City of Beverly Hills
Planning Division
455 N. Rexford Drive Beverly Hills, CA 90210
TEL. (310) 285-1141 FAX. (310) 858-5966

Design Review Commission Report

Meeting Date: Thursday, January 7, 2016
(continued from Thursday, December 3, 2015)

Subject: **341 South Canon Drive**
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: Ginna Nguyen – Relativity Architects

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

REPORT SUMMARY

The applicant is requesting review and 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 was identified by the applicant as Mediterranean Modern; 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 November 5, 2015 and then continued with a request for a complete redesign (Attachment A). At the November meeting, the Commission's comments related primarily to the overwhelming sense of bulk and mass, lack of a coherent architectural style, and the general need for a full redesign of the project.

As a result of the Commission's comments, the applicant has significantly modified the architectural design of the proposed single-family residence and is now proposing a more traditional Mediterranean Villa style. An applicant-prepared *Response to Comments* is included in Attachment B of this report.

URBAN DESIGN ANALYSIS

The proposed Mediterranean Villa-styled single-family residence exhibits a more coherent architectural theme; however, the appearance of bulk and mass does not appear to have been mitigated appropriately. Additionally, the project does not contain a hierarchy of architectural elements and may benefit from meaningful modulation and revised proportions that are more consistent with a Mediterranean Villa, which may assist in minimizing the bulk and mass of the single-family residence.

Attachment(s):
A. November 5, 2015 DRC Staff Report and Previously Proposed Plans
B. Applicant's Written Response to Commission's Comments
C. Public Correspondence
D. Project Design Plans
E. DRAFT Approval Resolution

Report Author and Contact Information:
Cindy Gordon, AICP, Associate Planner
(310) 285-1191
cgordon@beverlyhills.org

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. It can be seen with certainty that there is no possibility that the subject activity could result in a significant effect on the environment.

Prior to the filing of the Design Review application, the existing single family residence on the site was reviewed and found to be a potential historic resource designed by a party listed on the City's Master Architect list (Dickason Building Co.). Pursuant to BHMC §10-3-3218, any work involving a change in design, material, or appearance proposed on a property forty five (45) years or older and designed by a person listed on the city's list of master architects shall be subject to a thirty (30) day holding period prior to the issuance of permits. If, after the expiration of the final period of time to act, the City Council has not taken an action on the application or initiation to designate, then any pending permit(s) may be issued and demolition, alteration, or relocation of the property may proceed (BHMC §10-3-3217). Since no action was initiated to designate the subject property within the 30-day holding period, the subject property is not considered to be a historic resource in the City of Beverly Hills and the processing of the pending demolition permit may proceed.

PUBLIC OUTREACH AND NOTIFICATION

As the project was continued to a date certain, no additional mailed notices are required. The on-site posted notice has been updated to reflect the hearing date of Thursday, January 7, 2016.

Subsequent to the Design Review Commission meeting of November 5, 2015, staff received one letter from a nearby resident regarding the project; the letter is included as Attachment C.

Attachment A
November 5, 2015 DRC Staff Report
and Previously Proposed Plans

City of Beverly Hills
Planning Division
455 N. Rexford Drive Beverly Hills, CA 90210
TEL. (310) 285-1141 FAX. (310) 858-5966

Design Review Commission Report

Meeting Date: Thursday, November 5, 2015

Subject: **341 SOUTH CANON DRIVE**
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: Ginna Nguyen – Relativity Architects

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

REPORT SUMMARY

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URBAN DESIGN ANALYSIS

The overall design appears overly simplistic, lacks dimensionality and visual interest, and the boxy form is not articulated with architecturally appropriate modulation. The design could benefit from primary, secondary, and tertiary elements to create a more internally compatible design scheme that would positively enhance the streetscape of South Canon Drive and express a more coherent Mediterranean Modern architectural style.

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. It can be seen with certainty that there is no possibility that the subject activity could result in a significant effect on the environment.

