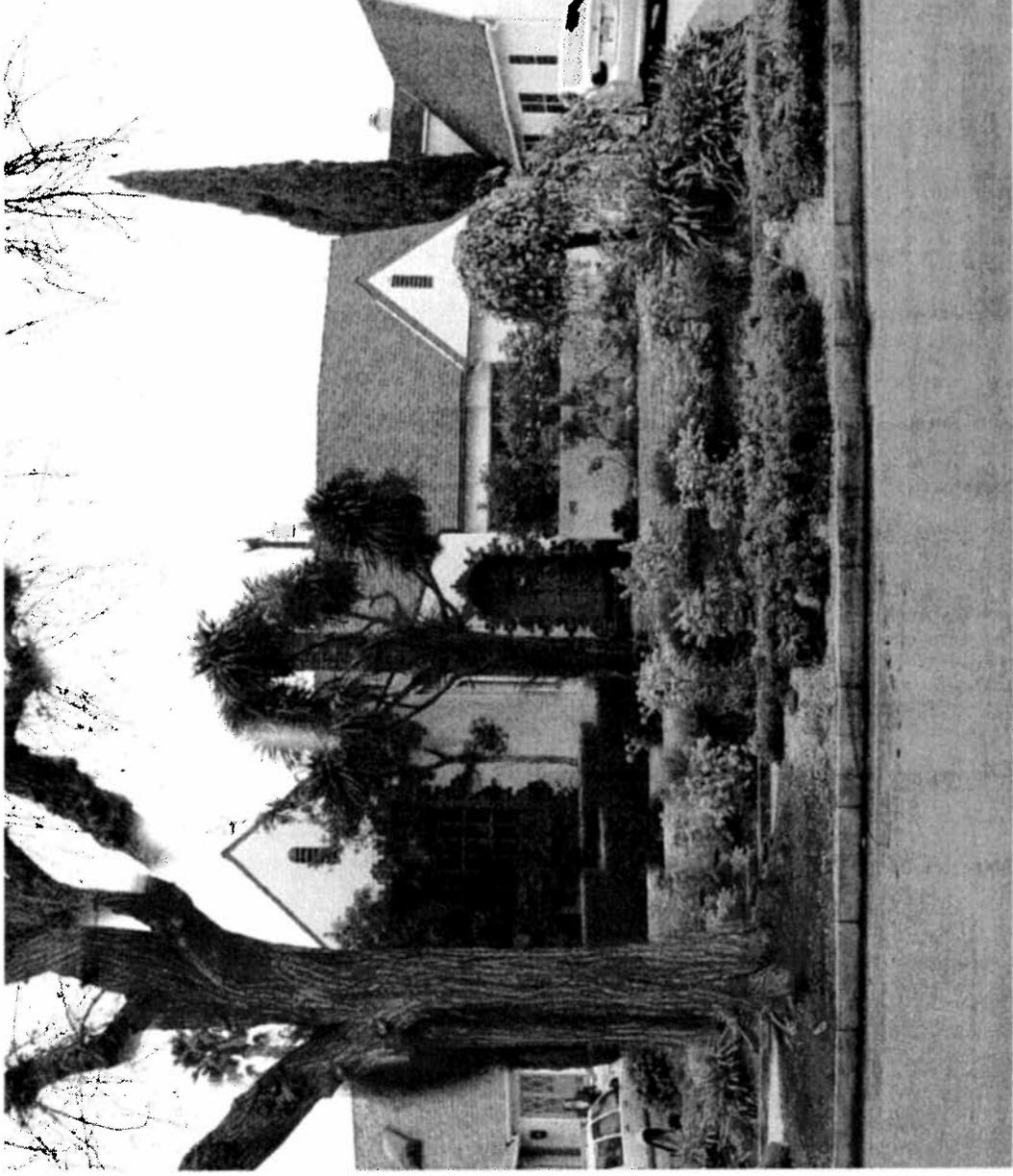




Design Review
Commission

May 6, 2010

265 South Wetherly Drive



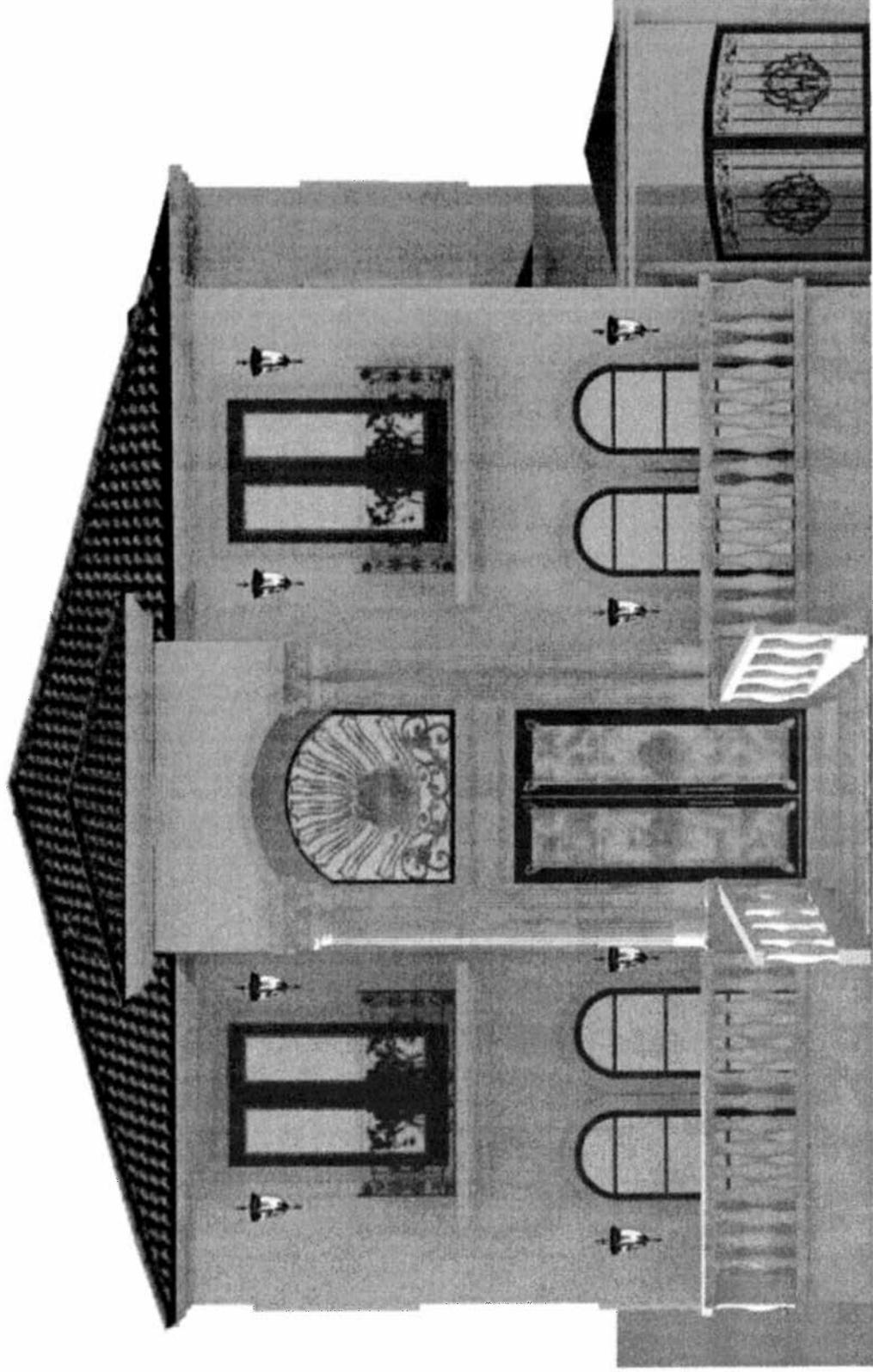
Existing



Design Review
Commission

May 6, 2010

