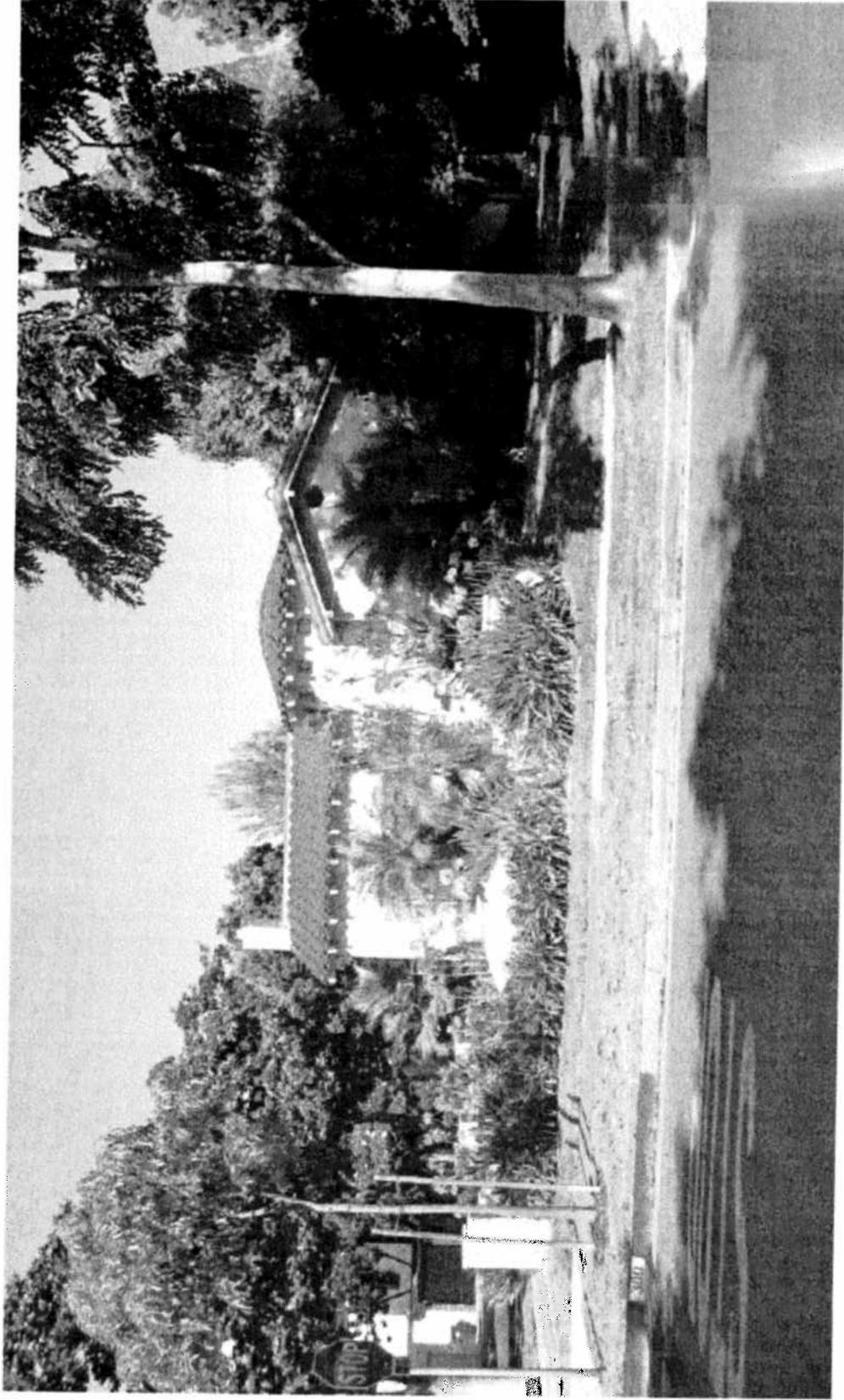




Design Review  
Commission  
May 6, 2010

# 300 South Wetherly Drive

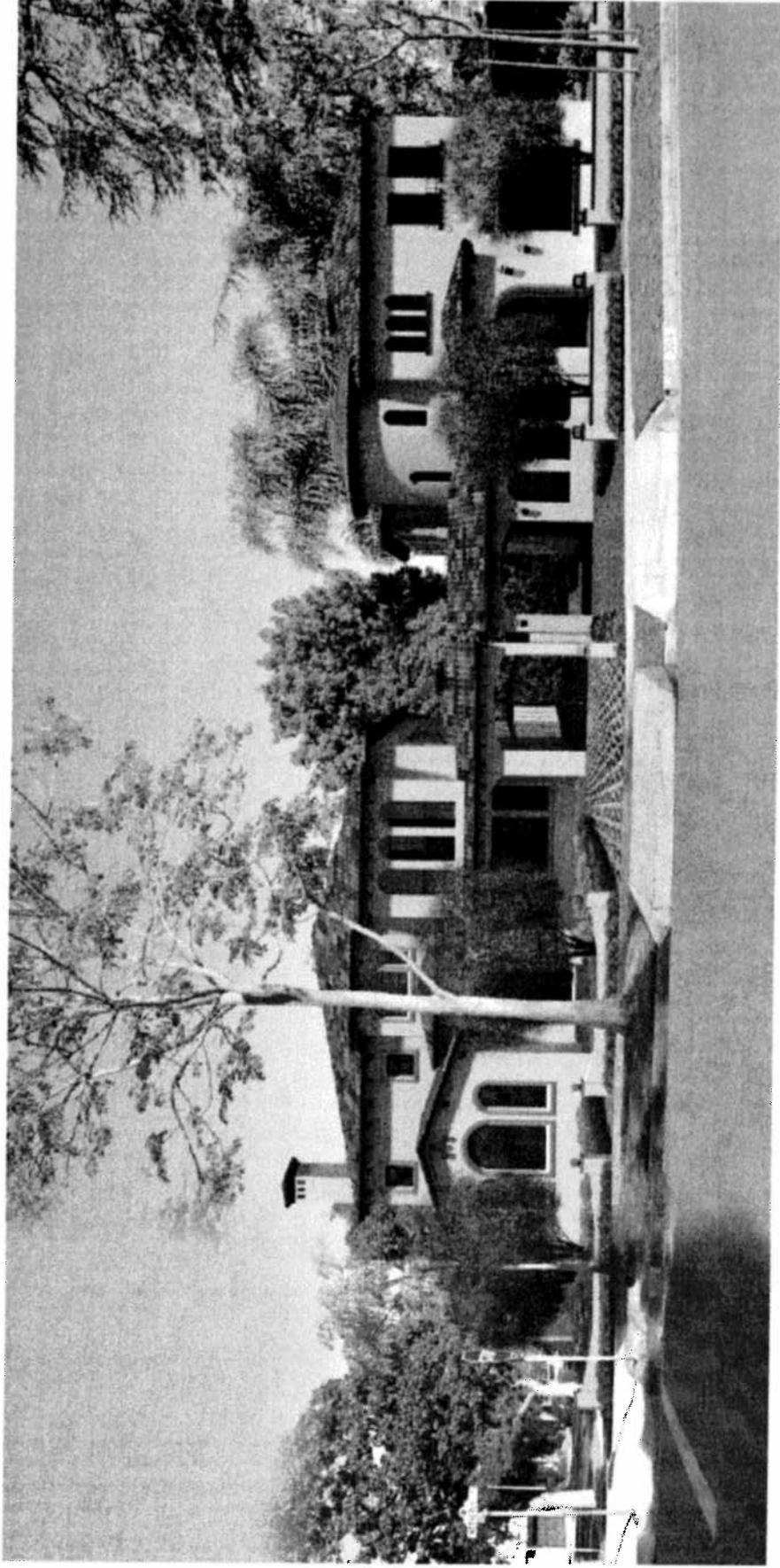


Existing



Design Review  
Commission  
May 6, 2010

# 300 South Wetherly Drive



Proposed



**STAFF REPORT**  
**CITY OF BEVERLY HILLS**

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

**TO:** Design Review Commission

**FROM:** Ivy Nguyen, 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 **300 South Wetherly Drive.** (PL 100 9355)

**EXECUTIVE SUMMARY**

Samuel Moon, on behalf of the property owner, Miriam Sally Arnall, has filed an application for Track 2 design review to allow a new, two-story, 4,383 square foot (with basement) single-family residence located at **300 South Wetherly 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, or if the project is not prepared by a licensed architect.

The applicant identifies the proposed project as "Spanish Mission Revival" and exhibits several characteristics featured in Spanish residences such as arched windows, entry courtyards and porte cochere. However, the proposed residence appears to lack architectural embellishments commonly found in the identified architectural style and is therefore, before the Commission for discussion and refinement of the design. Additionally, the proposed residence was not designed by a licensed architect, and is located on a corner lot. Corner lots are highly visible and proposals on corners have historically been reviewed by the Commission.

