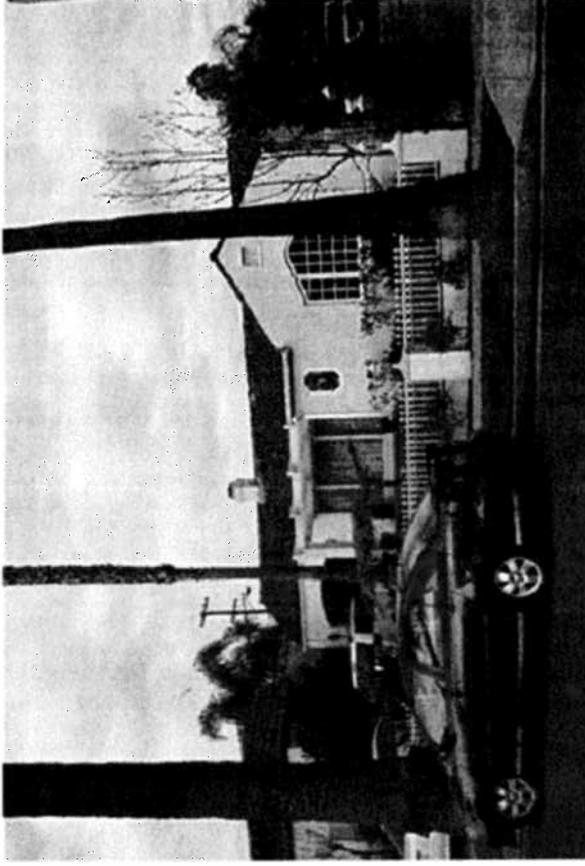




Design Review
Commission

March 4, 2010

225 South Palm Drive



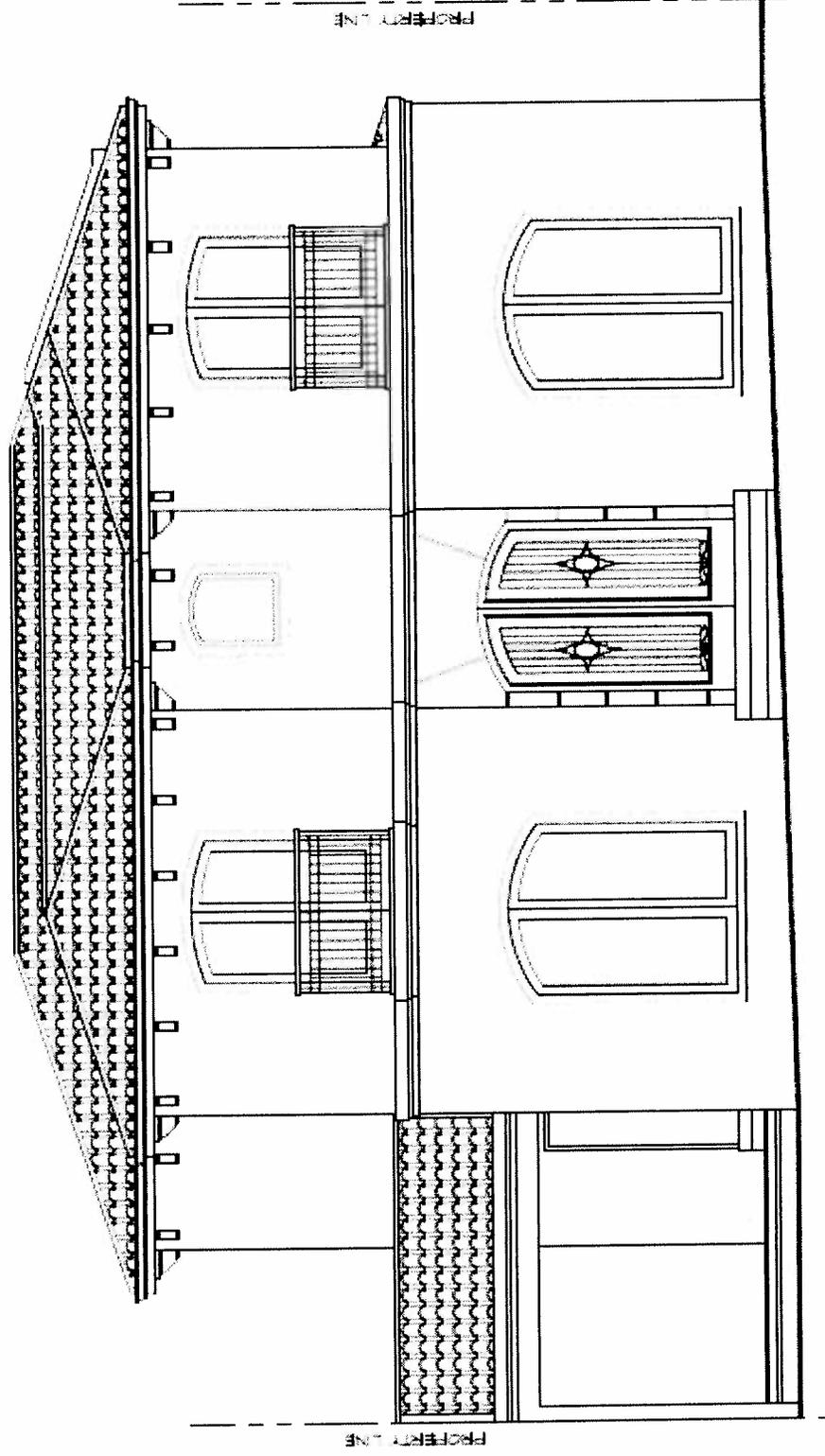
Existing



Design Review
Commission

March 4, 2010

225 South Palm Drive



MAIN ELEVATION

Proposed Front Elevation – 12/8/09



STAFF REPORT
CITY OF BEVERLY HILLS

**For the Design Review Commission
Meeting of March 4, 2010
(PL0954906)**

TO: Design Review Commission

FROM: Rita Naziri, Senior Planner

SUBJECT: A request for an R-1 Design Review Permit to allow a major remodel and second-floor addition to an existing one-story single-family residence, located in the Central Area of the City, south of Santa Monica Boulevard at **225 South Palm Drive**

Continued from December 8, 2009 Design Review Commission meeting.

EXECUTIVE SUMMARY

Afroz Javanfard on behalf of the property owner Joseph Kohan has filed an application for Track 2 design review to allow a major remodel and second-story addition to an existing one-story single-family residence at **225 S. Palm Drive**.

This project was before the Design Review Commission at its meeting of December 8, 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
1. The rendering and elevation were not consistent and should be. The Commission also stated that the colors in the rendering were not pleasing.	1. The applicant has revised the elevations and rendering to be consistent. Proposed colors on the rendering are consistent with the proposed materials and colors. Please note that the landscape rendering has not been updated to include the changes to the building.
2. The Commission suggested to increase the size of corbels;	2. The new design is proposing 6" deep, 4" wide and 12" high corbels throughout the facade.
3. Applicant check with the Building & Safety Division regarding the windows on the first floor needing wrought iron railing to address Building Code requirements.	3. After consulting with the Building & Safety Division, the applicant is proposing to keep the windows as fixed/non-operable windows.
4. The Commission stated that the roof separation between the first and second floor is flat and there could be problems with water run-off and water collection in the future.	4. The applicant is proposing to set back the building two feet on the northerly and southerly sides, providing sloped roof on either sides to prevent any water collection problems.
5. The Commission stated that the façade of the building lacked architectural details and suggested that thicker walls replace the thinner walls as currently proposed. Additionally, the light colored tile roof color was not appropriate for the architectural style of the residence and for the streetscape;	5. The applicant has revised the design to include additional modulation on the second floor. The center of the building is also recessed on first and second floor including a planter box in front of the window on the second floor. The windows on the first floor are also recessed to provide some articulation on the first floor. Concerning the color of the roof tile, the applicant notes that the tile roof would be of darker color tile. Roofing material would be of Claymax Tile Corona De Oro.
6. Rethink the center window upstairs as it is out of balance and proportion;	6. The revised design includes an additional recessed area on the second floor where the center window is located. The applicant is also proposing a planter box in front of the center window. Therefore, the center window would not be a focal point.

