



# Design Review Commission Report

**Meeting Date:** Thursday, July 2, 2015

**Subject:** **439 South Clark Drive (PL1507920)**

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 south of Santa Monica Boulevard. The Commission will also consider adoption of a Categorical Exemption, pursuant to the California Environmental Quality Act.

**Project Applicant:** 439 South Clark Drive, LLC – Property Owner

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

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## REPORT SUMMARY

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

## URBAN DESIGN ANALYSIS

Based on a review conducted by the Urban Design Team, the proposed design lacks visual interest and an architectural theme. It does not produce a coherent expression of the Mediterranean Revival Style and the overall design appears bland. 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.

## 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.

### 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



## Design Review Commission Report

455 North Rexford Drive

July 2, 2015

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, June 19, 2015; the site was posted on Friday, June 19, 2015. To date, staff has not received any comments in writing in regards to the submitted project.



**Design Review Commission Report**

455 North Rexford Drive

July 2, 2015

**Attachment A**

Detailed Design Description  
and Materials (applicant prepared)

**SECTION 2 – PROJECT DESCRIPTION / ZONING INFORMATION**

**A Indicate Requested Application:**

- Track 1 Application (Administrative Review)
  - Project must adhere to a pure architectural style identified in the City’s Residential Design Style Catalogue. The Catalogue is available online at: <http://www.beverlyhills.org/cbhfiles/storage/files/filebank/3435--Residential%20Design%20Catalog%20May%202008.pdf>
  - Plans must be prepared and stamped by an architect licensed in the State of California.
  - Three (3) sets of plans required (see Section 6 for plan size requirements).
- Track 2 Application (Commission Review)
  - Eight (8) sets of plans required (see Section 6 for plan size requirements).
  - Public Notice materials required (see Section 5 for public notice requirements).

**B Briefly describe the architectural style(s) that you are proposing and how the proposed materials, finishes and proportions aid in achieving the style(s):**

The proposed style for this project is Mediterranean Revival. The main body of the building design is symmetrical and with two stories and pitched roof. Pitch extends into overhanging eaves carried on ornate corbels placed at rhythmic interval. All windows and doors are deeply recessed to create the appearance of thick walls. Light hued stone veneer is employed typically rendered with a smooth layer of pale stucco. wrought iron rails is used.

**C Identify the Project Zoning** (City Zoning Map available online at <http://gis.beverlyhills.org/>)

- |                                      |                               |                              |
|--------------------------------------|-------------------------------|------------------------------|
| <input checked="" type="radio"/> R-1 | <input type="radio"/> R-1.5X2 | <input type="radio"/> R-1.8X |
| <input type="radio"/> R-1X           | <input type="radio"/> R-1.6X  |                              |
| <input type="radio"/> R-1.5X         | <input type="radio"/> R-1.7X  |                              |

**D Site & Area Characteristics**

Lot Dimensions: 40.01'x116.96' Lot Area (square feet): 4,679.56 SQ. FT.  
 Adjacent Streets: W Olympic Blvd / Whitworth Dr

**E Lot is currently developed with (check all that apply):**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Single-Story Residence | <input type="checkbox"/> Two-Story Residence               |
| <input type="checkbox"/> Guest House                       | <input checked="" type="checkbox"/> Accessory Structure(s) |
| <input type="checkbox"/> Vacant                            | <input type="checkbox"/> Other: _____                      |

**F Are any protected trees located on the property?** (See Beverly Hills Municipal Code Section 10-3-2900)?

Yes  No

If YES, provide the following information:

	<u>Quantity</u>	<u>Sizes</u>	<u>Reason for Removal</u>
Heritage:	_____		
Native:	_____		
Urban Grove:	_____		

**G Has the existing residence been designed by a notable architect or is it identified on any historic resource inventory, including the City of Beverly Residential Survey?** (available online at: <http://www.beverlyhills.org/citygovernment/departments/communitydevelopment/planning/historicpreservation/historicresources>)

Yes  No  If yes , please list Architect’s name: \_\_\_\_\_

**SECTION 3 – PROJECT DETAILS AND MATERIALS** (continues on next page)

**A Describe your public outreach efforts to adjacent neighbors and property owners:**

At this point there won't be public outreach. However, if it's necessary it is open for discussion.

**B Indicate the project zoning details pursuant to Beverly Hills Municipal Code Section 10-3-2400:**

Code Regulation	Allowed By Code	Existing Condition	Proposed Condition
Height:	28'		28'
Roof Plate Height:	22'-0"	21'-0"	21'-0"
Floor Area:	3918.4 sq Ft		3268.50
Rear Setbacks:	10'		17'-8
Side Setbacks:	S/E 5'-0"	S/E	S/E 5'-0"
	N/W 5'	N/W	N/W 5'
Parking Spaces:	4	2	4

**C List the specific materials and finishes for all the architectural features of the project (Be Specific):**

**FAÇADE** (List all material for all portions visible from the street)

*Material:* TEXTON ANTICO™  
*Texture /Finish:* Exterior Plaster  
*Color / Transparency:* 2000AN-CLS POL, 400-SDS15102912

**WINDOWS** (Include frame, trim, glass, metal, etc)

*Material:* ALUMINUM WOOD CLAD  
*Texture /Finish:* MOHAGONY WOOD  
*Color / Transparency:* (EBONY ON ALDER #28) & (DARK CHERRY ON ADLER #18)

