



Design Review Commission Report

Meeting Date: Wednesday, January 7, 2015
(continued from November 6, 2014)

Subject: **337 McCarty Drive (PL1429441)**
A request for an R-1 Design Review Permit to allow for construction of a new two-story single-family residence located in the Central Area of the City south of Santa Monica Boulevard. The Commission will also consider adoption of a Categorical Exemption, pursuant to the California Environmental Quality Act.

Project Applicant: Gabbay Architects

Recommendation: Conduct public hearing and provide the applicant with an approval.

REPORT SUMMARY

The applicant is requesting approval of a new two-story single-family residence in the Central Area of the City, south of Santa Monica Boulevard. The proposed style was originally identified by the applicant as Contemporary Italianate Style; however, since the project does not adhere to a pure architectural style, the project is before the Commission for review.

The project was previously reviewed by the Design Review Commission at its meeting on Thursday, November 6, 2014 (Attachment A). At that meeting, the Commission felt the design warranted further review and directed for the applicant to restudy the project. The comments related primarily to neighbor privacy, relocation of the driveway, and lack of an identifiable style.

As a result of the Commission's comments, the applicant has completely redesigned the project into a more Contemporary-inspired design. Most notably, the existing driveway location is now proposed to remain adjacent to the southern property line (previously it was proposed to be relocated adjacent to the northern property line) to alleviate the privacy concerns voiced by neighbors on either side of the proposed project site.

An applicant-prepared *Response to Comments* is included in Attachment B of this report.

DESIGN ANALYSIS

Based on a review conducted by the Urban Design Team, the applicant appears to have appropriately incorporated the Commission's comments into the revised design. Maintaining the location of the existing driveway adjacent to the southern property line will serve to alleviate neighbor privacy issues and is consistent with the prevailing site patterns on the 300-block of McCarty Drive.

Attachment(s):

- A. November 6, 2014 DRC Staff Report and Previously Proposed Plans
- B. Applicant's Written Response to Commission's Comments
- C. Project Design Plans
- D. DRAFT Approval Resolution

Report Author and Contact Information:

Georgana Millican, Associate Planner
(310) 285-1121
gmillican@beverlyhills.org



Design Review Commission Report

455 North Rexford Drive

January 7, 2015

The new design more clearly articulates the Contemporary style of architecture, particularly on the front facade; however, the form presents unnecessary bulk and mass to the streetscape and should be reduced through modification of the building's volume.

ZONING CODE COMPLIANCE

Applications for design review are preliminarily evaluated for compliance with the zoning code. Applicants are encouraged and have the option of requesting a comprehensive review separate and apart from this application. Formal compliance review will occur when a building permit application is filed (plan check). The applicant has been advised that changes during plan check may require revisions and subsequent approval from the Design Review Commission or staff, as appropriate.

ENVIRONMENTAL ASSESSMENT

The subject project is exempt from the California Environmental Quality Act (CEQA – Public Resources Code §§21000 – 21178), pursuant to Section 15061(b)(3) of the State CEQA Guidelines in that the project includes the review of building design, colors and materials to the façade of the building, front yard landscaping or minor low-scaled accessory structures, such as fences or walls. Since the property has not been designed by an architect listed on the City's Master Architect List nor has it been listed on the City's Historic Resource Survey, it does not warrant further review as a potential historical resource. It can be seen with certainty that there is no possibility that the subject activity could result in a significant effect on the environment.

PUBLIC OUTREACH AND NOTIFICATION

As the project was continued to a date certain, no additional mailing notices are required. The posted notice at the site has been updated as to the continued hearing date of January 7, 2015.



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January 7, 2015

Attachment A

November 6, 2014 DRC Staff Report and Previously Proposed Plans



Design Review Commission Report

Meeting Date: Thursday, November 6, 2014

Subject: **337 McCarty Drive (PL1429441)**

A request for an R-1 Design Review Permit to allow for construction of a new two-story single-family residence located in the Central Area of the City south of Santa Monica Boulevard. The Commission will also consider adoption of a Categorical Exemption, pursuant to the California Environmental Quality Act.

Project Applicant: Gabbay Architects

Recommendation: Conduct public hearing and provide the applicant with design guidance.

REPORT SUMMARY

The applicant is requesting approval of a new two-story single-family residence in the Central Area of the City, south of Santa Monica Boulevard. The proposed style is identified by the applicant as Contemporary Italianate Style; however, since the project does not adhere to a pure architectural style, the project is before the Commission for review.