Commission Comment	Proposed Modification
7.The Commission requested more details of the front door and suggested the addition of beveled glass flanking the door. The applicant should keep in mind that the front door needs to be proportionate to the residence;	7. The front door is revised to include a single door with double sidelight of beveled glass flanking the entry. The applicant also reduced the door height from nine feet to eight feet to match with the height of other windows fronting Palm Drive.
8.The height of doors on first floor should be the same height;	8. Please see the above response No. 7.
9.Top of the windows on the second floor should be aligned;	9. The revised plans show that the top of the windows on the second floor are aligned.
10. The landscape plan should be reconsidered as the proposed palm trees are placed too close to the residence. The Commission suggested considering a different plant species, which would be softer, more creative and more natural to the environment.	10. The landscape plan is revised by deleting the proposed palm trees and artificial turfs within the front setback area and proposing Marathon Fescue sod and Azalea plants within the front setback along with other drought tolerant species. The applicant is also proposing to include a planter on the second floor. Staff is concerned about planting materials that is proposed in front of the existing front yard fence.

The 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.

Reason for Review by the Commission

The architectural style of the proposed project is called out as “Italian Renaissance Revival” by the project designer. The proposal may have some elements of the above style. In addition, the project is designed by a designer rather than a licensed architect, which necessitates review of the proposal by the Design Review Commission as a Track 2 application.

Adherence to Zoning Code

The existing residence is a legal non-conforming building, which does not comply with the required front, rear and northerly side yard setbacks. The proposed project presents major remodel and second-story addition to the existing building. Based on the calculations provided, the proposal appears to be less than 50% remodel threshold (BHMC 10-3-4100(A) (1)). During the plan check process, staff's policy is to require verification of the percentage of altered buildings that exceed 40% of the existing structure. If this percentage exceeds 50%, the project may not move forward until it has been modified to meet code requirements. Otherwise, the project generally meets the required zoning standards including height, setbacks, parking, and floor area requirements for the proposed addition.

GENERAL INFORMATION	
Applicant	Afrooz Javanfard
Project Owner	Joseph Kohan
Zoning District	Central R-1 Area – South of Santa Monica Boulevard
Parcel Size	6,070 sq.ft.
Listed in City's Historic Survey	No

SITE AND AREA CHARACTERISTICS

The project site is approximately 50-feet wide by 121.4 long lot, located on the west side of the 200 block of south Palm Drive between Gregory Way and Charleville Boulevard. The lot is currently developed with a single-story residence. The existing primary residence would be remodeled and a second floor will be added to the existing structure. Surrounding development consists of one- and two-story single-family homes.

PROJECT DESCRIPTION

Building Envelope/Modulation

The proposed house would have a total floor area of 3,928 square feet, which is the maximum allowable building area for the subject site.

As proposed, the total height of the residence would be 26.7 feet to the highest point of the roof (30 feet maximum height allowed). The main entrance to the proposed structure consists of an entry with wood and glass door. The design of the house provides additional modulation on the second floor. The existing front setback is slightly under the required 25 feet setback. However, the second floor addition would provide the 25 feet required setback.

Parking

The plan includes six bedrooms requiring four parking spaces to be provided. As proposed, two parking spaces are provided on the driveway on the southern property line and a porte cochere and two parking spaces are proposed within the rear yard accessed from the alley.

Design

The proposed design of the structure is called out as “Italian Renaissance Revival” by the project’s designer and includes the following features:

- Two stories
- Fairly flat façade on the first floor with recessed main entry, second floor is set back 3’9” from the 25 feet required front setback
- Low pitched roofs
- Stucco walls
- Arched doors and entries, generally recessed on the first floor
- Clay tile roof
- Porte Cochere
- The upper story shorter than lower level and setback from the lower level

Materials

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

- Walls: stucco in light tan
- Mouldings: stucco mouldings painted in vanilla color
- Roof - Clay tiles by Claymax Tile – by United States Tile Co.
- Window & door – Wood painted as dark brown manufactured by Marvin

A material board will be presented at the meeting.

Paving:

The total amount of paving permitted within the front yard of the subject site is 400 square feet. The proposed project includes a total of 392 square feet of paving within the front yard, below the amount permitted by the Code. The paving material is proposed to be stamped concrete.