The Commission also reviewed the adjacent new single-family residence at the December 2009 and January 2010 Commission meetings. The address is 304 South Wetherly Drive, and was also considered "Spanish Mission Revival" architecture.

A draft resolution is attached for the Commission's consideration. Any specific conditions the Commission wishes to add can be read into the record so that the resolution may be adopted at the May 2010 meeting if that is the consensus of the Commission.

### Adherence to Zoning Code

As proposed, the main house and walls meet all required zoning standards including height, setbacks, parking, and floor area requirements.

<b>GENERAL INFORMATION</b>	
<b>Applicant</b>	Samuel Moon
<b>Project Owner</b>	Miriam Sally Arnall
<b>Zoning District</b>	Central R-1 Area – South of Santa Monica Boulevard
<b>Parcel Size</b>	7,216 square feet
<b>Listed in City's Historic Survey</b>	No

### SITE AND AREA CHARACTERISTICS

The project site is a rectangular-shaped lot that is 60'-0" wide by 120'-0" long, and is located on east side of the 300 block of South Wetherly Drive at the corner of Gregory Way. The existing single-family residence and accessory structure (at the rear of the property) will be demolished in order to allow for the construction of the proposed project. The abutting property to the south is a proposed two-story single-family Spanish Mission Revival architectural style residence. The streetscape is a mixture of new and existing residential homes, with no dominant architectural style.

### PROJECT DESCRIPTION

#### Building Envelope

The proposed residence would have a total floor area of 4,383 square feet, which is slightly less than the maximum allowable building area (4,386 square feet) for the subject site. As proposed, the residence will be 29'-6" to the highest point of the roof

(30'-0" maximum height for a building with a sloped roof is allowed when the maximum plate height is less than 22'-0").

### Modulation

The main entrance to the principal building contains a walkway leading to a covered porch, with the main entry door set approximately 7'-0" behind the required 25'-0" front yard setback. A portion of the residence encroaches within the front yard setback by as permitted per Section 10-3-2418(B) regarding front setback averaging. The first and second floors of the front façade are set back behind the required front setback line, which provides modulation to the facade. Additionally, varying rooflines at the first and second floors provides further modulation at the front façade of the residence.

### Parking

As required by the Beverly Hills Municipal Code, four parking spaces are required for the six-bedroom project. Parking is provided at the southern elevation adjacent to the residence under a porte cochere and will be accessible from the driveway at the new curb cut at South Wetherly Drive. Each parking space measures 9'-0" wide by 19'-0" long as required by Code.