DESIGN ANALYSIS

Based on a review conducted by the Urban Design Team, the proposed contemporary façade design appears to lack any distinguishing features. The façade is not convincing as a front elevation as the entry lacks definition and Staff feels that the façade could use some further refinement. Staff has not included project-specific conditions of approval related to these comments but the Commission may wish to consider these comments during their review and analysis of the project. One condition of approval that has been suggested is that if the Commission approves a proposed design with a slate roof, that no artificial slate or other roofing material may be approved unless reviewed by the Commission.

ZONING CODE COMPLIANCE

Applications for design review are preliminarily evaluated for compliance with the zoning code. Applicants are encouraged and have the option of requesting a comprehensive review separate and apart from this application. Formal compliance review will occur when a building permit application is filed (plan check). The applicant has been advised that changes during plan check may require revisions and subsequent approval from the Design Review Commission or staff, as appropriate.

ENVIRONMENTAL ASSESSMENT

The subject project is exempt from the California Environmental Quality Act (CEQA – Public Resources Code §§21000 – 21178), pursuant to Section 15061(b)(3) of the State CEQA Guidelines in that the project includes the review of building design, colors and materials to the façade of the building, front

Attachment(s):

- A. Detailed Design Description and Materials (Applicant Prepared)
- B. Project Design Plans
- C. DRAFT Approval Resolution

Report Author and Contact Information:

Georgana Millican, Associate Planner
(310) 285-1121
gmillican@beverlyhills.org



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455 North Rexford Drive

November 6, 2014

yard landscaping or minor low-scaled accessory structures, such as fences or walls. Since the property is currently vacant, it does not warrant further review as a potential historical resource. It can be seen with certainty that there is no possibility that the subject activity could result in a significant effect on the environment.

PUBLIC OUTREACH AND NOTIFICATION

The project requires mailed public notice within 100 feet of the subject property, along with the block face, be mailed, and an on-site notice at the subject property be posted, ten (10) days prior to the hearing. The public notice for this project was mailed on Friday, October 24, 2014; the site was posted on Thursday, October 23, 2014. To date staff has not received comments in regards to the submitted project.



COLORED FRONT ELEVATION W/O LANDSCAPE

LEGEND:

- 1 PRECAST CONCRETE MOULDING (STONE COAT, TRADITIONAL TEXTURE, FADED GRAY)
- 2 INT. WOOD & EXT. CLAD ALUM. DOOR FRAME W/ CLEAR GLASS (BRAEWOOD QTR. WENGE 947/Y32 PF)
- 3 INT. WOOD & EXT. CLAD ALUM. WINDOW FRAME W/ CLEAR GLASS (BRAEWOOD QTR. WENGE 947/Y32 PF)
- 4 SMOOTH STUCCO FINISH (LA HABRA X-50 CRYSTAL WHITE)
- 5 CHIMNEY W/ SMOOTH STUCCO FINISH (LA HABRA X-50 CRYSTAL WHITE)
- 6 AMERICAN NATURAL SLATE TILE ROOFING (CHINESE GRAY GREEN COLOR)
- 7 COPPER GUTTER
- 8 W.I. RAILING 42" HIGH W/ 4" MAX. OPENING (DE6357 BLACK TIE LRV6)
- 9 TRAVERTINE STONE HONED FINISH FRONT PORCH & STEPS
- 10 TRAVERTINE STONE HONED FINISH PAVING WALKWAY ● FRONT YARD
- 11 FULL HEIGHT/ 42"/ 36" HIGH POST W/ SMOOTH STUCCO FINISH (LA HABRA X-50 CRYSTAL WHITE)
- 12 EXTERIOR LIGHT FIXTURE (SEE SHEET AB.2)
- 13 INT. WOOD & EXT. CLAD ALUM. DOOR FRAME W/ SAND BLASTED GLASS (BRAEWOOD QTR. WENGE 947/Y32 PF)

SHEET TITLE:
COLORED FRONT
ELEVATION W/O
LANDSCAPE

PROJECT TITLE:
337 S. McCARTY DRIVE
BEVERLY HILLS, CA 90212

REVISION:
DATE:
DRAWN: RA
SCALE:
DATE: 10-02-14
PROJECT NO.:

SHEET NO.
A4.6

GABBAY ARCHITECTS
337 S. McCARTY DRIVE, BEVERLY HILLS, CA 90212
TEL: 310.224.2666 FAX: 310.224.1818



GABBAY ARCHITECTS
1100 WILSON AVENUE, SUITE 1100, BEVERLY HILLS, CA 90212
TEL: 310.274.8888 FAX: 310.274.8888

SHEET TITLE: NORTHEAST 3D VIEW RENDERING	REVISION: 01	DATE: 10-02-14	SHEET NO. A7.1
PROJECT TITLE: 337 S. McCARTY DRIVE BEVERLY HILLS, CA 90212	DRAWN BY: RA	SCALE:	PROJECT NO.:



Design Review Commission Report

455 North Rexford Drive

January 7, 2015

Attachment B

Applicant's Written Response to Commissioner's Comments



GABBAY ARCHITECTS

A PROFESSIONAL CORPORATION

YASSI GABBAY, ARCHITECT, D.P.L.G.

HAMID E. GABBAY, ARCHITECT

December 19, 2014

Design Review Commission
City of Beverly Hills
455 N. Rexford Dr.
Beverly Hills, CA 90210

Re: **337 SOUTH MCCARTY DRIVE**

Dear Chair John Wyka, Vice Chair Arline Pepp and Commissioners:

Based on the commentary during the Design Review Commission meeting of November 6, 2014 the following is a list of the highlighted issues of the proposed residence at the aforementioned location and how we addressed said issues in the new proposed design.

DRC COMMENTARY:

- Driveway in the wrong place
- Design rigid and out of place, no charm no grace
- No privacy for the neighbors
- Landscape is a good start but needs to be developed, needs to be softer
- Lack of major modulation

RESPONSE TO COMMENTARY:

As recommended by the Commission, we shifted the driveway to the south side of the house, as the original house, to avoid having 2 driveways next to each other or showing a large expand of hardscape.

The style of the house has been changed to contemporary, per the Commission's advice, incorporating a different arrange of horizontal and vertical lines and providing a deep setback on a good portion of the front elevation in order to provide major modulation. The north side



incorporates larger trees to provide more privacy to the owners and neighbor. The south side has the driveway as separation and the second floor has a side trellis to provide more privacy.

The proposed landscape complements the façade and enhances the contemporary style of the house, making it softer while providing privacy.