Prior to the filing of the Design Review application, the existing single family residence on the site was reviewed and found to be a potential historic resource designed by a party listed on the City's Master Architect list (Dickason Building Co.). Pursuant to BHMC §10-3-3218, any work involving a change in design, material, or appearance proposed on a property forty five (45) years or older and designed by a person listed on the city's list of master architects shall be subject to a thirty (30) day holding period

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

Report Author and Contact Information:
Cindy Gordon, AICP, Associate Planner
(310) 285-1191
cgordon@beverlyhills.org

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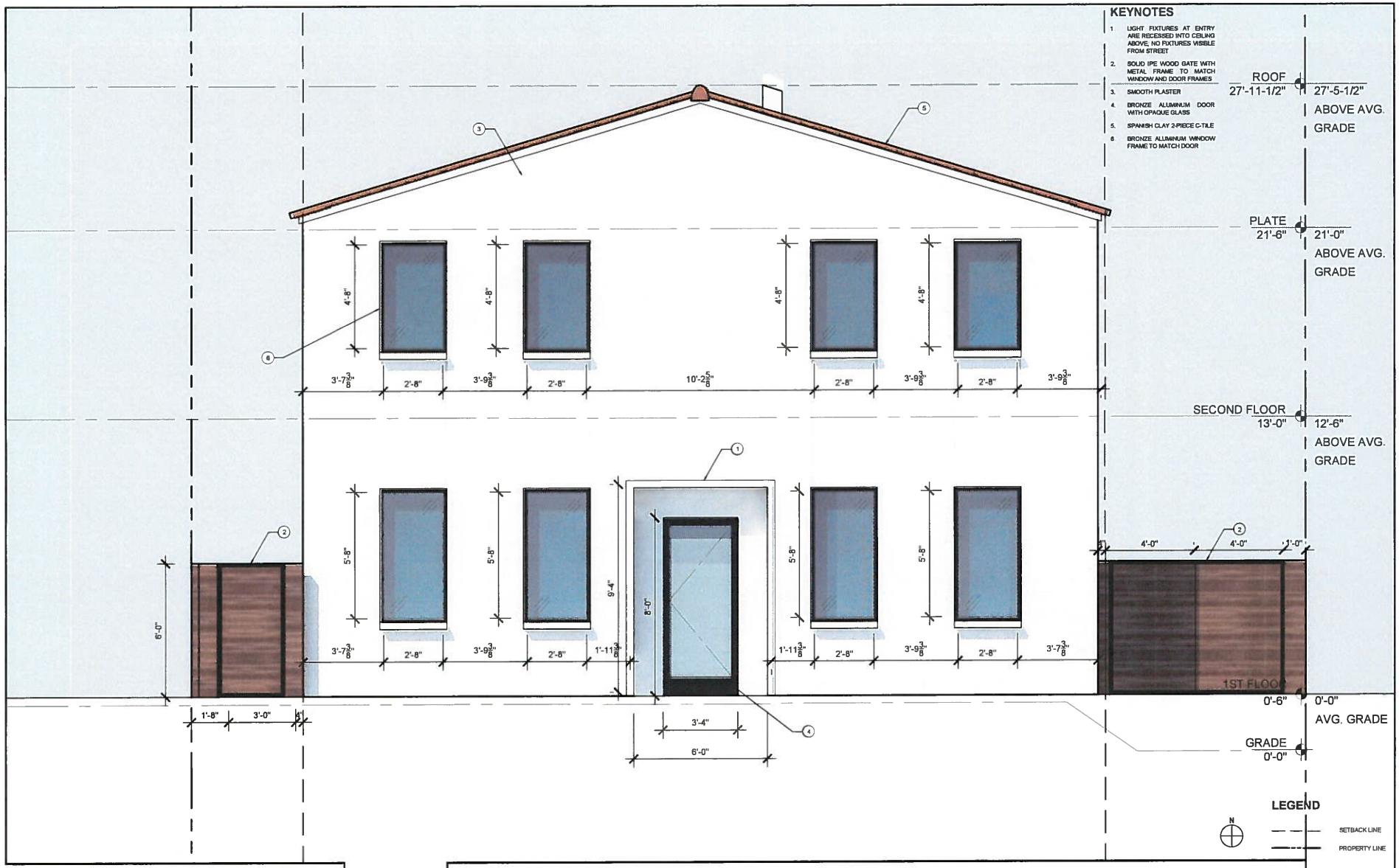
PUBLIC OUTREACH AND NOTIFICATION

The project requires mailed public notice within 100 feet and the block face of the subject property 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 23, 2015; the site was posted on Thursday, Monday, October 26, 2015. To date staff has not received comments in regards to the submitted project.