### Design

The proposed design of the structure includes the following features:

- Two stories
- Recessed arched entryway door
- Three-foot tall wall at front property line
- Porte cochere at south elevation
- Fence surrounding the front and side yard (Gregory Way)

The Commission may wish to discuss the style of the lighting on top of the fences relative to Spanish Mission Revival style residences, or elimination of the lighting.

### Materials

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

- "El Camino Blend" colored clay tile roof (alternating terra cotta and dark brown colors)
- Façade smooth trowel stucco finish – in "Creamy Cameo" color (beige)
- Clad trim windows
- Wood front entry door

- Wrought iron railings and fence, black with bronze color
- Wood roof corbels (dark brown) and eaves (light brown)

A material sample board will be available for the Commission's review at the meeting.

### Paving

The applicant is proposing 400 square feet of paving as permitted in Section 10-3-2422A of the BHMC (400 square feet maximum). The hardscape for the site consists of a twelve foot wide driveway approach (which will be widened under a separate permit) and walkway leading to the residence.

### Landscape Design

The proposed project will provide for low-growing landscaping, grass ground cover, and two 48" box Swan Hill Olive Trees within the front yard.

The Commission may wish to discuss the existing streetscape at the intersection with the addition of more mature landscaping along the street side yard fence and front yard fence.

## **PUBLIC NOTICE AND COMMENTS**

Notice of the proposed project and public hearing was mailed on April 22, 2010 to all property owners and residential tenants within a 100-foot radius from the exterior boundaries of the property as required by Code.

On May 28, 2010, staff met with an adjacent neighbor in regards to the proposed project. The concerns of the neighbor were the similarity of the architectural style of the abutting neighbor in regards to it appearing to be a part of "tract homes", non-distinctive architectural features of the proposed residence (suggested refined iron work or addition of Spanish tiles), compatibility of proposed structure within the existing streetscape, garden quality of the City and light fixtures on top of the proposed fence.

A copy of the letter submitted to staff has been included as "Attachment 1".

## **ENVIRONMENTAL DETERMINATION**

The project has been reviewed to be in compliance with the California Environmental Quality Act (CEQA) and the City's environmental guidelines, and a Categorical Exemption of Class 3(a) has been issued (construction of a single-family residence in a residential zone).

## **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 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 proposed design and architectural features exhibit several characteristics similar to those defined in the Design Catalogue for the Spanish Mission Revival residences. For example, recessed arched entryways and smooth light earth-toned stucco at the exterior surface is present on the front facade. The balance of the proposed design appears to exhibit an internally compatible design scheme with several modifications.

***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 proposed design utilizes nearly the maximum amount of floor area permitted by the BHMC. The proposed height of the main residence is 29'-6" (maximum height allowed by Code is 30'-0" for a sloped roof) with a front façade that measures approximately 46'-0" wide.

The proposed façade provides a degree of modulation as the entryway is set back behind required front setback of 25'-0". Additionally, the balcony and varying rooflines provides additional modulation.

The proposed landscaping plan includes two olive trees and low-growing plant species. As conditioned, with the addition of landscaping along the street side yard along Gregory Way, will enhance the garden quality of the city.

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

The proposed project exhibits an internally compatible design scheme. The project utilizes several high quality building materials including stucco walls with wood doors, corbels and eaves, which will help 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.***

The proposed project meets the side setbacks required. The applicant will be providing a seven-foot tall fence at the south property line to provide privacy to the abutting neighbor. The provided (and required) side set back is 5'-0" at the north property line and 9'-0" for the first 38'-0" behind the front setback line at the south property line.

There will be several windows located on the second floor at the south elevation from two bedrooms, closet and a bathroom. However, the sizes of the windows do not appear to be out of scale with the proposed development, and therefore, is not anticipated to adversely affect the neighbor's 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.***

The properties along South Wetherly Drive are developed with structures varying in size and scale and there does not appear to be a consistent design pattern at present. The abutting neighbor at the southern property line has recently been approved as a new Spanish Mission Revival style two-story single-family residence by the Design Review Commission. A few new two-story residences built to the maximum floor area, along with existing one- and two-story residences, can be seen in the neighborhood.