Sincerely,

Hamid Gabbay, Architect

GABBAY ARCHITECTS
A Professional Corporation



Design Review Commission Report

455 North Rexford Drive

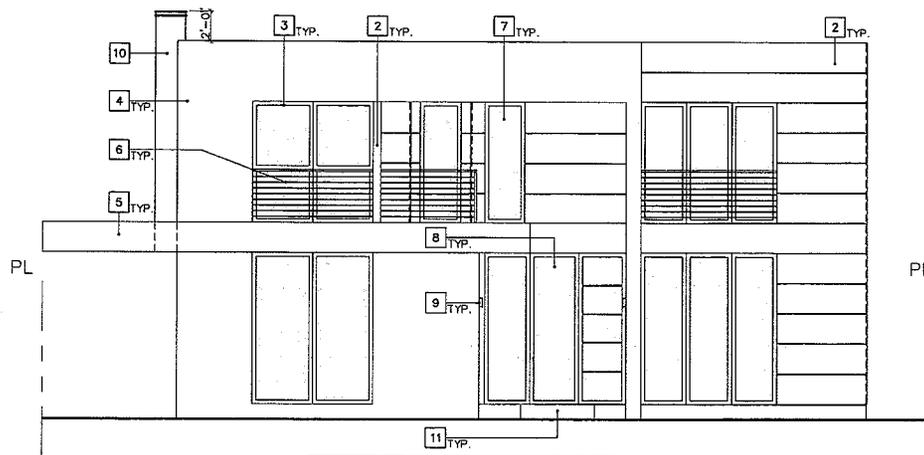
January 7, 2015

Attachment C
Project Design Plans

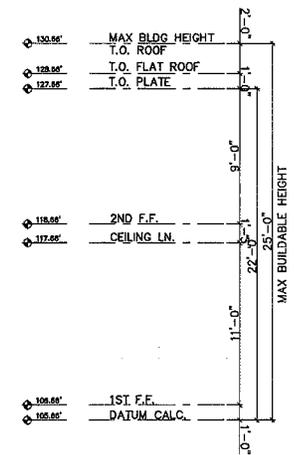


BUILDING ELEVATIONS KEY NOTES

- 1 FULL HEIGHT 36" HIGH POST SMOOTH STUCCO FINISH (LA HABRA X-40 DOVE GREY)
- 2 SMOOTH STUCCO FINISH (LA HABRA X-8158B MORNING SIDE)
- 3 ANODIZED ALUMINUM DOOR / WINDOW FRAME
- 4 SMOOTH STUCCO FINISH (LA HABRA X-40 DOVE GREY)
- 5 SMOOTH STUCCO FINISH - CANOPY (DER377 BOAT ANCHOR)
- 6 W.L. RAILING 42" HIGH W/ 4" MAX. OPENING (SATIN SILVER ALUMINUM)
- 7 SOLEXIA GREEN TEMPERED GLASS
- 8 CLEAR GLASS ANNEAL SANDBLAST
- 9 OUTDOOR LIGHTING FIXTURE
- 10 CHIMNEY W/ SMOOTH STUCCO FINISH (LA HABRA X-40 DOVE GREY)
- 11 GRIGIO LIPICA BRUSHED STONE WAC10009 (WALKWAY @ FRONT YARD)
- 12 COVER TERRACE (WOOD BEAM 4"x12")
- 13 SIDE TRELLIS (WOOD BEAM 4"x12")
- 14 FRY REGLET



(N) EAST ELEVATION
 SCALE: 1/8" = 1'-0"
 0 1 2 3 4 5 10 15 FT

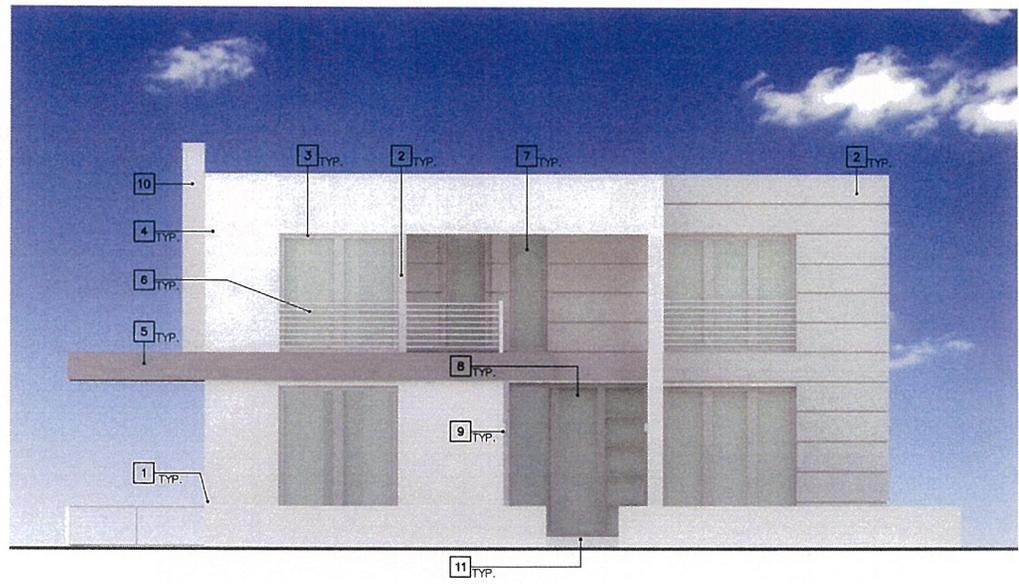


GABBAY ARCHITECTS
 337 S. MCCARTY DRIVE, BEVERLY HILLS, CA 90212
 TEL: 310.206.8844 FAX: 310.206.8818

SHEET TITLE	REVISION:
EAST ELEVATION	
PROJECT TITLE	DRAWN F.P.
337 S. McCARTY DRIVE BEVERLY HILLS, CA 90212	SCALE: 1/8" = 1'-0"
	DATE: 12-15-14
	PROJECT #:
	SHEET NO. A4.1

BUILDING ELEVATIONS KEY NOTES

- 1 FULL HEIGHT 36" HIGH POST SMOOTH STUCCO FINISH (LA HABRA X-40 DOVE GREY)
- 2 SMOOTH STUCCO FINISH (LA HABRA X-B1588 MORNING SIDE)
- 3 ANODIZED ALUMINUM DOOR/ WINDOW FRAME
- 4 SMOOTH STUCCO FINISH (LA HABRA X-40 DOVE GREY)
- 5 SMOOTH STUCCO FINISH - CANOPY (DEB377 BOAT ANCHOR)
- 6 W.L. RAILING 42" HIGH W/ 4" MAX. OPENING (SATIN SILVER ALUMINIUM)
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- 13 SIDE TRELLIS (WOOD BEAM 4"x4")
- 14 FRY REGLET