**DOORS** (Include frame, trim, glass, metal, etc)

*Material:* ALUMINUM WOOD CLAD  
*Texture /Finish:* SANDED WOOD  
*Color / Transparency:* (EBONY ON ALDER #28) & (DARK CHERRY ON ADLER #18)

**PEDIMENTS**

*Material:* N/A  
*Texture /Finish:* N/A  
*Color / Transparency:* N/A

**ROOF**

*Material:* REDLAND CLAY TILE (TWO PIECE MISSION TILE)  
*Texture /Finish:* SMOOTH  
*Color / Transparency:* TERRA COTA

**CORBELS**

*Material:* FAUXWOODBEAMS (REDWOOD)  
*Texture /Finish:* SANDED WOOD  
*Color / Transparency:* (EBONY ON ALDER #28) & (DARK CHERRY ON ADLER #18)

**CHIMNEY(S)**

*Material:* TEXTON ANTICO™  
*Texture /Finish:* Exterior Plaster  
*Color / Transparency:* 2000AN-CLS POL, 400-SDS15102912

**SECTION 3 – PROJECT DETAILS AND MATERIALS (continued from previous page)**

**COLUMNS**

*Material:* TEXTON ANTICO™  
*Texture /Finish:* Exterior Plaster  
*Color / Transparency:* 2000AN-CLS POL, 400-SDS15102912

**BALCONIES & RAILINGS**

*Material:* IRON (HOOKS & LATTICE)  
*Texture /Finish:* VICENZA FAUX BALCONY  
*Color / Transparency:* DARK BRONZE

**TRELLIS, AWNINGS, CANOPIES**

*Material:* N/A  
*Texture /Finish:* N/A  
*Color / Transparency:* N/A

**DOWNSPOUTS / GUTTERS**

*Material:* Aluminum  
*Texture /Finish:* Painted  
*Color / Transparency:* 2000AN-CLS POL, 400-SDS15102912

**EXTERIOR LIGHTING**

*Material:* LAMPS PLUS, INC.  
*Texture /Finish:* JARDIN DU JOUR (MISSION HILLS 15" HIGH)  
*Color / Transparency:* DARK BRONZE

**PAVED SURFACES**

*Material:* Concrete Pavers (Pavestone)  
*Texture /Finish:* Sierra Blend RumbleBeige /Creamstone  
*Color / Transparency:* Beige /Cream

**FREESTANDING WALLS AND FENCES**

*Material:* TEXTON ANTICO™  
*Texture /Finish:* Exterior Plaster  
*Color / Transparency:* 2000AN-CLS POL, 400-SDS15102912

**OTHER DESIGN ELEMENTS**

*Material:* IRON WINDOW GRILLS (BY HOOKS AND LATTICE)  
*Texture /Finish:* WROUGHT IRON  
*Color / Transparency:* DARK BRONZE

**D Describe the proposed landscape theme. Explain how the proposed landscaping complements the proposed style of architecture:**

Landscape uses a classical plant palette, complimentary to the character of the neighborhood and architecture. A 48" box olive in the front provides canopy and scale at time of planting. Plants were selected for climate appropriateness, drought tolerance and seasonal color and beauty.

**SECTION 4 – DESIGN ANALYSIS AND FINDINGS**

**A Clearly identify how your project adheres to each of the required findings of the Design Review Commission:**

**1. Describe how the proposed development’s design exhibits an internally compatible design scheme.**

The proposed development suggests a seamless transition of the the streetscape, to the landscape, and to the proposed dwelling. Colors and textures of the landscape will blend with the colors and textures of the proposed design. Such as: earthy tones and stone treatment. Moreover, coherence will be established by the proportions of the architectural mass and the landscape scale.

**2. Describe how the proposed development’s design appropriately minimizes the appearance of scale and mass, how the design enhances the garden like quality of the City and appropriately maximizes the use of required open space within the proposed architectural style.**

The structure’s design implements varying depths and heights which allows ample open space and light to be noticed throughout the structure that aids in the natural look of the site as a whole.

**3. Describe how the proposed development will enhance the appearance of the neighborhood.**

Having Mediterranean style elegance, a non-intrusive structure, and draped with lush landscaping, this development will be a healthy addition to its neighborhood by offering a beautiful facade for its neighbors and those who pass by.

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

The property will be lined along the rear and sides by landscape which will provide a vegetated screen up to 7’ allowing privacy to be maintained by all adjacent neighbors. Additionally, all windows facing neighboring properties will all have obscure glass treatment.

**5. Describe how 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.**

The development maintains the existing Mediterranean style of the current structure which allow the site to integrate seamlessly. The development also abides by all required setbacks and area limitations making it functionally compatible with its neighborhood.

SUSAN HEALY KEENE, AICP | Director  
GEORGE CHAVEZ | City Building Official  
JONATHAN LAIT | City Planner



COMMUNITY DEVELOPMENT DEPARTMENT  
455 North Rexford Drive, 1<sup>st</sup> Floor  
Beverly Hills, CA 90210  
Tel. (310) 285-1141  
www.beverlyhills.org

**CERTIFICATE OF DESIGN COMPLIANCE**

I certify that the design and documentation of the Water Efficient Landscape located at 439 S Clark Dr Beverly Hills, CA 90211 complies with all the provisions of City of Beverly Hills, Water Efficient Landscaping, Ordinance Number 09-0-2574, as codified in Article 4, Section 4, of Title 9 of the City of Beverly Hills Municipal Code.