265 South Wetherly Drive



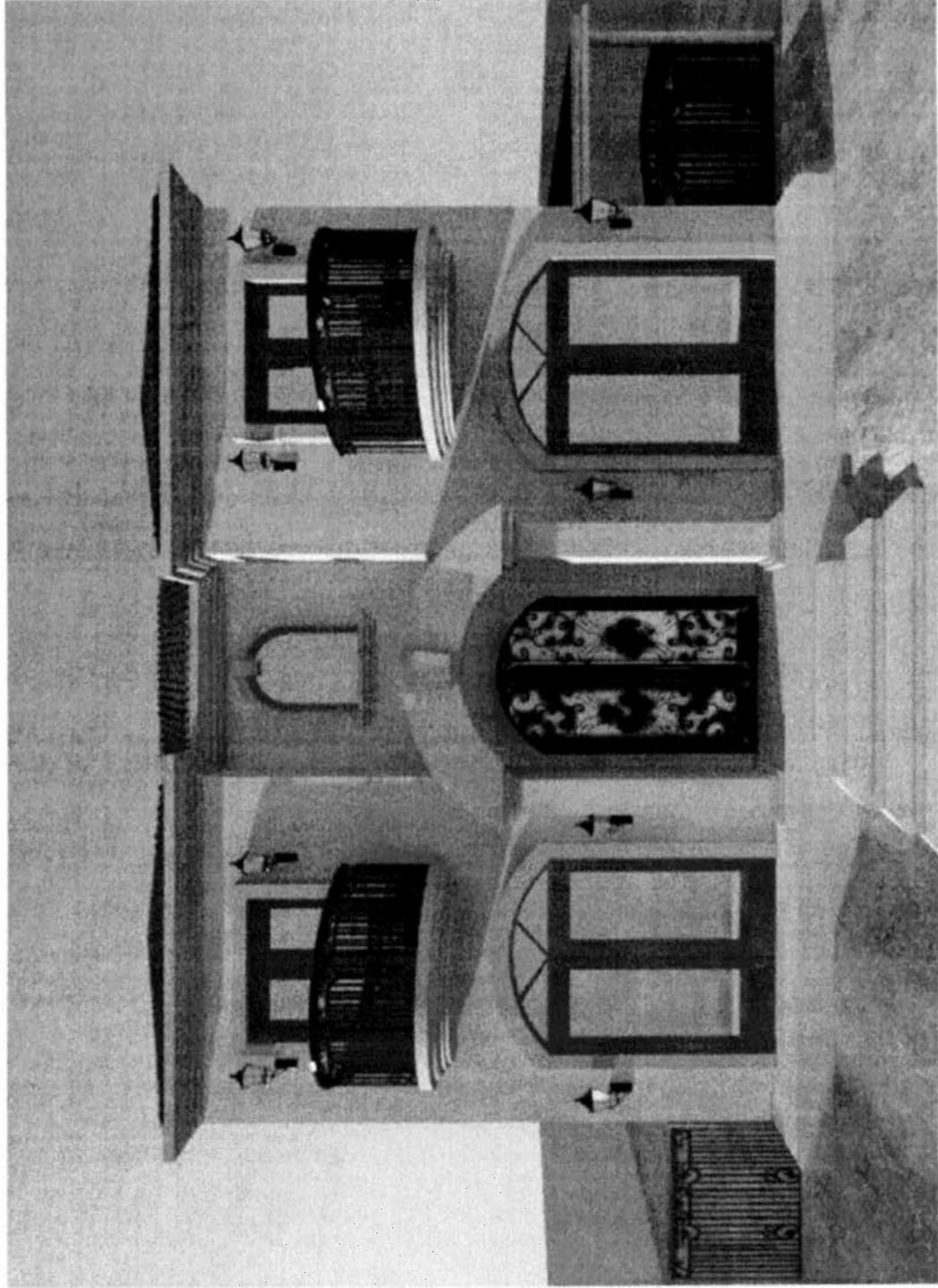
Proposed Elevation 2/4/10



Design Review
Commission

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265 South Wetherly Drive