Landscape Design:

A revised landscape plan has been provided for the project front setback area. The revised landscape plan consists of series of drought tolerant plants, ground covering and trees including Phyllostachys Nigra (Black Bamboo), Cyperus Papyrus, Otatea Acuminata (Mexican Weeping Bamboo), Philodendron “Xanadu”, Azalea”, Phormium (Amazing Red), Phyllostachys Nigra, Zinyiber “Variegata”, Betula Pendula and

Marathon Fescue 2 (sod) within the front setback area. Staff has concerns about the planting materials proposed in front of the existing wrought iron fence.

PUBLIC NOTICE AND COMMENTS

Notice of the proposed project and public hearing was mailed on November 24, 2009 to all property owners and residential tenants within a 100-foot radius from the exterior boundaries of the property as required by Code. To date staff has not received any comments concerning the proposal.

ENVIRONMENTAL DETERMINATION

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 1 Categorical Exemption (Alterations to Existing Structures) in accordance with the requirements of Section 15301 of the Guidelines because the Project involves an addition to an existing single family residence, which will have substantially the same purpose and capacity as the existing structure. Therefore, no significant impacts to the environment are anticipated.

DESIGN 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.

The original design of the proposed project has been revised based on recommendations provided by the Commission at its previous meeting. The proposed design appears to include the Italian Renaissance Revival architectural style, and utilizes modulation and recessed areas along the front façade to reduce the scale and mass of the structure. The entire second floor has been stepped back, and the arched entryway incorporates further modulation by creating a recessed front door. Additionally, the walls of the house have been redesigned to allow for more deeply inset windows and doors.

Staff feels that the project meets the findings (attached as Exhibit 1) that are required for approval of the project subject to noted conditions of approval.

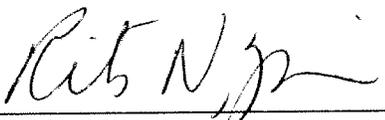
Upon consideration of criteria set forth in BHMC 10-3.4415, The Commission has the following options:

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 a pending the information and conclusions that may result from testimony received at the public hearing, as well as Design Review Commission deliberations, staff recommends that the Design Review approve the project subject to the following conditions in addition to the standard conditions provided in the attached resolution:

1. Structural drawings are required to verify that the project is not exceeding the 50% threshold for non-conforming buildings as specified in BHMC 10-3-4100. Should the results of this analysis determine that the project has exceeded the 50% threshold, non-conforming zoning rights shall lapse and the project must be built in conformance with current development standards.
2. The final landscape plan shall be returned to staff for review.



Rita Naziri, Senior Planner

Attachment: Exhibit 1: DRC Findings
Resolution

EXHIBIT 1

If the Commission finds that the project meets the criteria set forth below, the Commission shall make findings to 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.***
- 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.***
- 3. *The 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 pattern, carefully analyzing the characteristics of the surrounding group of homes, and integrates appropriate features that will ensure harmony between old and new.***

RESOLUTION NO.

RESOLUTION OF THE DESIGN REVIEW COMMISSION OF THE CITY OF BEVERLY HILLS CONDITIONALLY APPROVING AN R-1 DESIGN REVIEW PERMIT TO ALLOW TO ALLOW A MAJOR REMODEL AND SECOND-FLOOR ADDITION TO AN EXISTING ONE-STORY SINGLE-FAMILY RESIDENCE, LOCATED IN THE CENTRAL AREA OF THE CITY, SOUTH OF SANTA MONICA BOULEVARD AT **225 SOUTH PALM DRIVE**

Afroz Javanfard on behalf of the Property Owner Joseph Kohan has applied for an R-1 Design Review Permit to allow a major remodel and second-floor addition to an existing one-story single-family residence, located in the Central Area of the City, south of Santa Monica Boulevard. The Project maintains several legally nonconforming setbacks on the ground floor. However, the addition including the new second floor meets the City's current side setback requirements along all property lines. As proposed, the Project generally meets all required zoning standards, including height, setbacks, parking, and floor area.

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

Section 1. Reviewing Authority.

Pursuant to Section 10-3-4408 of the Beverly Hills Municipal Code, 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 substantially conform to a pure architectural style and has not been designed by a licensed architect. Therefore, it has been determined that the Design Review Commission shall be the reviewing authority.

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

Section 2. Terms Defined.