Wet Signature of Licensed Landscape Designer

5/14/15

Date



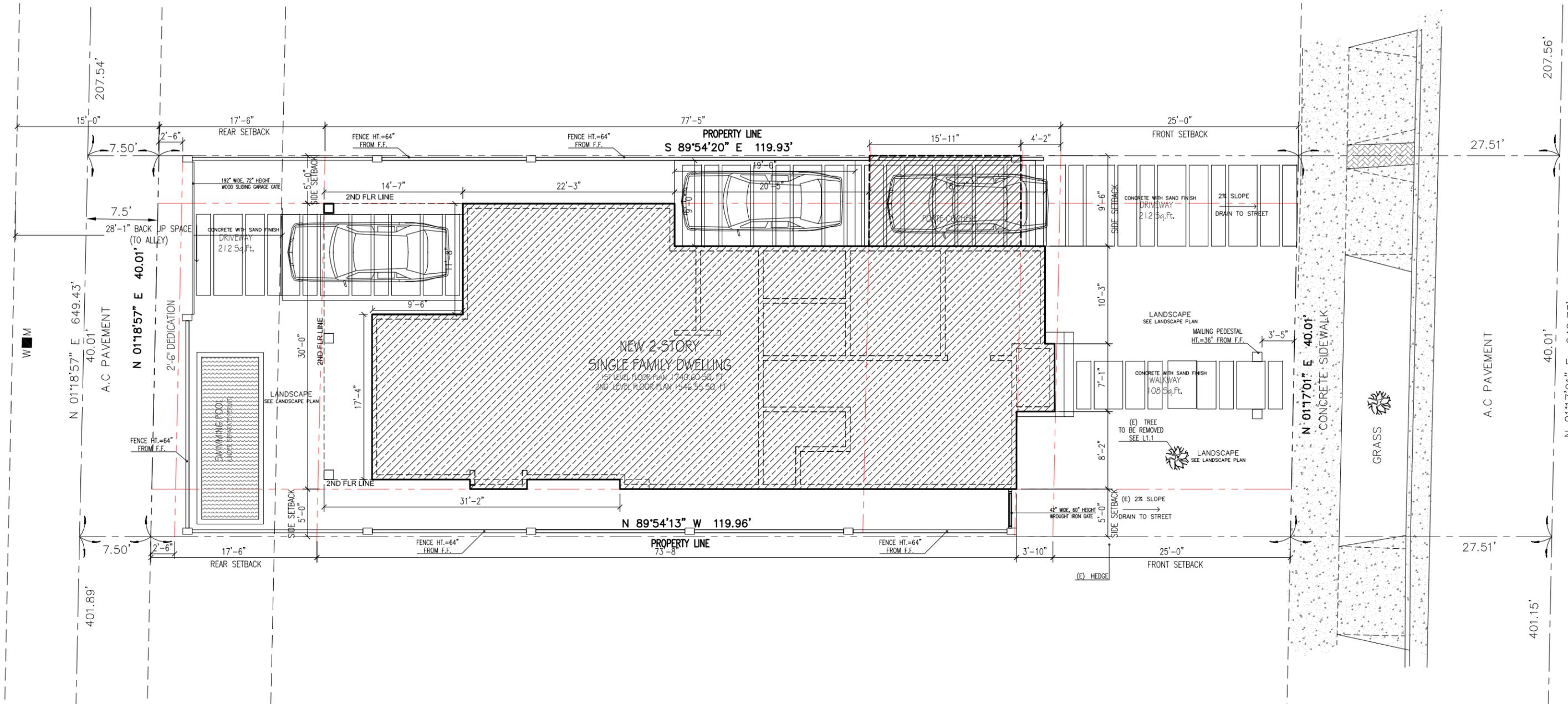


**Design Review Commission Report**

455 North Rexford Drive

July 2, 2015

**Attachment B**  
Project Design Plans



# PLOT PLAN

SCALE 3/32" = 1'-0"

MAX ALLOWABLE AREA  
CALCULATION=

1,500.00+40% LOT AREA  
1,500+(4796\*40%)=  
1,500+1918.4=3418.40

SETBACK

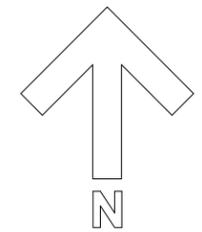
FRONT =25'  
SIDE 1 =5'  
SIDE 2 =5' AND  
9'  
REAR =17-4'

AREA CALCULATION

1ST FLOOR AREA  
1740.60 SQ. FT.

2ND FLOOR AREA  
1525.50 SQ. FT.

TOTAL 3268.5 SQ. FT.