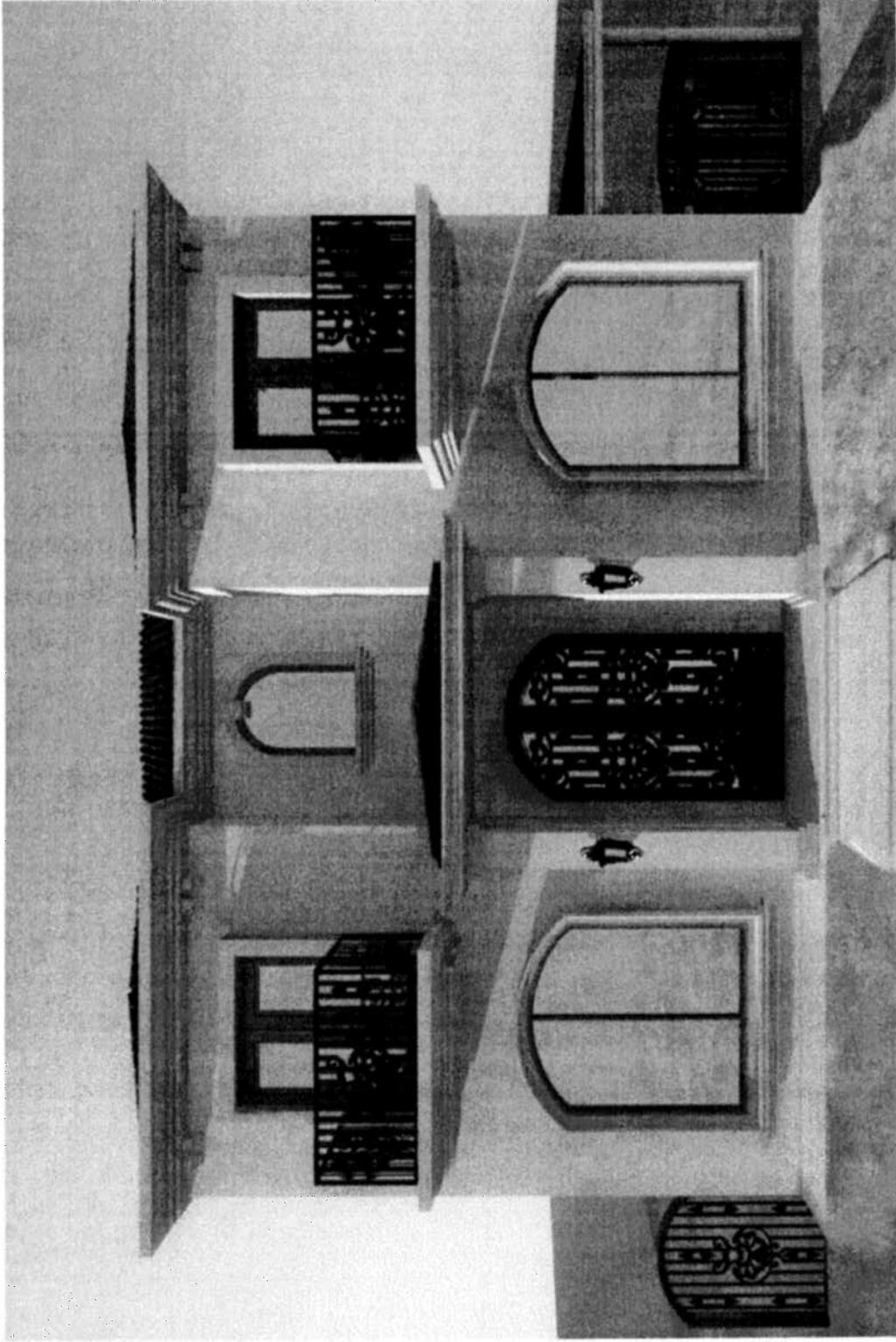
Proposed Elevation 3/4/10



Design Review
Commission

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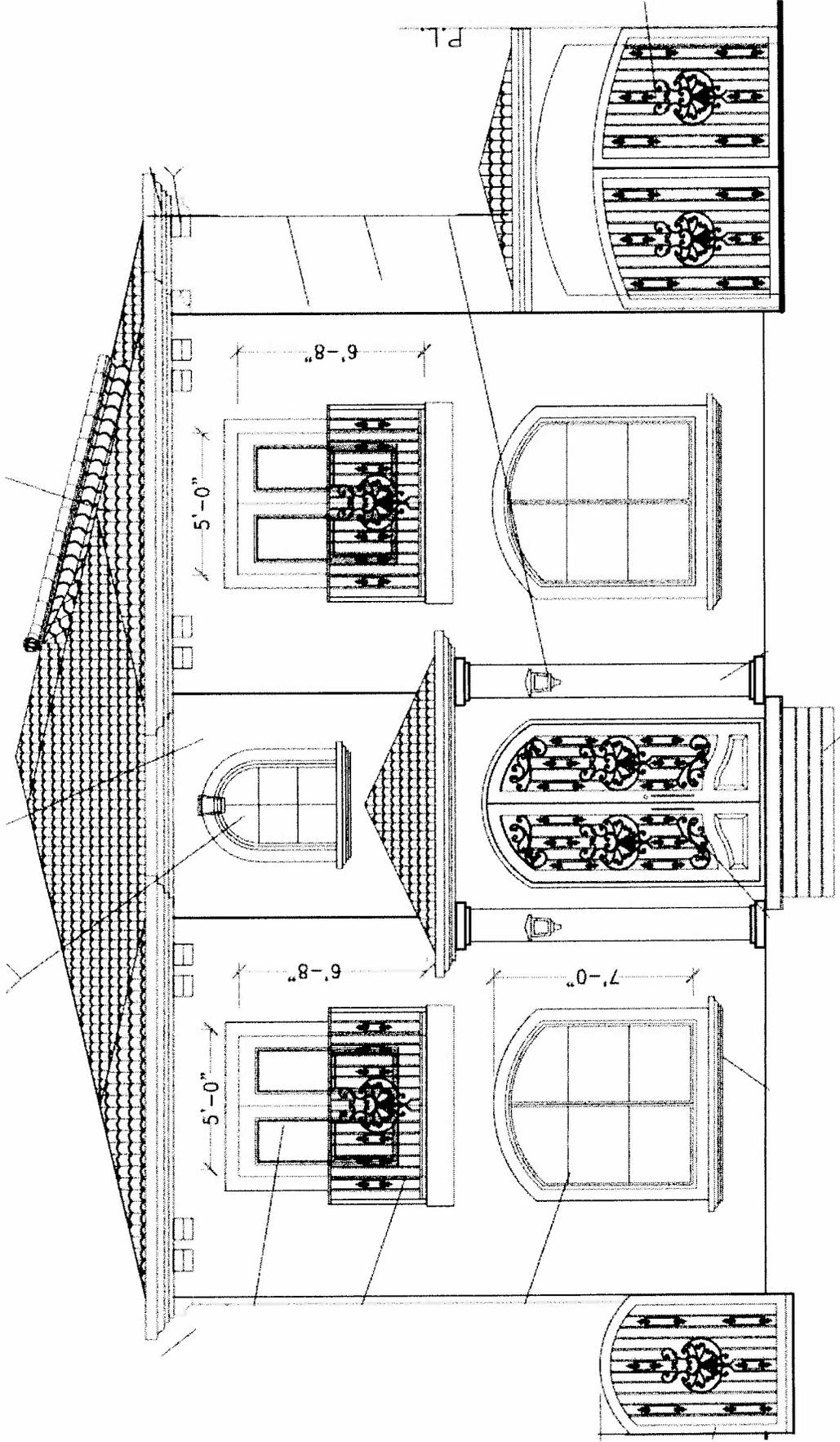


Proposed Elevation – April 1, 2010



Design Review
Commission
May 6, 2010

265 South Wetherly Drive



Proposed Elevation – May 6, 2010



STAFF REPORT
CITY OF BEVERLY HILLS

**For the Design Review Commission
Meeting of May 6, 2010**

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, south of Santa Monica Boulevard at **265 South Wetherly Drive.** (PL 100 0935)

Continued from the April 1, 2010 Design Review Commission meeting.