The Following Terms

Shall Mean:

"Project Site"

225 S. Palm Drive

"Agent"

Afroz Javanfard

"Property Owner" Joseph Kohan
"Applicant" Collectively, the property owner and agent.

Section 3. Project Description.

The lot is currently developed with a one-story single-family residence. The existing residence is a legal non-conforming building, which does not comply with the required rear, front and northerly side yard setbacks. The proposed project presents major remodel and second-story addition to the existing building. Based on the calculations provided, the proposal appears to be less than 50% remodel threshold (BHMC 10-3-4100(A) (1)). During the plan check process, staff's policy is to require verification of the percentage of altered buildings that exceed 40% of the existing structure. If this percentage exceeds 50%, the project may not move forward until it has been modified to meet code requirements. Otherwise, the project generally meets the required zoning standards including height, setbacks, parking, and floor area requirements for the proposed addition.

Building Envelope. The proposed project consists of a major remodel of an existing residence and addition of new second floor. The proposed house would have a total floor area of 3,928 square square feet, which is the maximum allowable building area for the subject site. As proposed, the total height of the residence would be 26.7 feet to the highest point of the roof, which is below the maximum height of 30 feet allowed by Code.

Parking. The plan includes six bedrooms requiring four parking spaces to be provided. As proposed, two parking spaces are provided on the driveway on the southern property line and a porte cochere and two parking spaces are proposed within the rear yard accessed from the alley.

Design. The proposed design of the structure most closely resembles "Italian Renaissance Revival" as listed in the City of Beverly Hill's Residential Design Style Catalogue, and includes the following features:

- Two stories

- Fairly flat façade on the first floor with recessed main entry, second floor is set back 3'9" from the 25 feet required front setback
- Low pitched roofs
- Stucco walls
- Arched doors and entries, generally recessed on the first floor
- Clay tile roof
- Porte Cochere
- The upper story shorter than lower level and setback from the lower level

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

- Walls: stucco in light tan
- Mouldings: stucco mouldings painted in vanilla color
- Roof - Clay tiles by Claymax Tile – by: United States Tile Co.
- Window & door – Wood painted as dark brown manufactured by Marvin
- Doors & windows – Glass Framed in Metal;

Paving. The plans show a total front yard paving of the proposed design is approximately 392 square feet of concrete. The maximum allowable front yard paving is 400 square feet.

Landscape Design. A revised landscape plan has been provided for the project front setback area. The revised landscape plan consists of series of drought tolerant plants, ground covering and trees including Phyllostachys Nigra (Black Bamboo), Cyperus Papyrus, Otatea Acuminata (Mexican Weeping Bamboo), Philodendron "Xanadu", Azalea", Phormium (Amazing Red), Phyllostachys Nigra, Zinyiber "Variegata", Betula Pendula and Marathon Fescue 2 (sod) within the front setback area.

Based on the Design Review Commission recommendation at its meeting of December 8, 2009, the applicant has revised the project to incorporate the requested changes into the revised plans including:

- Consistency of the proposed rendering and elevations
- Increasing the size of corbels throughout the facade
- Proposing fixed windows on the ground floor to meet Building Code requirements
- Provide sloped roof on the northerly and southerly sides to prevent water collection issues

- Provide additional modulation on the second floor with planter and recessed windows on the first floor to create additional articulations for the front façade. In addition, using darker clay tile for roofing to be consistent with the architectural style.
- Redesign the front door to single door with double side lights.
- Reduce the main door height to match with the other windows on the first floor
- Realign top of the windows on the second floor
- Revised landscape to include environmental friendly species.

Section 1. Project Public Hearing/Approved Project Plans

The Design Review Commission held a duly noticed public hearing to consider the application. Evidence, both written and oral, was presented and architectural plans addressing the conditions of approval were presented for the Commission's consideration in conjunction with this Resolution.

- A Public Hearing for this project was held on the following date(s):
 - **December 8, 2009**
 - **March 4, 2010**

Section 5. Environmental Assessment.

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 1 Categorical Exemption (Alterations to Existing Structures) in accordance with the requirements of Section 15301 of the Guidelines because the Project involves an addition to an existing single family residence, which will have substantially the same purpose and capacity as the existing structure. Therefore, no significant impacts to the environment are anticipated.

Section 6. Findings of the Design Review Commission.

