



STAFF REPORT
CITY OF BEVERLY HILLS

For the Design Review
Commission Meeting of
November 5, 2009

TO: Design Review Commission

FROM: Ivy Nguyen, Assistant Planner

SUBJECT: A resolution approving an R-1 Design Review Permit to allow a second-story addition to an existing one-story single-family residence, located in the Central Area of the City, south of Santa Monica Boulevard at **480 Hillgreen Drive**.

EXECUTIVE SUMMARY

At its October 1, 2009 meeting, the Design Review Commission requested a resolution approving an R-1 Design Review Permit for the second-story addition to an existing one-story single-family residence at **480 Hillgreen Drive**. The Commission reviewed the applicant's response to requested changes and approved the project with the following project-specific conditions:

1. The Project shall conform to Section 10-3-4100(A), regarding non-conforming buildings within single-family residential developments. The proposed remodel may be altered up to a maximum of fifty percent (50%). If the Project, at any point of the construction, the residence exceeds the fifty percent threshold, the Project shall conform to all current regulations.

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

A handwritten signature in black ink, appearing to read "Ivy Nguyen".

Ivy Nguyen, Assistant 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 SECOND-STORY ADDITION TO A SINGLE-FAMILY RESIDENCE AT PROPERTY LOCATED IN THE CENTRAL AREA OF THE CITY, SOUTH OF SANTA MONICA BOULEVARD AT 480 HILLGREEN DRIVE.

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

Section 1. Marty Esterline, on behalf of the property owners Cindy and Blaise Antin (collectively, the "Applicant"), has applied for an R-1 Design Review Permit to allow a second-story addition to an existing non-conforming single-family residence located in the Central Area of the City, south of Santa Monica Boulevard, at 480 Hillgreen Drive (the "Project"). As proposed, the Project meets all required zoning standards, including height, setbacks, parking and floor area provided that the construction does not exceed more than 50 percent (50%) of the combined area of all exterior walls and roof.

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 design was not prepared by a licensed architect, and 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 square-shaped lot that averages 76 feet wide by 85 feet long, and is located on the eastside of Hillgreen Drive at Heath Avenue, south of Olympic Boulevard. The lot is currently developed with a one-story residence and one-story detached garage at the rear of the property. A portion of existing residence at the first floor will be demolished and a second-story addition is proposed. The area of the addition will be less than fifty percent (50%) of the combined area of all exterior walls and roof. The maximum allowed floor area for the Project is 4,143 square feet, and the Project utilizes 3,793 square feet of the maximum allowed floor area. The Project meets the minimum 5'-0" side setback for each side, and a cumulative total of 15'-3" allowed for the house (which has specific requirements for lots south of Olympic Boulevard and west of Roxbury Drive). At the eastern property line, the proposed setback varies between 5'-0" and 6'-8" (with the required difference at the western property line); at the western property line, proposed setback varies between 8'-7" and 9'-0" (with the required difference at the eastern property line). The required front setback for the house is 25 feet, and the existing residence is setback 14'-8". Therefore, the existing residence at the front elevation does not conform to current Code, however, may be permitted provided that the extent of the addition will not exceed the fifty percent (50%) threshold. The design of the residence can be categorized as "English Cottage". The proposed height of the residence to the top of the roof is 29 feet 6 inches, which is 6 inches less than the maximum allowed by Code (30 feet). Surrounding development consists of one- and two-story single-family residences.

Parking for the proposed Project will be provided within the existing detached two-car garage and two parking spaces along the western property line. The Project provides for four parking spaces, which meets the number of spaces required by Code for the six-bedroom residence. New paving within the front yard has been proposed to be less than 400 square feet, as permitted by Code. The total area of paved surface within the front yard is 380 square feet.

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 meeting of October 1, 2009 and the Commission approved the project as presented. The Project shall be permitted as proposed provided that the changes conform to the fifty percent (50%) threshold for reconstructions.

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 as the Project involves the 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 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.

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. The Project exhibits a design that is internally compatible and exhibits features that are similar to those of English Cottage styles. The balance of the Project exhibits an internally compatible design scheme.

2. The Project appropriately minimizes the appearance of scale and mass as the second story is set back approximately 9'-0" from the first story and exhibits varying roof lines. The Project includes appropriate façade modulation and proposes new landscaping within the front yard. 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. The Project will enhance the appearance of the neighborhood as the Project has been proposed to use quality materials, modulation and landscaping. The Project utilizes thoughtful high quality building materials including stucco walls with wood doors and windows, which will help to enhance the neighborhood.

4. 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 existing single-family residences. The east and west elevations utilize a minimal amount of windows and doors located in bedrooms and bathrooms, respecting the privacy of adjacent properties, and is therefore not anticipated to create an adverse impact on privacy.

5. The Project respects prevailing site design pattern and integrates appropriate features that will ensure harmony between old and new homes. The properties along Hillgreen Drive are developed with structures varying in size and scale and there does not appear to be a consistent design pattern at present; however, most homes can be classified as revival styles such as American Colonial or Rural European Revival in design. 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. Any approval by the Commission is for design only; the project is subject to all applicable City zoning regulations.

3. 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.

4. 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.

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

6. The Project shall conform to Section 10-3-4100(A), regarding non-conforming buildings within single-family residential developments. The proposed remodel may be altered up to a maximum of fifty percent (50%). If the Project, at any point of the construction, the residence exceeds the fifty percent threshold, the Project shall conform to all current regulations.

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 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 
City Planner