PROJECT NO 15-0005



APN	
SUBMITTAL DATE	
DRAWN BY:	
SCALE	

REVISIONS	
REVISION	DATE

6411 Independence Ave.  
Woodland Hills, CA., 91367  
Ph: 818.346.9628 Fax: 310.918.3001  
www.apeldesign.com | info@apeldesign.com

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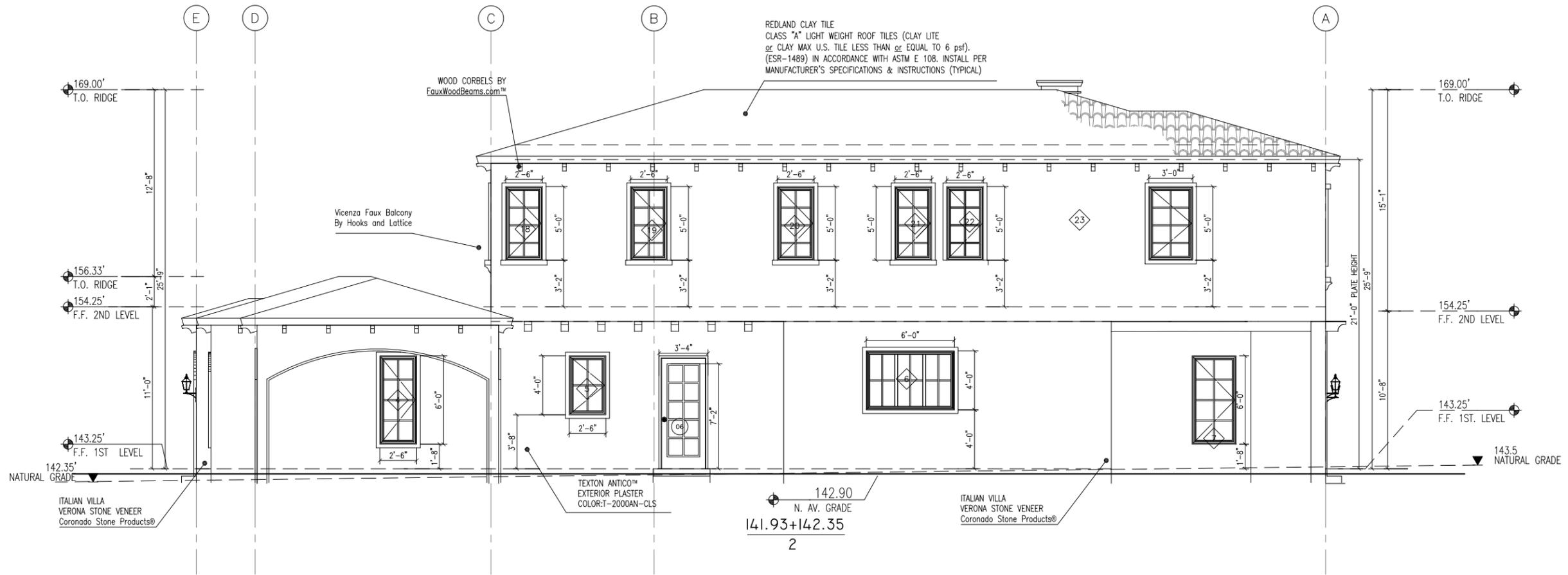
# 1ST LEVEL FLOOR PLAN

439 S Clark Dr,  
Beverly Hills, CA 90211

TITLE PLOT PLAN

SHEET NUMBER **A1.0**





NORTH SIDE ELEV.

SCALE 1/8" = 1'-0"

PROJECT NO 15-0005



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REVISIONS	
REVISION	DATE
	10.4.2014 OS

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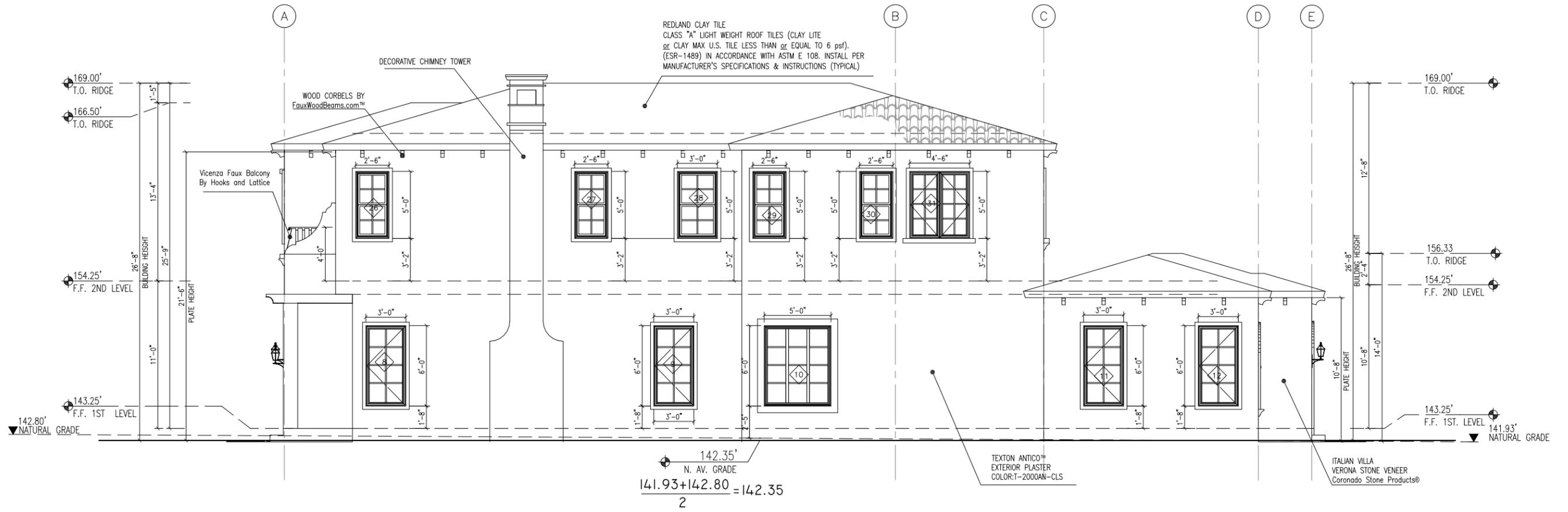
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NORTH SIDE ELEV.