The existing residences at the intersection exhibit a diagonal front entrance or mature landscaping. The Commission may wish to discuss the fencing surrounding the property in order to ensure that the proposed development is in harmony with the old and new residences in the surrounding area.

**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 re-submittal.

## **RECOMMENDATION**

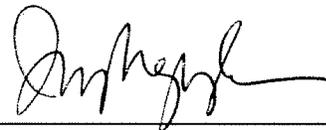
Based on the foregoing analysis and pending the information and conclusions that may result from testimony received at the public hearing, as well as Design Review Commission deliberations, Staff recommends the Design Review Commission either provide the applicant with further direction and return the item for restudy, or approve the project with the following conditions and any other conditions the Commission may wish to add:

### PROJECT SPECIFIC CONDITIONS:

1. Landscaping shall be provided along Gregory Way (street side yard) adjacent to the sidewalk and 7'-0" tall wall.

### STANDARD CONDITIONS:

2. Any approval by the Commission is for design only; the project is subject to all applicable City zoning regulations.
3. Final plans shall include specification sheets for windows and call-outs on a colored elevation for each material proposed for verification in the field during construction.
4. 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.



IVY NGUYEN, Assistant Planner

### Attachments:

1. Letter from neighbor at 300 South Wetherly Drive
2. Draft Resolution

Attachment 1. Letter from Neighbor at  
300 South Wetherly Drive

Ms. Nguyen,

Thank you for taking time out of your busy schedule to meet earlier today concerning the elevation drawings and schematics of 300 S. Wetherly Drive. There are several points I would like to have the Design Review Commission address and remediate with Owner Applicant cooperation:

1. In general, the elevations depict a structure that trends towards “tract-home” design. This should not be considered in isolation either. For example, there are a number of features at the subject property that are close, if not identical, to the adjacent proposed structure at 304 S. Wetherly. Among other things, the decorative 2<sup>nd</sup> story window iron-work on the North elevation is identical to elements at 304, as are the Courbels. These should be somewhat different than 304 to avoid “tract home” appearances of these identical features on immediately adjacent homes. Juxtaposed, these particular elements look like mirror images of each other, including the placement and design of the carports. Consider also in this regard some differentiating features between the carports other than simple addition of a gate (see item 2 below in this regard as well).
2. The railing/grill work on the balconies, retaining wall and carport entry could/should be more decorative and a bit more upscale than the relatively drab, plain expression that currently appears in the schematics/drawings/elevations. Particularly in the context of a corner-lot home, there should be extra care and consideration given to aesthetic features, consistent with the codified/stated public policy of Beverly Hills in regards to preserving and enhancing the beauty and quality of our residential areas. Corner home/lot details are significantly more visible in the community than lots with adjacent structures/houses on both sides.
3. Please review for remediation that 3 of the 4 existing homes at the Gregory/Wetherly intersection have diagonal walkways leading to the corner sidewalk areas, thus presenting a park-like, open flow of landscaping, visual and design elements. The 4<sup>th</sup> and only corner home that does not have this feature (the Wincelberg home at 301 S. Wetherly) compensates for this by having a side door entrance on the North accessing Gregory, and a landscaped green area along that location such that there is no retaining wall barrier right up to the sidewalk, each of these mitigating factors expressing design elements that present an aesthetic visual flow of living/open space. The Wincelberg home also does not have a retaining wall barrier that surrounds the entire front yard, thus also providing a more visually open, park-like setting. The subject at 300 is designed with hard/sharp corners and has a sensibility of being cold-shouldered and closed-off from the adjacent community. I suggest the DRC work with the Owner Applicant in offsetting the proposed walkway at 300, preferably to the North-West corner in a manner consistent with the existing structure on site and the 2 homes to the North and North-West, and/or consider eliminating the retaining wall element entirely on the West elevation. A curved walkway to the corner at a corner lot is significantly more aesthetic, and would not require a redesign of the proposed entrance to the structure or interfere with front yard usage as it would be at the same grade up to the existing proposed front doorsteps.

