



Design Review  
Commission

December 2, 2010

# 627 North Canon Drive



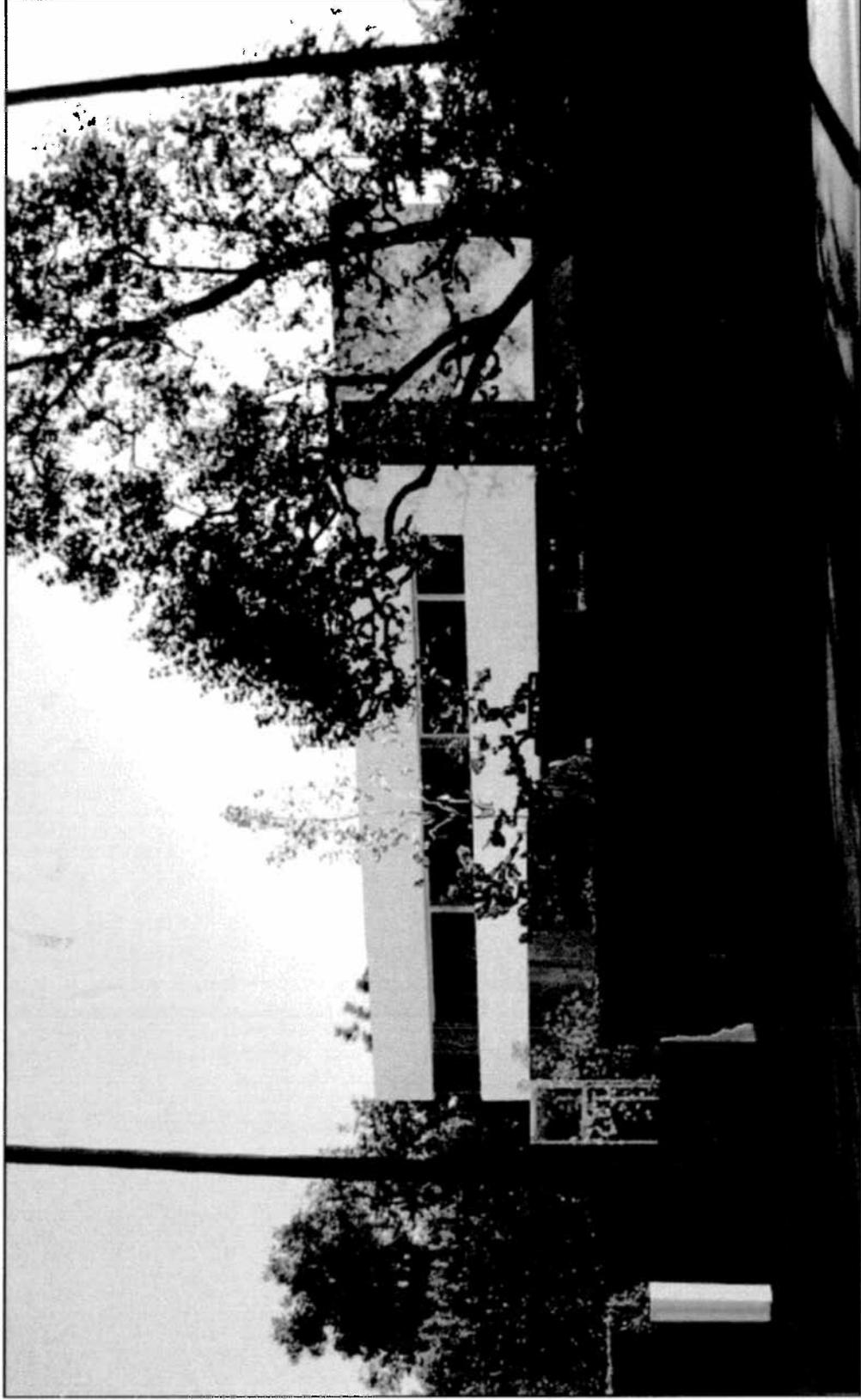
Existing (Canon Drive)



Design Review  
Commission

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# 627 North Canon Drive



Proposed Rendering (Canon Drive)