439 S Clark Dr,  
Beverly Hills, CA 90211

TITLE NORTH SIDE ELEV.

SHEET NUMBER A2.2



# SOUTH SIDE ELEV.

SCALE 1/8" = 1'-0"

PROJECT NO 15-0005



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# SOUTH SIDE ELEV.

439 S Clark Dr,  
Beverly Hills, CA 90211

TITLE SOUTH SIDE ELEV.

SHEET NUMBER A2.4





PROJECT NO  
**15-0005**



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TITLE Front View RENDER

# A6.1



PROJECT NO  
**15-0005**



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SUBMITTAL DATE \_\_\_\_\_  
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QS \_\_\_\_\_

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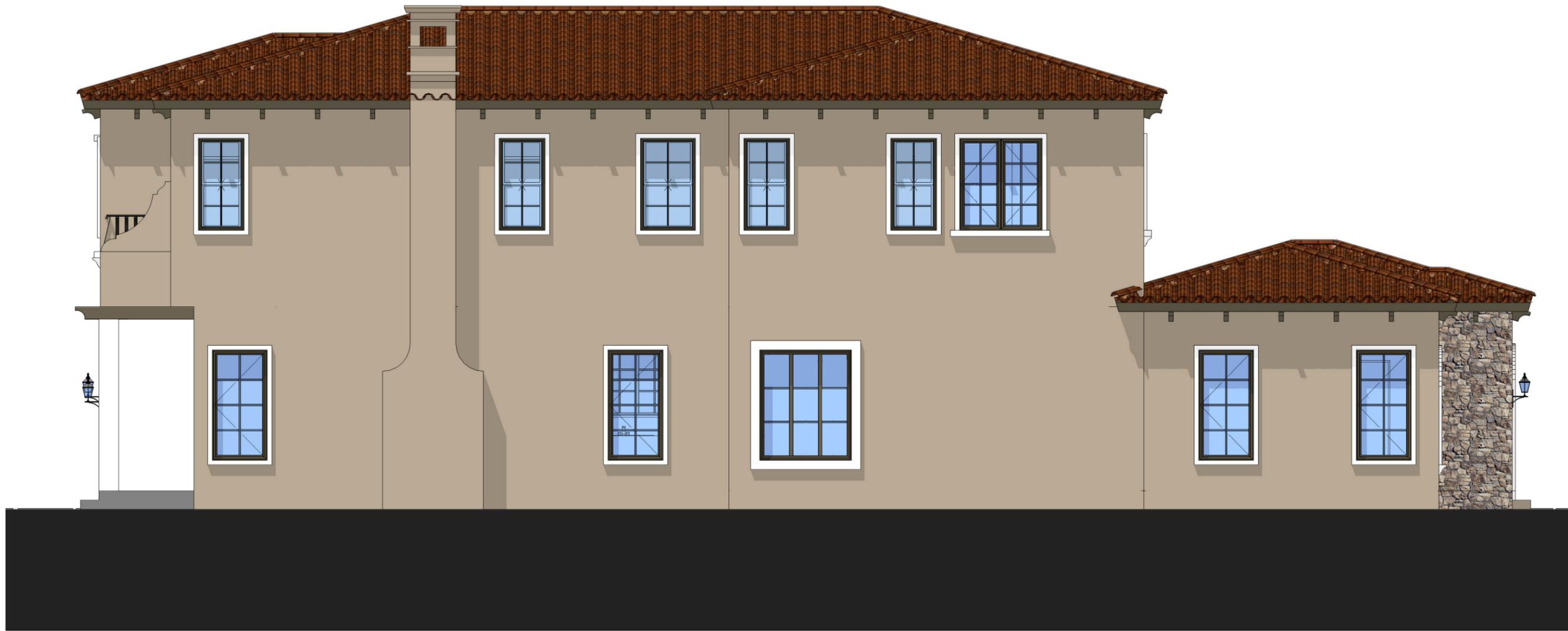
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www.apeldesign.com | info@apeldesign.com

