



STAFF REPORT
CITY OF BEVERLY HILLS

For the Design Review
Commission Meeting of
November 5, 2009

TO: Design Review Commission

FROM: Ryan Gohlich, Associate 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 1303 Park Way.

EXECUTIVE SUMMARY

At its October 1, 2009 meeting, the Design Review Commission requested a resolution approving an R-1 Design Review Permit for the proposed new, two-story single-family residence at 1303 Park Way. The Commission reviewed the applicant's response to requested changes and approved the project with the following project-specific conditions:

1. The Applicant shall, at his discretion, install either a planter or a metal railing along the top of the balcony located along the eastern side of the Project's south elevation.
2. The Applicant shall, at his discretion, finish the underside of the roof eaves with either a stucco finish or a bleached wood finish.

Staff recommends the Commission adopt the attached resolution, formalizing the Commission's approval of the proposed project.


Ryan Gohlich, Associate Planner

Attachments:

1. Design Review Commission 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 WITH
BASEMENT ON THE PROPERTY LOCATED AT 1303 PARK
WAY.

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

Section 1. Samuel Moon, applicant on behalf of the property owner (the “Applicant”), has applied for an R-1 Design Review Permit to allow a new two story single-family residence with basement located in the Central Area of the City, north of Santa Monica Boulevard, at 1303 Park Way (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 Project could not be described as conforming to a pure architectural style, therefore, it was 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 94 feet wide by 190 feet long, and is located on the north side of the 1300 block of Park Way, between North Canon and North Beverly Drives. The lot is currently developed with a single-family residence and accessory structure. 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 6,927 square feet, which is under the 9,020 square foot maximum permitted by the Beverly Hills Municipal Code (“BHMC”). The Project

meets all required minimum setbacks, and in most areas provides more than the required setbacks. The proposed height to the top of the roof is approximately 27 feet 2 inches, which is within the maximum permitted height of 28 feet.

Parking for the proposed Project will be provided within the side yard and rear yard. Four parking spaces have been provided, which is consistent with the number of spaces required by the BHMC (4). 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 1,873 square feet, which is just under the maximum allowed by the BHMC (1,883 square feet).

A detailed landscaping plan for the Project was prepared, which proposes to install new landscaping.

The following design changes were requested by the Commission at its September 3, 2009 public hearing and incorporated into the final plans:

- 1) The windows were modified to provide a 9" recess from the face of the building.
- 2) The eave overhang was increased from 4 feet to 5 feet.
- 3) Additional horizontal elements were added to the façade, the window fins were modified to be larger, and the slope of the roof was reduced to provide a flatter appearance.
- 4) The windows, planters, terraces, balconies and roof were modified to create additional asymmetry, stronger ties to the contemporary style, and a more interesting façade with both horizontal and vertical elements.

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 September 3, and October 1, 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 October 1, 2009, revised plans addressing the Commission's concerns were presented for the Commission's consideration, and the revised design was approved.

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. The Project, as revised, is consistent with the Contemporary style of architecture and is well thought-out, incorporating a consistent theme throughout its design. The materials and details are consistent with the identified style, and the Applicant has provided

supporting information identifying key architectural features and examples. Based on the Project's balanced design and consistent use of materials, it appears to exhibit an internally compatible design scheme. Therefore, it is possible to make the required finding.

2. The Project, as revised, utilizes deep eaves, generous setbacks, and a variety of modulation along all elevations. The second floor of the Project utilizes balconies and architectural projections, further reducing the appearance of scale and mass. Because these elements help to reduce the appearance of scale and mass, the required finding can be made in support of the Project.

Additionally, the Project's landscaping plan is well thought-out and uses mature-sized existing and proposed trees that will contribute to the garden quality of the city.

3. The Project, as revised, utilizes high quality building materials and design, which will help to enhance the appearance of the neighborhood. A detailed landscaping plan has been submitted in conjunction with the Project, which helps to screen and enhance the proposed residence. Additionally, the Project follows a consistent, balanced theme, while maintaining an appropriate level of scale and mass. Therefore, the Project is expected to enhance the appearance of the neighborhood.

4. The Project, as revised, meets the City's current side setback requirements along the east property line, and exceeds all other required setbacks, including the front, rear, and west side setback. Additionally, existing and proposed landscaping provides screening between the subject site and neighboring properties. Because of the large setbacks and existing and proposed landscaping, the Project creates a balance between the reasonable expectation of development and the reasonable expectation of privacy of neighbors.

5. The Project respects prevailing site design by following prevailing setbacks and building orientation found along the adjacent streetscape. Although the Project is larger than some of the existing residences on the block, the design has been executed to ensure that the Project will be consistent with the surrounding area. Based on its design, the Project appears to maximize floor area without appearing unduly massive and bulky and so would be a harmonious addition to the existing neighborhood.

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. Any approval by the Commission is for design only; the Project is subject to all applicable City zoning regulations.

2. Any future modifications to this approval shall be presented to staff for a determination as to whether the change may be approved by staff (minor) or to the Commission for review. Changes made without City approval may be required to be restored to match the City approved plans.

3. Final plans shall include a color rendering of the front elevation with numbered call-outs and a corresponding legend for all proposed materials and finishes. Spec sheets for windows shall also be provided. This elevation will be used by staff for verification of materials at the project site during construction.

4. A copy of the final conditions of approval per the approved Resolution shall be scanned onto the cover sheet of the final building plans.

5. The Applicant shall, at his discretion, install either a planter or a metal railing along the top of the balcony located along the eastern side of the Project's south elevation.

6. The Applicant shall, at his discretion, finish the underside of the roof eaves with either a stucco finish or a bleached wood finish.

Standard Conditions:

7. 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.

8. 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.

9. 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

DRC Resolution
1303 Park Way

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 content:

Jonathan Lait, AICP *RL*.
City Planner