and a Categorical Exemption has been issued.

ZONING AND ANALYSIS

Pursuant to BHMC Section 10-3.4415, the Design Review Commission may approve, approve with conditions, or disapprove the issuance of a building permit in any matter subject to its jurisdiction after considering whether the proposed development complies with the following criteria. If the proposed project meets the criteria set forth, the Commission shall approve the application. When the proposed development does not comply with the criteria, the Commission may impose such conditions it deems necessary to bring the proposed development into conformity with the provisions of this article.

- 1. The proposed development's design exhibits an internally compatible design scheme.***

The applicant has revised the second floor façade to include few openings, articulation and new color scheme for the façade without changing the façade material. The proposed revision appears to be an improvement compared to the original design, however, the overall design including the proposed material and color scheme of gray with minimum modulation facing Palm Drive and Dayton Way is a concern. Therefore, the project as proposed does not appear to exhibit a balanced design and is not an internally compatible design scheme.

2. *Appropriately minimizes the appearance of scale and mass, enhances the garden like quality of the city, and appropriately maximizes the use of required open space within the proposed architectural style.*

The revised project includes some openings and articulations on the second floor; however, the proposed revisions do not alleviate the flatness of second floor façade. While the proposed design complies with the required setbacks, except for the second floor window encroaching into the street side setback, the proposed bulk and mass appears to affect the neighborhood streetscape. Overall, the proposed material and colors characterizes the building as an industrial or commercial building rather than a residential single-family residence, therefore, the proposal does not appear to enhance the streetscape of this residential street.

3. *The development will enhance the appearance of the neighborhood.*

The proposed project is on a block that already has a variety of house sizes and styles. The subject site is a corner lot with Dayton Way to the north. At the July 2, 2009, the Commission returned the project for redesign and restudy, however, the revised plans have the same design features and materials except for change of color and new windows with a minimal modulation on the Palm Drive and Dayton Way facades. The revised plans carries the same concept of original design, therefore the proposed revisions do not appear to 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.*

As originally proposed, the structure generally meets the City's current side setback requirements. The proposed setback to the south is five feet where large windows are proposed facing the neighboring property. The proposed frosted glass facing the neighboring property to the south appears to provide privacy for the neighboring property. The landscape plan also calls for planting mature trees on the south side of the property, which will further protect the neighbors' privacy.

5. ***The proposed development respects prevailing site design pattern, carefully analyzing the characteristics of the surrounding group of homes, and integrates appropriate features that will ensure harmony between old and new.***

Although, the revised project includes color change and some windows and articulation on the second floor, however, the proposed revision continues as a bold horizontal mass on the second floor not compatible with the existing architecture in the neighborhood. The design style of the proposed residence appears to have additional scale and mass than the neighboring residences due to the second floor design and the choice of material and colors. Therefore, the proposed design may warrant additional review for compatibility with the neighborhood and overall mass and bulk issues in order to be harmonious with the block.

Upon consideration of criteria set forth in BHMC 10-3.4415, The Commission has the following options:

1. Approve the plans as presented;
2. Approve the plans subject to the following and /or other conditions, to bring the plans into conformance with criteria set forth in BHMC 10-3.4415;
3. Disapprove the plans upon detailed findings that certain criteria set forth in BHMC 10-3.4415 are not met; or
4. Return the plans for restudy and resubmittal.

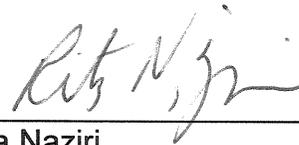
RECOMMENDATION

Based on the foregoing analysis and pending the information and conclusions that may result from testimony received at the public hearing, as well as Design Review Commission deliberations, staff recommends the Design Review Commission review the revised project for compliance for its recommendation.

If the Commission determines to approve the project, staff recommends that a resolution to be prepared approving the project subject to the following:

1. The proposed window on the Dayton Way side shall not encroach to the street side setback.
2. The front yard paving calculation shall be provided to include the areas with decomposed granite. At any case, the paving within the front setback area shall not exceed 400 square feet.

3. The landscape plan shall be revised to include planting materials within the areas that decomposed granite is proposed.
4. The project plans shall call out material and color for all building elements including the wood slats and the automatic gates facing Dayton Way.
5. Any substantial design revision to the façade or Dayton Way elevation shall be reviewed and approved by the Design Review Commission.



Rita Naziri