EXECUTIVE SUMMARY

Mr. Shahriar Yadegari, on behalf of the property owner, has filed an application for Track 2 design review to allow a new single-family residence at **265 South Wetherly Drive.**

This item was reviewed by the Commission at its February 4, 2010 meeting. At that meeting, the Commission recommended that the applicant choose a pure architectural style or otherwise redesign the project and return with a new concept. The applicant presented a new design at the March 4, 2010 meeting, and the Commission recommended that the design be refined and return to the April 1, 2010 meeting. At the April 1, 2010 meeting the Commission approved the design subject to the following conditions:

Continued to the next page.

Design Review Commission Requests March 4, 2010 Meeting	Applicant's Response
1. The corbels should be more regularly spaced out or be enlarged (thickened). 2. Recess the windows and doors along the front façade. 3. Add horizontal mullions to the windows at the ground floor and the window above the front entryway. 4. Move the apex of the roof over the front door up toward the window above. 5. Provide three (3) samples of wrought iron designs for the Commission's review.	1. The applicant has thickened the corbels from 6 inches to 9 inches. 2. The windows and French doors along the front façade have been recessed 6 inches. The front entry door has not been recessed. 3. The applicant has added horizontal mullions to the ground floor windows and the window above the front entryway. 4. The applicant has moved the apex up approximately 12 inches. 5. The applicant will be providing three (3) samples of wrought iron designs at the Commission meeting.

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.

If the Commission chooses to approve the design, the findings contained in Exhibit 1 must be made verbally at the meeting.

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

1. Approve the plans as presented and direct staff to prepare a Resolution;
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.

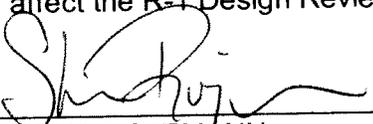
RECOMMENDATION

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 that the Design Review Commission approve the project with the following conditions:

1. Pursuant to Beverly Hills Municipal Code §10-3-2408(F-1), no walls, fences or hedges located in the front yard shall exceed 3 feet in height.
2. Pursuant to Beverly Hills Municipal Code §10-3-2408(F-2), architectural projections which encroach into the front yard shall cover no more than twenty percent (20%) of the maximum potential facade of the building, except as permitted by a Central R-1 permit.
3. Pursuant to Beverly Hills Municipal Code §10-3-2408(F-3), all paving within the front yard shall conform to the requirements of BHMC §10-3-2422 for properties in the Central Area of the City, South of Santa Monica Boulevard.
4. Any approval by the Commission is for design only; the project is subject to all applicable City zoning regulations.
5. 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 April 1, 2010 on file with the Department of Community Development.
6. 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.
7. Final plans shall include spec sheets for windows and include the name of the manufacturer, size, shape, color and material of each window.
8. 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
9. 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.
10. The proposed landscape plan shall comply with the City's Water Efficient Landscaping Ordinance.

11. 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.
12. 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.
13. 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.


SHENA ROJEMANN
Assistant Planner

Attachment A – Required Findings
Attachment B – Resolution

Design Review Commission Meeting of May 6, 2010
265 South Wetherly Drive
R-1 Design Review

Attachment A
Required Findings

If the Commission finds that the project meets the criteria set forth below, the Commission shall make the 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.**

Design Review Commission Meeting of May 6, 2010
265 South Wetherly Drive
R-1 Design Review

Attachment B
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 AT THE PROPERTY LOCATED AT 265 SOUTH WETHERLY DRIVE.

Shahriar Yadegari on behalf of Farshid Khazan has applied for an R-1 Design Review Permit to allow a new two-story single-family residence on a single-family property located in the Central Area of the City. As conditioned, the Project 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 in Section 4. Project Public Hearing/Approved Project Plans.

Section 2. Terms Defined.

The Following Terms	Shall Mean:
"Project Site"	265 South Wetherly
"Agent"	Shahriar Yadegari
"Property Owner"	Farshid Khazan
"Applicant"	Collectively, the Property Owner and Agent

Section 3. Project Description.