TITLE: Front ELEVATION

**A6.4**



PROJECT NO  
**15-0005**



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TITLE SIDE ELEVATION

# A6.5



PROJECT NO  
**15-0005**



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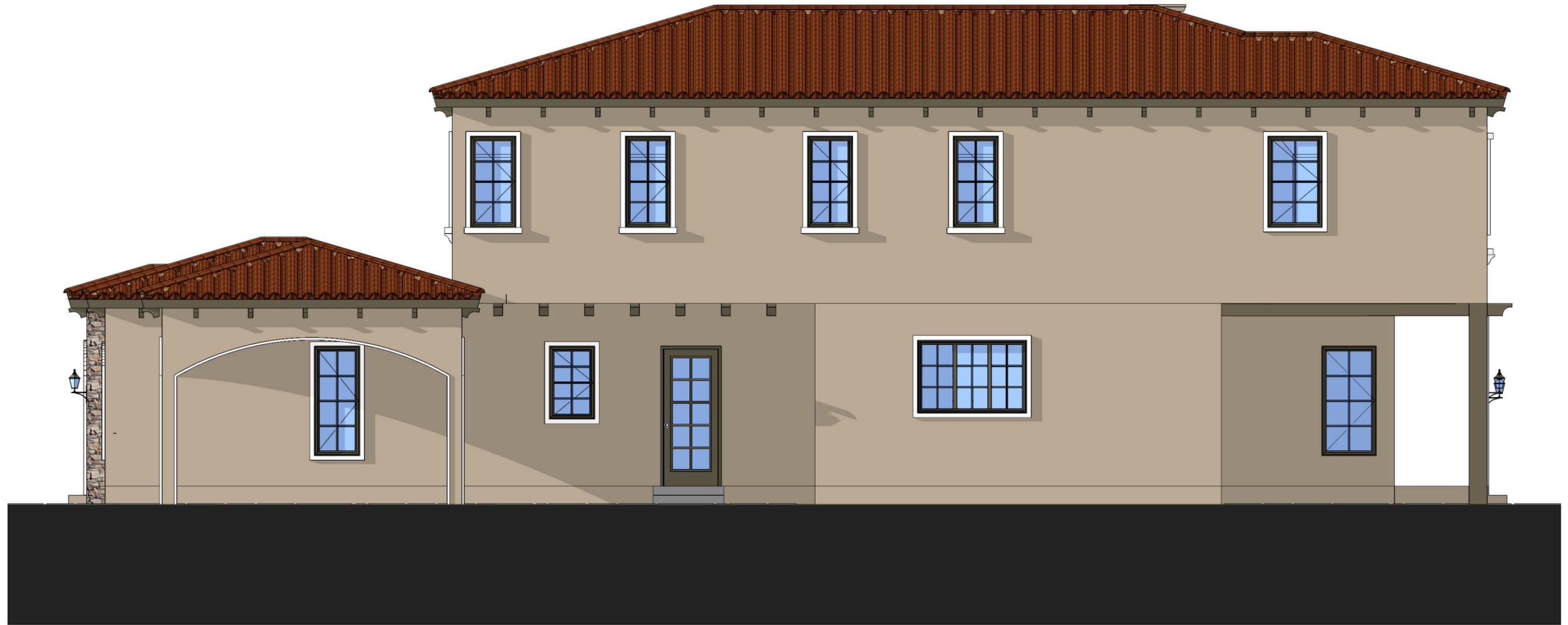
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TITLE REAR ELEVATION

# A6.6



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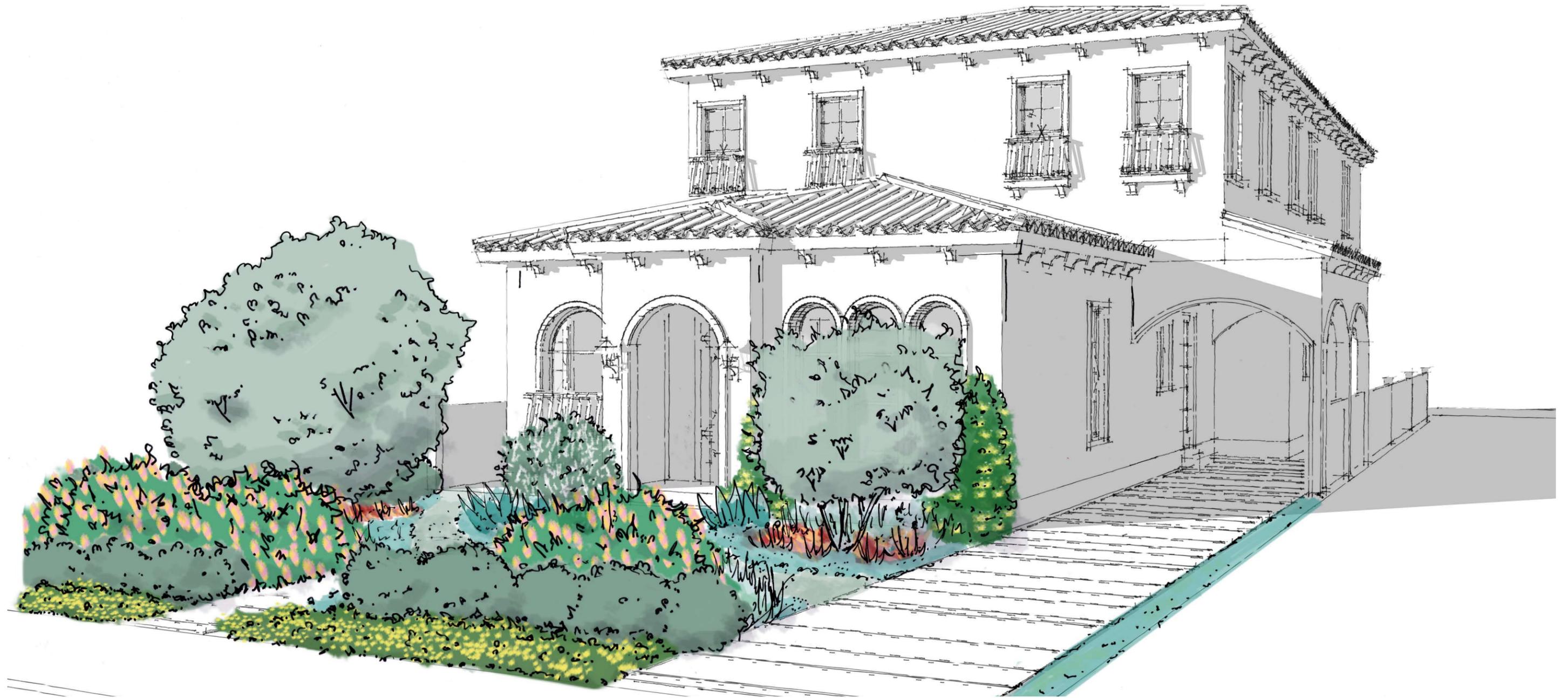
## CLARK PROJECT