COLORED FRONT ELEVATION W/O LANDSCAPE

<p>GABBAY ARCHITECTS <small>337 S. McCARTY DRIVE, BEVERLY HILLS, CA 90212 TEL: 310.888.8888 FAX: 310.888.1818</small></p>		<p>REVISIONS</p> <table border="1"> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </table>							
<p>SHEET TITLE COLORED FRONT ELEVATION W/O LANDSCAPE</p>	<p>PROJECT TITLE 337 S. McCARTY DRIVE BEVERLY HILLS, CA 90212</p>	<p>DATE 12-15-14</p>	<p>PROJECT NO. A4.6</p>						

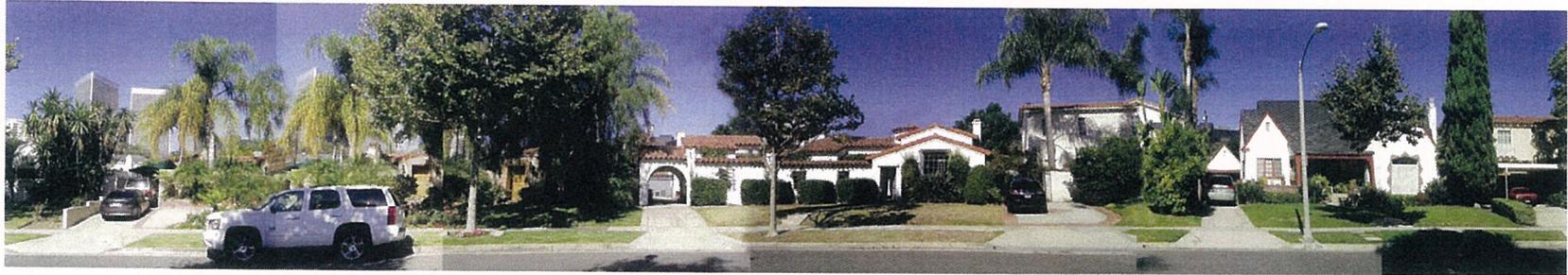


COLORED FRONT ELEVATION W/ LANDSCAPE

SHEET TITLE: COLORED FRONT ELEVATION W/ LANDSCAPE		REGION: _____	
		DRAWN: F.P. _____	
PROJECT TITLE: 337 S. McCARTY DRIVE BEVERLY HILLS, CA 90212		SCALE: 1/8"=1'-0"	SHEET NO. A4.7
		DATE: 12-15-14	PROJECT NO. _____

GABBAY ARCHITECTS
1400 PEARSON BLVD. STE. 110 BEVERLY HILLS, CA 90212
 TEL: 310.274.0000 FAX: 310.274.0001

337 S. McCARTY DR.



STREETSCAPE PHOTO MONTAGE (with EXISTING HOUSE)



STREETSCAPE PHOTO MONTAGE (PROPOSED HOUSE without LANDSCAPE)



STREETSCAPE PHOTO MONTAGE (PROPOSED HOUSE with LANDSCAPE)

<p>GABBAY ARCHITECTS <small>ARCHITECTS INC. 10017 WILSON BOULEVARD SUITE 1000 BEVERLY HILLS, CALIFORNIA 90212</small></p>		SHEET TITLE	
		STREETSCAPE PHOTO MONTAGE	
DESIGNER		DRAWN: F.P.	
PROJECT TITLE		SCALE	
DATE		SHEET NO.	
337 S. McCARTY DRIVE BEVERLY HILLS, CA 90212		A6.1	
PROJECT NO.		DATE: 12-15-14	



GABBAY ARCHITECTS
ARCHITECTS
337 S. MCCARTY DRIVE
BEVERLY HILLS, CA 90212
TEL: 310.950.0888
FAX: 310.950.1184

SHEET TITLE:
NORTHEAST
3D VIEW
RENDERING
PROJECT TITLE:
337 S. MCCARTY DRIVE
BEVERLY HILLS, CA 90212

REVISION:
DRAWN: P.P.
SCALE:
DATE: 12-15-14
PROJECT NO.:

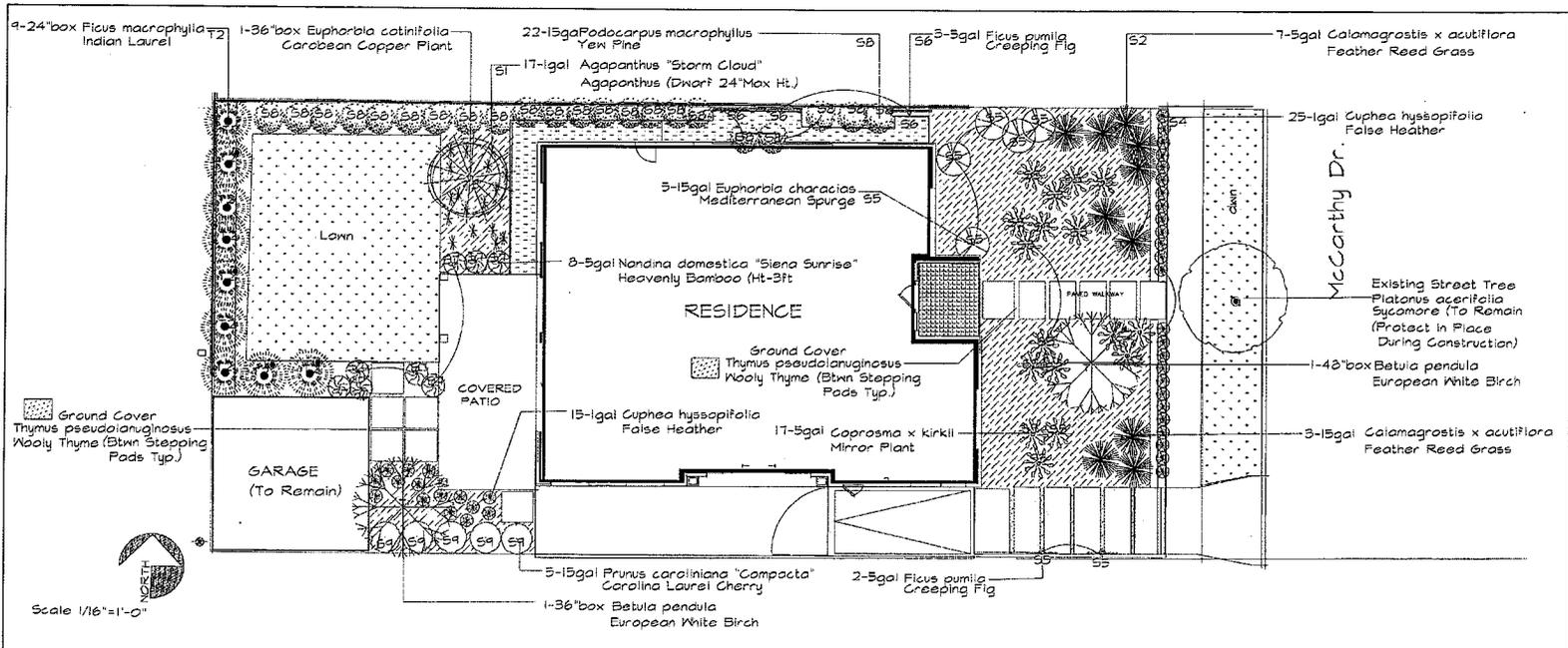
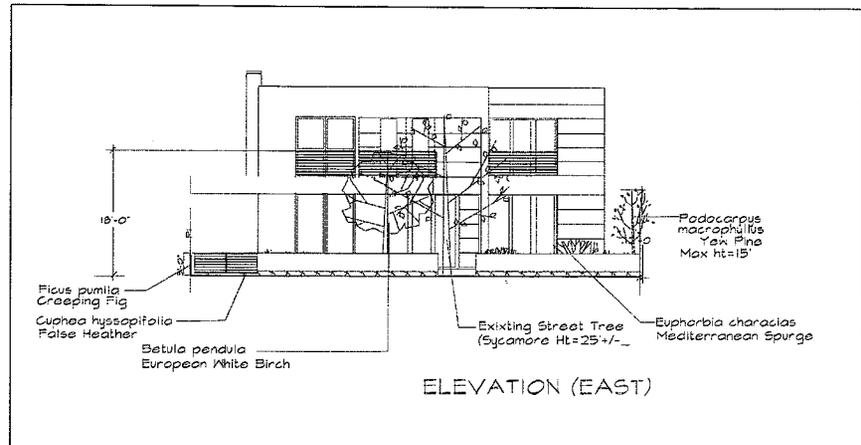
SHEET NO.
A7.1
337 S. MCCARTY DR.