Design Review  
Commission  
December 2, 2010

# 627 North Canon Drive

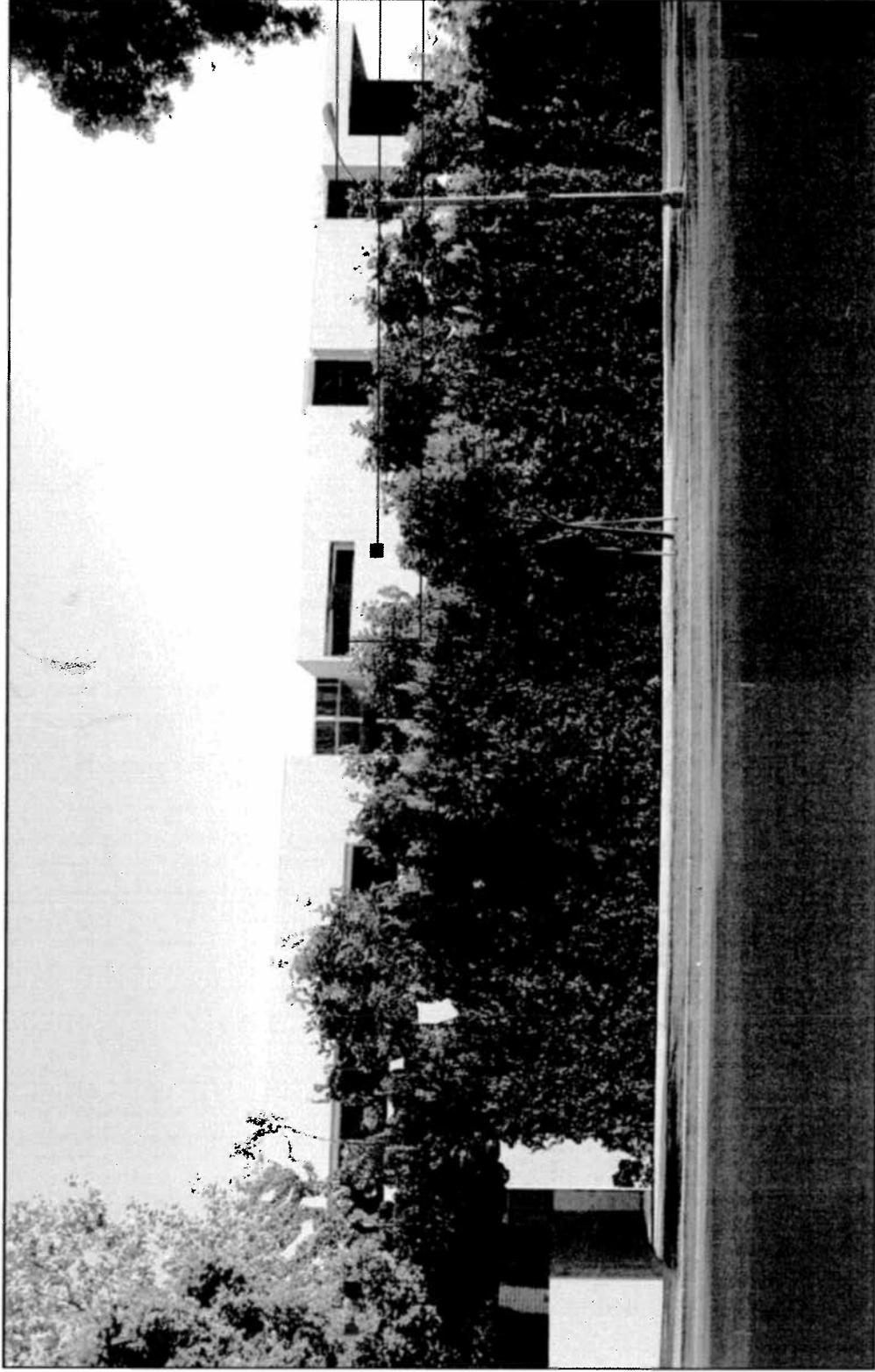


Existing (Elevado Avenue)



Design Review  
Commission  
December 2, 2010

# 627 North Canon Drive



Proposed Rendering (Elevado Avenue)



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

**For the Design Review Commission  
Meeting of December 2, 2010**

**TO:** Design Review Commission

**FROM:** Ryan Gohlich, Associate Planner

**SUBJECT:** A request for an R-1 Design Review Permit to allow the construction of a new two-story single-family residence, located in the Central Area of the City, north of Santa Monica Boulevard at **627 North Canon Drive. (PL 103 6890)**

**EXECUTIVE SUMMARY**

Michael Birnbach, on behalf of the property owner, has filed an application for Track 2 design review to allow the construction of a new single-family residence at **627 North Canon 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.

Although the proposed project was prepared by a licensed architect (licensed in Arizona), the proposed residence may not conform to a single, pure architectural style. Additionally, the Design Review Commission has historically reviewed projects on corner properties; therefore, the proposal is brought before the Design Review Commission for review as a Track 2 application.

**Adherence to Zoning Code**

As conditioned, the design meets all required zoning standards such as height, setbacks, parking, and floor area requirements.