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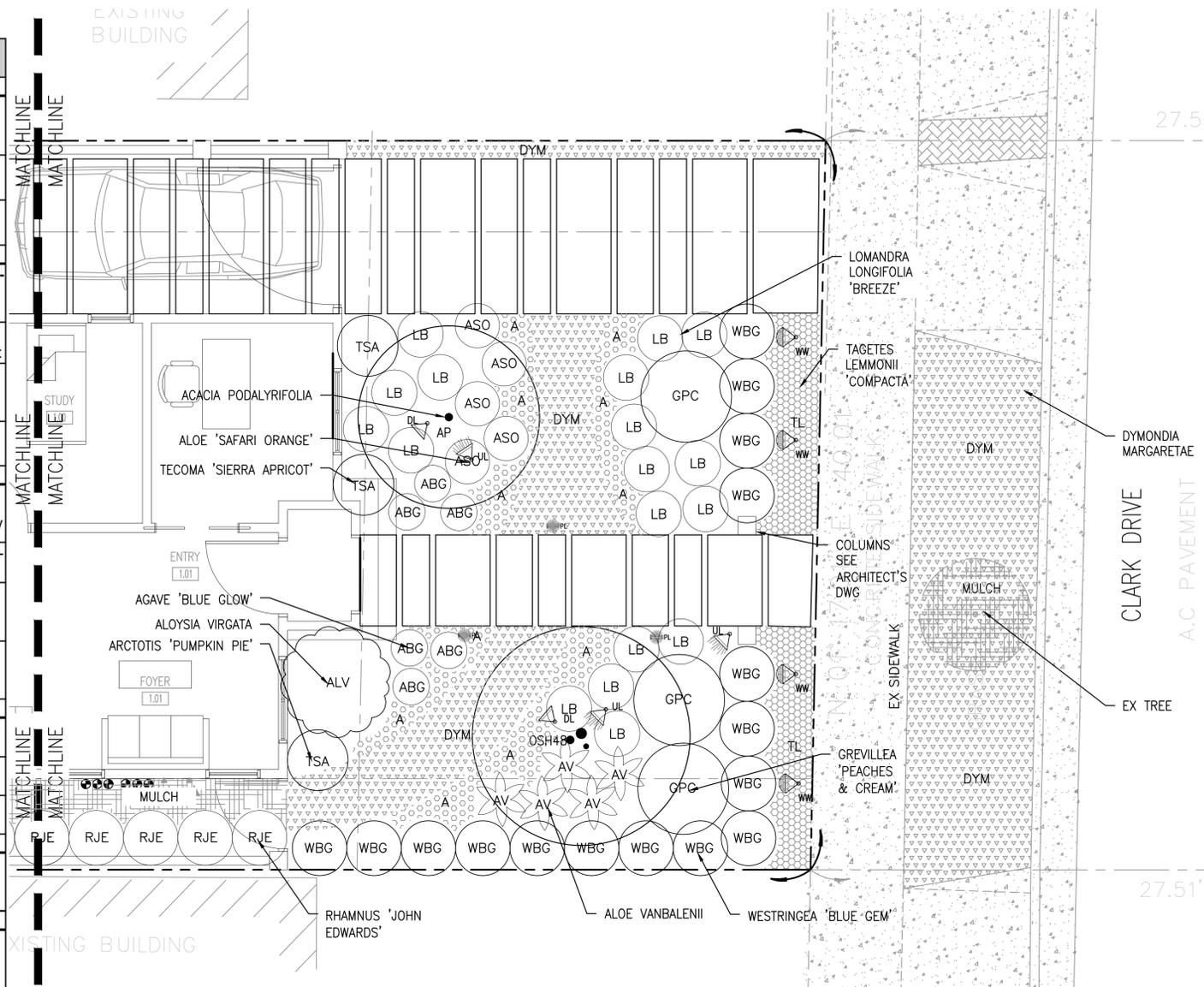
TITLE SIDE ELEVATION