The lot is currently developed with a single-story single-family residence and detached garage. The existing structure will be demolished a new two-story single-family residence will be constructed.

Section 4. Project Public Hearing/Approved Project Plans

The Design Review Commission held a duly noticed public hearings 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.

- A Public Hearing for this project was held on the following date(s):
 - February 4, 2010
 - March 4, 2010
 - April 1, 2010
- Architectural plans were conditionally approved by the Commission on April 1, 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 3 (a) Categorical Exemption (new construction of a single-family residence) in accordance with the requirements of Section 15303 of the Guidelines. 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 8. 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:

Susan Strauss
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 design is not consistent with a pure architectural style, however appears to contain design elements commonly found in the "Italian" style of architecture, which can include a rectangular, symmetrical appearance with a very flat façade in the design details are successfully executed. As proposed, the development's design exhibits an internally compatible design scheme

2. As stated in item 1) above, the design is not consistent with a pure architectural style however; it does contain elements commonly found in the "Italian" style. The proposed landscape plan will enhance the garden-like quality of the City. The 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 landscaping enhances the appearance of the neighborhood. As stated in items 1) and 2) above, the residence provides elements consistent with the "Italian" style of architecture and the scale and massing has been appropriately designed. As proposed the development will enhance the appearance of the neighborhood.

4. The side yard, front yard and rear yard setbacks all comply with the City's setback requirements. Along the northern and southern elevations the proposed window and door openings are human-scaled which would have a minimal impact on the neighbor's privacy. Also, the maintenance of the existing landscaping in the side and rear yards shall help to enhance the privacy of the property owner and the neighbors. Thus, the proposed development

DRC Resolution No:
265 South Wetherly Drive

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

5. The project is consistent with the prevailing design patterns of the surrounding neighborhood. A large number of the neighboring residences are large 2-story houses, which are boxy in shape and are located on large lots. The design patterns are characterized by items such as a driveway leading from the street to the side of the main residence and a walkway leading from the public right-of-way to the entryway of the residence. The proposed design appears to be consistent with those of the neighboring properties.

EXHIBIT 2 OF 2: CONDITIONS OF APPROVAL

PROJECT-SPECIFIC CONDITIONS:

1. Pursuant to Beverly Hills Municipal Code §10-3-2408(F-1), no walls, fences or hedges located in the front yard shall exceed 3 feet in height.
2. Pursuant to Beverly Hills Municipal Code §10-3-2408(F-2), architectural projections which encroach into the front yard shall cover no more than twenty percent (20%) of the maximum potential facade of the building, except as permitted by a Central R-1 permit.
3. Pursuant to Beverly Hills Municipal Code §10-3-2408(F-3), all paving within the front yard shall conform to the requirements of BHMC §10-3-2422 for properties in the Central Area of the City, South of Santa Monica Boulevard.

STANDARD CONDITIONS:

4. Design Review: Any approval by the Commission is for design only; the project is subject to all applicable City zoning regulations.
5. 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 April 1, 2010 on file with the Department of Community Development.
6. 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.
7. Windows: Final plans shall include spec sheets for windows and include the name of the manufacturer, size, shape, color and material of each window.
8. 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.
9. 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.
10. Water Efficient Landscaping: The proposed landscape plan shall comply with the City's Water Efficient Landscaping Ordinance.

11. 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.

12. 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.

13. 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.

DRC Resolution No:
265 South Wetherly Drive

STATE OF CALIFORNIA)

COUNTY OF LOS ANGELES) SS.

CITY OF BEVERLY HILLS)

I, JONATHAN LAIT, Secretary of the Design Review Commission and City Planner of the City of Beverly Hills, California, do hereby certify that the foregoing is a true and correct copy of Resolution No. _____ duly passed, approved, and adopted by the Design Review Commission of said City at a meeting of said Commission on May 6, 2010 and thereafter duly signed by the Secretary of the Design Review Commission, as indicated; and that the Design Review Commission of the City consists of five (5) members and said Resolution was passed by the following vote of said Commission, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

JONATHAN LAIT, AICP
Secretary to the Design Review
Commission/City Planner
City of Beverly Hills, California