4. I suggest the front door walkway steps include Spanish tile design elements. Any other additional/unique Spanish style elements to avoid "tract-home" appearance would also considerably improve design appearance and quality. The West elevation upstairs balcony could also use some alternative design/features as it looks more like an un-inviting passageway than an aesthetic Spanish-style porch/balcony living space. Absent these types of distinctions/additions, the proposed sketches look far short of custom/quality design expected and promoted in residential Beverly Hills.
  
5. Another very troubling aspect of the design are the great balls of light punctuating the perimeter walls/fencing of the property. Aside from the light pollution and invasive nuisance character of those lights projecting into all directions disturbing the quiet enjoyment of the adjacent homeowners/residences, they presents a public safety hazard as they will be prone to destruction/vandalism/breakage. Aesthetic landscape lighting is used by many neighborhood homes to address both public safety and enhancement of vegetative and/or structurally pleasing accents, but not to cast light into the surrounding neighborhood. This feature, unless removed, will have a value diminution effect on adjacent properties and should be removed entirely. Entrance doorway lighting or decorative walkway landscape down-lighting make logical sense, but not obtrusive light sources extending beyond the property boundaries. This is a serious issue and one I am quite familiar with in my role as a member of the Mountain Village/Telluride Long Range Planning Task Force (very strict common sense codes regarding residential/commercial lighting design, fixtures and community impact).

I have attached the foregoing as a pdf as well. Please include these points within the applicable file for DRC and Staff input, review and action.

Very grateful thanks.



My daytime contact details are as follows:

**Chris B. Laukenmann**

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725 South Figueroa Street | Suite 2800 | Los Angeles, CA 90017-5406  
Tel: 213.488.7217 | Fax: 213.226.4116  
Email: Chris.L@pillsburylaw.com

Attachment 2. Draft Resolution for  
300 South Wetherly Drive

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 SINGLE-FAMILY RESIDENCE AT THE PROPERTY LOCATED AT 300 SOUTH WETHERLY DRIVE.

Samuel Moon, on behalf of Miriam Sally Arnall, has applied for an R-1 Design Review Permit to allow a new single-family residence on a single-family property located in the Central Area of the City. As proposed, 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 6.

Section 2. Terms Defined.

<b>The Following Terms</b>	<b>Shall Mean:</b>
"Project Site"	300 South Wetherly Drive
"Agent"	Samuel Moon
"Property Owner"	Miriam Sally Arnall
"Applicant"	Collectively, the property owner and agent

### Section 3. Project Description.

The lot is currently developed with an existing single-family residence and accessory structure which will be demolished and replaced with a new two-story single-family residence with a basement.

#### Building Envelope

The proposed residence would have a total floor area of 4,383 square feet, which is slightly less than the maximum allowable building area (4,386 square feet) for the subject site. As proposed, the residence will be 29'-6" to the highest point of the roof (30'-0" maximum height for a building with a sloped roof is allowed as maximum plate height is less than 22'-0").

#### Modulation

The main entrance to the principal building contains a walkway leading to a covered porch, with the main entry door set approximately 7'-0" behind the required 25'-0" front yard setback. A portion of the residence encroaches into the front yard setback as permitted per Section 10-3-2418(B) regarding front setback averaging. The first and second floors of the front façade are set back behind the required front setback line, which provides modulation to the facade. Additionally, varying rooflines at the first and second floors provides further modulation at the front façade of the residence.