Based upon the evidence presented at the hearing, including the staff report and architectural plans, the Design Review Commission made findings to approve the project as set forth in "Exhibit 1" to this Resolution.

Section 7. Conditions of Approval

Based on the foregoing, the Design Review Commission hereby grants the R-1 Design Review Permit for the Project subject to the conditions set forth in "Exhibit 2" to this Resolution.

Section 7. Certification.

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

EXHIBIT 1 OF 2: FINDINGS

Based on its review of the application, documentation, and the testimony heard at the public hearing, the Design Review Commission determined that the proposed Project meets the following 5 criteria in accordance with Beverly Hills Municipal Code Section 10-3-4415:

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

The original design of the proposed Project has been substantially revised based on recommendations provided by the Commission at its previous meeting. The design style is described by the architect as "Italian Renaissance Revival". The design includes use of elements and materials that compliment the style. The proposed house exhibits a balanced design and is therefore 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.

The Project as proposed decreases the appearance of scale and mass because the building is stepped back on the second floor and provides a recessed entry and inset doors and windows. As proposed, the Project includes façade modulation and proposes new landscaping throughout the front yard. As conditioned, 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 proposed development will enhance the appearance of the neighborhood.

As proposed, the Project will enhance the appearance of the neighborhood as a result of the revisions made to the design. The project will utilize quality materials and modulation, which will help to enhance the appearance of the neighborhood. A detailed landscaping plan provided for the site shows landscaping that will screen and enhance the proposed residence. As conditioned, the final landscape plan shall be returned to staff for final review.

4. The proposed development is designed to balance the reasonable expectation of development for the owner with the reasonable expectation of privacy of neighbors

The Project maintains several legally nonconforming setbacks along its ground floor. However, all new construction at the second floor meets the City's current side setback requirements along all property lines. Because all new construction complies with required setbacks, the Project creates a balance between the reasonable expectation of development and 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.

The Project respects prevailing site design by following the required setbacks for the new addition along the adjacent streetscape. The proposed major remodel and addition appears to be under 50% remodel threshold, however, during the plan check process, if the percentage of remodel exceeds the 50% threshold, the project may not move forward until it has been modified to meet the current code requirements. The Project uses the footprint of the existing building on the first floor. Additionally, the proposed floor area is the maximum allowed by Code, but provides ample modulation along the front façade. Therefore, as conditioned, the Project does not appear unduly massive and bulky and so would be a harmonious addition to the existing neighborhood.

EXHIBIT 2 OF 2: CONDITIONS OF APPROVAL

PROJECT-SPECIFIC CONDITIONS (to be reviewed by City Staff):

1. Structural drawings are required to verify that the project is not exceeding the 50% threshold for non-conforming buildings as specified in BHMC 10-3-4100. Should the results of this analysis determine that the project has exceeded the 50% threshold, non-conforming zoning rights shall lapse and the project must be built in compliance with current development standards.
2. Final landscape plan shall be returned for review by staff regarding the appropriateness of proposed species in front of the existing front yard fence.

STANDARD CONDITIONS:

1. Design Review: Any approval by the Commission is for design only; the project is subject to all applicable City zoning regulations.
2. Final Plans: The Applicant shall submit final working drawings to the Director of Community Development for review and approval prior to the issuance of a building permit. The Project shall be built in substantial compliance with the plans approved by the Design Review Commission on February 4, 2010, on file with the Department of Community Development.
3. Future Modifications: 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 changes only) or presented to the Commission for review. Changes made without City approval may be required to be restored to match the City approved plans.
4. Windows: Final plans shall include spec sheets for windows and include the name of the manufacturer, size, shape, color and material of each window.
5. Elevations – Material Call-Outs: Colored elevations for all construction visible from the street shall be provided with the final plans. Call-outs for each material shall be provided for verification in the field during construction.
6. Resolution Scanned on Plans: A copy of the approved Resolution (including the Findings and Conditions of Approval) shall be scanned onto the cover sheet of the approved building plans.
7. Water Efficient Landscaping: The proposed landscape plan shall comply with the City's Water Efficient Landscaping Ordinance.

8. Construction Management Plan. 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.

9. Site Maintenance and Contact Information. 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.

10. Recordation of Covenant. 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 Covenant shall be recorded prior to issuance of a building permit.

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.