PLANT LEGEND

TREES		Size/Qty		Botanical Name	Common Name
Symbol	4" 6" 8" 10" 12" 14" 16" 18" 20" 24" 30" 36" 42" 48" 60" 72" 84" 96" 108" 120"	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100			
T1	1	1	1	<i>Betula pendula</i>	European White Birch
T2	1	1	1	<i>Ficus macrophylla</i>	Indian Laurel
T3	1	1	1	<i>Euphorbia cotinifolia</i>	Caribbean Copper Plant
SHRUBS					
S1			17	<i>Agapanthus "Storm Cloud"</i>	Agapanthus (Dwarf 24"Max Ht.)
S2			10	<i>Calamagrostis x acutiflora</i>	Feather Reed Grass
S3			17	<i>Coprosma x kirkii</i>	Mirror Plant
S4			25	<i>Cuphea hyssopifolia</i>	False Heather
S5		5		<i>Euphorbia characias</i>	Mediterranean Spurge
S6		6		<i>Ficus pumila</i>	Creeping Fig
S7		8		<i>Nandina domestica "Sienna Sunrise"</i>	Heavenly Bamboo var "Sienna Sunrise"
S8		22		<i>Podocarpus macrophyllus</i>	Yew Pine
S9		5		<i>Prunus caroliniana "Compacta"</i>	Carolina Laurel Cherry

Ground Cover

- Thymus pseudolanuginosus Woolly Thyme From Flats -Plant @ 6" o.c.
- Dynandia margaritae Silver Carpet From Flats -Plant @ 8" o.c.
- Lawn (Sod) Marathon II from Southland Sod Farms or Approved Equal



GABBAY ARCHITECTS
 337 S. MCCARTHY DR.
 BEVERLY HILLS, CA 90210
 TEL: 310.888.8888 FAX: 310.888.1114

SHEET TITLE: **PLANTING PLAN**

PROJECT FIRM: **337 So McCarthy Drive BEVERLY HILLS, CA 90210**

SCALE: 1/16"=1'-0"

DATE: 12-15-14

PROJECT NO: **10**

DRAWN: KN

REVISION:

SHEET NO. **10**



Design Review Commission Report

455 North Rexford Drive

January 7, 2015

Attachment D

DRAFT Approval Resolution

RESOLUTION NO. DR XX-15

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 337 MCCARTY DRIVE (PL1429441).

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

Section 1. Hamid Gabbay, architect, on behalf of Eli and Karen Sokolov, property owners, (Collectively the “Applicant”), has applied for an R-1 Design Review Permit for design approval of a new two-story single-family residence for the property located at 337 McCarty Drive which is located in the city’s Central R-1 Zone.

Section 2. Beverly Hills Municipal Code Article 44, Chapter 3 of Title 10, authorizes the Design Review Commission the authority to approve, approve with conditions or deny design-related aspects of projects located in the city’s Central R-1 zone, subject to findings set forth in Beverly Municipal Code Section 10-3-4415.

Section 3. The subject project has been reviewed pursuant to the provisions set forth in the California Environmental Quality Act (CEQA – Public Resource Code Sections 21000, *et seq.*), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 *et seq.*), and the city’s local CEQA Guidelines. The subject project is exempt from environmental review pursuant to Section 15061(b)(3) of the State CEQA Guidelines in that the project includes the review of building design, colors and materials to the façade of the building, front yard landscaping or minor low-scaled accessory structures, such as fences or walls. It can be seen with certainty that there is no possibility that the subject activity could result in a significant effect on the environment.

Section 4. The Design Review Commission conducted a duly noticed public hearing on **November 6, 2014 and January 7, 2015** at which time oral and documentary evidence was received concerning the application.

Section 5. Based upon the evidence presented at the hearings, including the staff report(s), oral and written testimony, the Design Review Commission hereby finds as follows with respect to the R-1 Design Review Permit:

A. The proposed development's design exhibits an internally compatible design scheme in that the project's proportions, form, fenestration, scale, mass, color and materials are representative of the architectural style and design scheme chosen for the building. These design elements, including existing or proposed landscaping, paving, or perimeter fencing or walls are internally compatible and consistent with the overall design.

B. 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. Specifically, the project, as conditioned, complies with applicable provisions of the municipal code that regulate overall building size, height, scale and mass. Additionally, the building provides appropriate building modulation and uses window and other design components that minimize the visual bulk and mass. The garden quality of the city is maintained through appropriately proportioned paving in the required front yard and with the incorporation of existing or proposed plant material of appropriate sizes that complement the architectural style and help reduce overall mass and scale.