# A6.7



**FRONT LANDSCAPE**

SYM.	QTY	SIZE	BOTANICAL NAME	COMMON NAME	H	W	WATER USE	EVER GREEN	EXPOS URE	FLOWER COLOR	BLOOM	NOTES
<b>Trees</b>												
AP	1	15 gal	<i>Acacia podalyrifolia</i>	Pearl Acacia	15-20'	15-20'	L	yes	full sun	yellow	winter/spring	quick growing evergreen small tree, silver grey foliage
OSH48	1	48" box	<i>Olea 'Swan Hill' multi</i>	Fruitless Olive	30'	30'	M/L	yes	full sun	insig		produces 1% of pollen of fruiting olives
TLE	1	24" box	<i>Tristania laurina 'Elegant'</i>		25-30'	10-20'	M/L	yes	full sun	yellow	spring	upright, hardy tree
<b>Large Shrubs</b>												
ALV	1	5 gal	<i>Aloysia virgata</i>	Sweet Almond Bush	15'	8'	L	yes	full sun to part shade	white	spring-summer	highly fragrant flower, grey-green foliage, responds well to shearing
GPC	3	5 gal	<i>Grevillea 'Peaches n Cream'</i>		4-6'	4-6'	L	yes	full sun	yellow/orange	year round	small to medium shrub with dense spreading habit
RJE	40	5 gal	<i>Rhamnus alaternus 'John Edwards'</i>	Italian buckthorn	15'	6'	L	yes	sun/part shade			fast growing shrub with bright green foliage, good for hedges
TSA	3	5 gal	<i>Tecoma hybrid 'Sierra Apricot'</i>		3'	4-5'	L	yes	full sun	apricot	spring/fall	hummingbirds love, continuous bloom
<b>Medium &amp; Small Shrubs &amp; Perennials</b>												
A	3	flat	<i>Arctotis 'Pumpkin pie'</i>	Orange african daisy	1-2"	3-4'	L	yes	full sun	orange	spring/summer	compact habit, silvery foliage, blooms continuously
DYM	9	dirt flat	<i>Dymondia margaretae</i>	Silver carpet	<1"	spread	L	yes	full sun/light shade	yellow	summer	flat, groundcover with grey-green leaves
TL	7	1 gal	<i>Tagetes Lemmonii 'Compacta'</i>	Compact Mt. Lemon Marigold	2-3'	2-3'	L	yes	full sun/part shade	yellow	winter-spring, fall	highly aromatic, fine textured foliage, flowers provide intense fall color
WBG	16	1 gal	<i>Westringia 'Blue Gem'</i>	Blue gem coast rosemary	3-5'	3-4'	M/L	yes	sun or shade	lavender blue	year round	compact, low hedge
<b>Succulents</b>												
ABG	6	3 gal	<i>Agave 'Blue Glow'</i>		1-2'	2-3'	L	yes	full sun			blue-green foliage with red margins
ASO	5	1 gal	<i>Aloe 'safari orange'</i>		2-3'	3-4'	L	yes	full sun	orange	winter	very attractive, mid-size clustering aloe
AV	5	5 gal	<i>Aloe vanbalenii</i>	Van Balen's aloe	1-2'	3-4'	L	yes	sun or shade	yellow & orange	winter/spring	clumping with gracefully twisting leaves
<b>Grasses, Rushes &amp; Sedges</b>												
LLB	25	1 gal	<i>Lomandra longifolia 'Breeze'</i>	Spiny-headed mat rush	2-3'	2-4'	M/L	yes	sun/part shade	yellow	summer	fragrant flower
<b>Lawn</b>												
	445 sf	sod	<i>Agrostis pallens</i>	Bent Grass	4-8"		L/M	yes	full sun/part shade	NA	NA	drought tolerant, soft meadow grass that can be mowed



stout  
design : build

organic. responsible. naturally.

**Stout Design Build**  
12405 Venice Blvd #352  
Los Angeles, Ca 90066  
(310) 876-1018

www.stoutdesignbuild.com

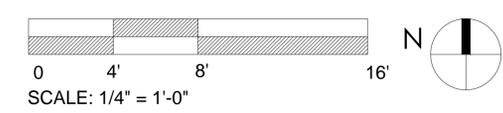
**Project:**

**Clark Project**  
439 S. Clark Dr.  
Beverly Hills, CA 90211

PLANTING PLAN - FRONT

Submittal Date:  
May 13, 2015

Sheet Number:  
L2.1





**Design Review Commission Report**

455 North Rexford Drive

July 2, 2015

**Attachment C**

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 CONSTRUCTION OF A NEW TWO-STORY SINGLE-FAMILY RESIDENCE AT THE PROPERTY LOCATED AT 439 SOUTH CLARK DRIVE.

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

Section 1. 439 South Clark Drive, LLC, 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 439 South Clark 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 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.

Section 4. The Design Review Commission conducted a duly noticed public hearing on July 2, 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

1. No special conditions have been imposed for this project.

Standard Conditions

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.** This resolution approving an 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 the resolution as an exhibit. The Applicant shall deliver the executed covenant to the Department of Community Development **within 60 days** of the Planning 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 Project 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 Project.

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 filing a written appeal and paying appropriate fees with the City of Beverly Hills City Clerk.

Approved as to Form and Content:

Adopted: **July 2, 2015**

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Ryan Gohlich, Commission Secretary  
Community Development Department

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Arline Pepp, Chairperson  
Design Review Commission