<b>GENERAL INFORMATION</b>	
<b>Applicant</b>	Michael Birnbach
<b>Project Owner</b>	Mr. Greenbridge
<b>Zoning District</b>	Central R-1 Area – North of Santa Monica Boulevard
<b>Parcel Size</b>	35,100 square feet
<b>Listed in City's Historic Survey</b>	No

## **SITE AND AREA CHARACTERISTICS**

The project site is approximately 100-feet wide by 346-feet long (lot average width and length), located on the west side of the 600 block of North Canon Drive between Elevado and Carmelita Avenues. The lot is currently developed with a two-story residence. The existing primary residence would be demolished and replaced by a new two-story residence with two-story guest house. The two-story guest house is currently under review by the Planning Commission. Surrounding development consists of one- and two-story single-family homes.

The proposed project is located on corner property, at the intersection of North Canon Drive and Elevado Avenue. The Commission has historically reviewed projects proposed on corner lots due to the prominent visibility of the corner location and to determine compatibility with the surrounding neighborhood.

## **PROJECT DESCRIPTION**

### **Building Envelope/Modulation**

The proposed project is located on a 35,100 square foot lot. A 15-foot setback is required along the north side (Elevado) and a 10-foot setback is required along the south property line. The main house would have a total floor area of 8,366 square feet, which is 7,174 square feet below the maximum allowed floor area of 15,540 square feet. The project also includes a 3,050 square foot guest house that is currently under review by the Planning Commission.

As proposed, the total height of the primary residence would be 30 feet to the highest point of the roof (32 feet maximum height allowed). The proposed project follows the international architectural style, and incorporates substantial modulation through the use of strong horizontal projections, asymmetry, recessed windows and doors, and outdoor living space.

### **Parking**

A total of four parking spaces have been provided within a subterranean parking garage, which meets the number of parking spaces required by the BHMC. Additionally, two spaces are provided within the proposed guest house for use as a second unit.

### **Design**

The project architect has described the style as International.

### **Materials**

The materials proposed for the new structure are as follows:

- Smooth Trowel Stucco - White in color
- Smooth Concrete - White in color
- Clear anodized aluminum
- Powder coated aluminum doors and windows - Brown in color
- Stainless steel - Satin finish
- Exterior wood cladding - Tongue and groove

Paving:

The total amount of paving permitted within the front yard of the subject site is 1,213 square feet. The proposed project includes a total of 908 square feet of paving within the front yard, which allows for a walkway and driveway within the front setback. A 6-foot tall fence and hedge surrounds the front of the property, and are proposed to remain in place and be used as a component of the project.

Landscape Design:

The majority of existing landscaping and trees on the property is proposed to be maintained, and low plantings are proposed within the front setback. However, the proposed landscape plan does not include sufficient detail on species and size of landscaping, and also includes existing hedges that may not be appropriate given the architectural style of the project. As a result the Commission may wish to discuss the landscaping plan and request additional details.

**PUBLIC NOTICE AND COMMENTS**

Notice of the proposed project and public hearing was mailed on November 23, 2010 to all property owners and residential tenants within a 100-foot radius from the exterior boundaries of the property as required by Code. As of the date this report was prepared, staff had not received any comments.

**ENVIRONMENTAL DETERMINATION**

The project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and the City's environmental guidelines, and the project is eligible for a Categorical Exemption of Class 2 (replacement of structures).

**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 includes high quality materials such as smooth stucco and concrete, wood cladding, and powder coated aluminum window and door frames. The proposed materials and details appear to be consistent throughout the project's design, thereby creating a uniform design scheme. Based on the project's balanced design and consistent use of materials, it appears to exhibit an internally compatible design scheme. Therefore, it is possible to make the required finding.

***2. 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 project incorporates substantial modulation through the use of strong horizontal projections, asymmetry, recessed windows and doors, and outdoor living space. Because these elements help to reduce the appearance of mass and scale, it is therefore possible to make the required finding.

Much of the existing landscaping on the subject property is proposed to be maintained and preserved during construction. Additionally, new landscaping is proposed within the front setback. Although existing and new landscaping is proposed, sufficient detail regarding species and size, as well as the placement of hedges, has not been provided. As a result, it may not be possible to make the required finding with regard to the garden quality of the city at this time. However, as conditioned, a revised landscape plan would be provided that addresses these issues.

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

The proposed project appears to utilize high quality building materials and design, which will help to enhance the appearance of the neighborhood. Additionally, the design appears to follow a consistent, balanced theme, while maintaining an appropriate level of scale, mass, and modulation. Therefore, the proposed project is expected 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 conditioned, the structure meets the City's current side setback requirements along all property lines. Additionally, the proposed project is located on a corner property, which has only one shared property line. Because the project meets all required setbacks and has only one shared property line, the proposed 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 pattern, carefully analyzing the characteristics of the surrounding group of homes, and integrates appropriate features that will ensure harmony between old and new.***

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

**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 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 approve the project subject to the following conditions, and add any conditions the Commission feels are needed in order to make the required findings.