C. The proposed development will enhance the appearance of the neighborhood in that the new construction has been designed in context to the appearance, mass and scale of adjacent

properties and other properties in the neighborhood. The project includes the use of high quality building materials and appropriately uses colors and design ornamentation that is appropriate to the neighborhood. Existing or new planting will promote the garden quality image and appearance of the city, consistent with city goals and existing mature landscaping in the neighborhood.

D. The proposed development is designed to balance the reasonable expectation of development for the owner with the reasonable expectation of privacy of neighbors. The City's zoning regulations set forth maximum building height and mass standards with which this project, as conditioned, conforms. The project is being constructed in an urbanized environment and has other adjacent and nearby residences. To provide a reasonable expectation of privacy, the Design Review Commission reviewed the placement of windows on the subject and adjacent properties, considered the location of private outdoor areas and evaluated the projects proposed and neighbors' existing landscaping. Accordingly, based on this review, and as conditioned by this resolution, the project balances reasonable expectations for privacy and development.

E. 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. Specifically, the project has been designed with an internally compatible architectural theme and is modulated in a manner that respects privacy and scale of development to adjacent properties. The project design, proportionality and landscaping is compatible with other properties in the general vicinity and the project reinforces a cohesive streetscape. In its review, the Design Review Commission carefully studied the proposed project in context to adjacent properties and conducted individual site inspections or reviewed photographs of the surrounding group of homes.

Section 6. Based on the foregoing, the Design Review Commission hereby grants the request defined in this resolution subject to the following conditions:

Project-Specific Conditions

No project-specific conditions are proposed.

Standard Conditions

1. **Revised Plan Submittal.** For all projects that are approved with project-specific conditions, a revised plan set that has fully incorporated all such conditions shall be submitted to the project planner, both in hard copy format and in electronic format, prior to submitting for the building permit plan check process.
2. **Design Approval.** Project approval is for the design-related aspects of the project only. No approval is implied or granted with regard to applicable city zoning or technical codes, which may require review and approval from other city commissions or officials.
3. **Compliance with Municipal Code.** Prior to issuance of a building permit, the applicant shall demonstrate compliance with all applicable provisions of the city's municipal code and applicable conditions imposed by any discretionary review approval.
4. **Compliance with Special Conditions.** Any special conditions that require approval by the Director of Community Development, or designee, shall be submitted to the staff liaison to the Commission within fourteen (14) days of approval or prior to submittal of the plan check review application, whichever is greater.
5. **Project Rendering.** Prior to issuance of a building permit, the applicant shall incorporate into the building permit set of plans, an updated color rendering of all building facades that are visible from the public street. The quality and detail of the rendering shall be subject to approval from

the Director of Community Development, or designee, and shall include sufficient design information to evaluate project compliance during construction.

6. **Approval Resolution.** A copy of the signed resolution of approval shall be scanned onto the cover sheet(s) of the building permit set of plans.
7. **Substantial Compliance with Approved Plans.** The Director of Community Development, or designee, shall determine if changes to the approved project are in substantial compliance with the Commission's action. This determination shall be subject to applicable fees and charges. A substantial modification to the approved project requires approval from the Design Review Commission.
8. **Covenant Recording.** Prior to issuance of a building permit, a covenant shall be filed with the Los Angeles County Register-Recorder/City Clerk that includes a copy of this resolution as an exhibit. The Applicant may submit evidence of proper filing to the Community Development Department or submit an application along with applicable fees to the development for covenant preparation and filing.
9. **Validity of Permits.** The rights granted by this approval shall remain valid for three (3) years from the date of approval, unless extended pursuant to Beverly Hills Municipal Code Section 10-3-207.
10. **Appeals.** Decisions of the Design Review Commission may be appealed to the Planning Commission within fourteen (14) days of the final action by filing a written appeal and paying appropriate fees with the City Clerk.

Section 7. The Secretary of the Design Review Commission shall certify to the passage, approval, and adoption of this resolution, and shall cause this resolution and its certification to be entered in the administrative record maintained by the Community Development Department.

Section 8. Decisions of the Design Review Commission may be appealed to the Planning Commission within fourteen (14) days of the final action by filling a written appeal and paying appropriate fees with the City of Beverly Hills City Clerk.

Approved as to Form and Content:

Adopted: January 7, 2015

William Crouch, Commission Secretary
Community Development Department

John Wyka, Chair
Design Review Commission