#### Parking

As required by the Beverly Hills Municipal Code, four parking spaces are required for the six-bedroom project. Parking is provided at the southern elevation adjacent to the residence under a porte cochere and will be accessible from the driveway at the new curb cut at South Wetherly Drive. Each parking space measures 9'-0" wide by 19'-0" long as required by Code.

#### Design

The proposed design of the structure includes the following features:

- Two stories
- Recessed arched entryway door
- Three-foot tall wall at front property line
- Porte cochere at south elevation

DRC Resolution No.:  
300 South Wetherly Drive

### Materials

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

- “El Camino Blend” colored clay tile roof (alternating terra cotta and dark brown colors)
- Façade smooth trowel stucco finish – in “Creamy Cameo” color (beige)
- Clad trim windows
- Wood front entry door
- Wrought iron railings and fence, black with bronze color
- Wood roof corbels (dark brown) and eaves (light brown)

### Paving

The applicant is proposing 400 square feet of paving as permitted in Section 10-3-2422A of the BHMC (400 square feet maximum). The hardscape for the site consists of a twelve foot driveway approach (which will be widened under a separate permit) and walkway leading to the residence.

### Landscape Design

The proposed project includes low-growing landscaping, grass ground cover, and two 48” box Swan Hill Olive Trees within the front yard.

#### Section 4. 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 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 being replaced. Therefore, so significant impacts to the environment are anticipated.

#### Section 5. 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.

DRC Resolution No.:  
300 South Wetherly Drive

- A Public Hearing for this project was held on the following date:
  - May 6, 2010
- Architectural plans were approved by the Commission on May 6, 2010.

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:

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Susan Strauss  
Chair of the Design Review Commission of  
the City of Beverly Hills, California

ATTEST:

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Secretary

Approved as to content:

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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 which features exhibit several characteristics similar to those defined in the Design Catalogue for the Spanish Mission Revival residences. For example, recessed arched entryways and smooth light earth-toned stucco at the exterior surface is present on the front facade. The balance of the proposed design appears to exhibit an internally compatible design scheme with several modifications.

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 proposed façade provides a degree of modulation as the entryway is set back behind required front setback of 25'-0". Additionally, the balcony and varying rooflines provides additional modulation.

The proposed landscaping plan includes two olive trees and low-growing plant species that will enhance the garden quality of the city.

3. The proposed development will enhance the appearance of the neighborhood as the proposed project exhibits an internally compatible design scheme. The project utilizes several high quality building materials including stucco walls with wood doors, corbels and eaves, which will help 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 the proposed project meets the side setbacks required. The applicant will be providing a seven-foot tall fence at the south property line to provide privacy to the abutting neighbor. The provided (and required) side set back is 5'-0" at the north property line and 9'-0" for the first 38'-0" behind the front setback line at the south property line.

There will be several windows located on the second floor at the south elevation from two bedrooms, closet and a bathroom. However, the sizes of the windows do not appear

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to be out of scale with the proposed development, and therefore, is not anticipated to adversely affect the neighbor's privacy.

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 properties along South Wetherly Drive are developed with structures varying in size and scale and there does not appear to be a consistent design pattern at present. The abutting neighbor at the southern property line has recently been approved as a new Spanish Mission Revival style two-story single-family residence by the Design Review Commission. A few new two-story residences built to the maximum floor area, along with existing one- and two-story residences, can be seen in the neighborhood. Therefore, it appears that the proposed development is in harmony with the old and new residences in the surrounding area.

## EXHIBIT 2 OF 2: CONDITIONS OF APPROVAL

### PROJECT SPECIFIC CONDITIONS:

1. Landscaping shall be provided along Gregory Way (street side yard) adjacent to the sidewalk and 7'-0" tall wall.

### 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 May 6, 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

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300 South Wetherly Drive

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.

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300 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. <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: Commissioners Gabbay, Szabo, Weiss, Vice Chair Gilbar, and Chair Strauss.

NOES:

ABSTAIN:

ABSENT:

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