1. The basement of the project shall be redesigned to comply with all required setbacks, and shall not extend into a required setback area unless otherwise permitted by the Municipal Code.
2. A revised landscape plan shall be prepared and returned to staff for final review and approval. Said plan shall comply with the City's water efficient landscaping requirements and include an appropriate mix of mature trees (48" box minimum size), low plantings and groundcover.
3. No hedge within the front setback shall be taller than 3 feet in height.
4. Fencing within the front setback shall be redesigned to comply with all applicable code requirements, and shall be designed in such a manner that is compatible with the architectural design of the residence.
5. Any approval by the Commission is for design only; the project is subject to all applicable City zoning regulations.
6. Final plans shall include spec sheets for windows and call-outs on a colored elevation for each material proposed for verification in the field during construction.
7. 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.

  
RYAN GOHLICH  
Associate Planner

### **Attachments:**

1. Draft Planning Commission Resolution

RESOLUTION NO.

RESOLUTION OF THE DESIGN REVIEW COMMISSION OF THE CITY OF BEVERLY HILLS CONDITIONALLY APPROVING AN R-1 DESIGN REVIEW PERMIT TO ALLOW A NEW SINGLE-FAMILY RESIDENCE AT THE PROPERTY LOCATED AT 627 NORTH CANON DRIVE

Michael Birnbach, applicant on behalf of the property owner, 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 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, but has 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.

<b>The Following Terms</b>	<b>Shall Mean:</b>
"Project Site"	627 North Canon Drive
"Agent"	Michael Birnbach
"Property Owner"	Mr. Greenbridge
"Applicant"	Collectively, the property owner and agent.

Section 3. Project Description.

The lot is currently developed with a with a two-story residence. The existing primary residence would be demolished and replaced by a new two-story residence and two-story guest house. Surrounding development consists of one- and two-story single-family homes.

Section 4. 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 2, 2010
- Architectural plans were conditionally approved by the Commission on December 2, 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 2 Categorical Exemption (replacement or reconstruction of a single-family residence) in accordance with the requirements of Section 15302 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.

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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: December 2, 2010

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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 project includes high quality materials such as smooth stucco and concrete, wood cladding, and powder coated aluminum window and door frames. The proposed materials and details are consistent throughout the project's design, thereby creating a uniform design scheme. Based on the project's balanced design and consistent use of materials, it appears to exhibit an internally compatible design scheme.

2. The project incorporates substantial modulation through the use of strong horizontal projections, asymmetry, recessed windows and doors, and outdoor living space. Because these elements help to reduce the appearance of mass and scale, it is therefore possible to make the required finding.

As conditioned, the landscape plan utilizes a variety of landscaping features and mature-sized trees that will contribute to the garden quality of the city and help to soften the appearance of the project.

3. The project utilizes high quality building materials and design, which will help to enhance the appearance of the neighborhood. Additionally, the design follows a consistent, balanced theme, while maintaining an appropriate level of scale, mass, and modulation. Therefore, the project is expected to enhance the appearance of the neighborhood.

4. As conditioned, the project meets the City's current side setback requirements along all property lines. Additionally, the project is located on a corner property, which has only one shared property line. Because the project meets all required setbacks and has only one shared property line, the proposed project creates a balance between the reasonable expectation of development and the reasonable expectation of privacy of neighbors.

5. The project respects prevailing site design by following prevailing setbacks and building orientation found along the adjacent streetscape. Although the project is larger than some of the existing residences on the block, the design has been executed to ensure that scale and

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massing is controlled, and that the project will be consistent with the surrounding area. Based on its design, the project maximizes floor area without appearing unduly massive and bulky and would be a harmonious addition to the existing neighborhood.

## EXHIBIT 2 OF 2: CONDITIONS OF APPROVAL

### PROJECT-SPECIFIC CONDITIONS:

1. The basement of the project shall be redesigned to comply with all required setbacks, and shall not extend into a required setback area unless otherwise permitted by the Municipal Code.
2. A revised landscape plan shall be prepared and returned to staff for final review and approval. Said plan shall comply with the City's water efficient landscaping requirements and include an appropriate mix of mature trees (48" box minimum size), low plantings and groundcover.
3. No hedge within the front setback shall be taller than 3 feet in height.
4. Fencing within the front setback shall be redesigned to comply with all applicable code requirements, and shall be designed in such a manner that is compatible with the architectural design of the residence.

### STANDARD CONDITIONS:

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

12. 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.

13. 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.

14. 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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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 July 1, 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:

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