PROJECT NAME

Relativity ARCHITECTS

CANON RESIDENCE
341 S CANON DR,
BEVERLY HILLS, CA 90212

6056 Harold Way
Hollywood, CA 90028
310.573.4300
213.232.3664 fx

reference/title: COLOR EAST ELEVATION

date: 10/19/15

SHEET

A400

scale: 1/4" = 1'-0"

PROJECT NAME

CANON RESIDENCE
341 S CANON DR,
BEVERLY HILLS, CA 90028

Relativity
ARCHITECTS

6056 Harold Way
Hollywood, CA 90028
310.573.4300
213.232.3664 fx

reference/title: 3-DIMENSIONAL PERSPECTIVE RENDERING

date: 10/05/15

SHEET
A704

scale: N.T.S.

Attachment B

Applicant's Written Response to Commission's Comments

12/11/2015

To the Honorable Design Review Committee,

Please note we have attempted to address the Commissions comments from 11/05/15 in the following manner:

- **"Reduce Bulk and Mass"** – We have articulated the façade by bringing the roof level down to a hip roof, extruding the 1st floor on the left side to create a balcony with an ornamental railing and recessing the center, doorway area, of the façade. We feel this will create a ease of scale transition from our single story neighbors in addition to reducing the bulk and mass of the façade.

- **"Add Detailing"** – We are proposing custom Walnut wood windows and a solid walnut door with a top window. We have also added a decorative center window. All windows are to be recessed 8".

- **"Add a Horizontal Element"** – That is evident in the balcony on the left side of the façade.

- **"Theme Determination"** – We feel we have moved closer to the traditional Mediterranean Villa by rounding the 1st floor windows, adding the aforementioned balcony, detailing the fenestration and articulating the façade.

Thank you,
Tima Bell, Relativity Architects

Attachment C
Public Correspondence

Mark Elliot
212 S. Reeves Dr.
Beverly Hills, CA 90212

November 28, 2015

Ms. Arline Pepp, Chair
Members of the Design Review Commission
455 North Rexford Dr.
Beverly Hills, CA 90210

Dear Chair Pepp and members of the Commission:

I live around the corner from 341 South Canon Drive and want to follow up on the commission's November 5th discussion. First, I applaud the commission's incisive review and assessment as to whether the proposed design is in keeping with the existing block's style and scale. (Of course it is not.)

Second, I thank the commission for holding this applicant accountable for misrepresentations in the application narrative. I'm thinking of passages like this one:

> This proposed development will enhance the neighborhood by providing a residence that stands with elegance and refinement. Not overbearing and not overly ornate, the purity of the materials and of the Mediterranean Modern aesthetic lend well to creating a positive yet not pretentious architectural statement.... a residence with character, culture and class.

While we can disagree on matters of character and especially class, claims made in an application should represent the design presented to the commission. The commission rightly called it out.

Moreover, some commissioners expressed substantive concerns about the proposed design. For one thing, the 'Mediterranean Modern' style departs from the *Residential Design Style Catalog.* And the windows as illustrated hardly reflects the recessed fenestration of the Spanish Revival style. Thankfully our commission sent this applicant back to the (literal) drawing board.

And then there's our collective concern that new projects respect the context and integrity of our neighborhoods. Consider this baldly preposterous statement:

> This residence integrates well into the surrounding style of its street and neighborhood by maintaining the same scale of massing as nearby homes....

The applicants own renderings show that the proposed design hardly minimizes the appearance of scale and mass. Indeed this project would have

been too large and insensitively massed to fit in comfortably with neighboring properties. You were right to call that out too.

However, the challenge of preserving the integrity of our neighborhoods is not simply to guard against the inappropriate project; it is to ensure that approved projects eschew faux-historic or other generic elements that seek to merely mimic an established style. A design that simply tips its hat to a style (like modernism for example) without really engaging with its underlying principles only dilutes our neighborhoods' character.

I hope the commission will continue to hold applicants to a high(er) standard.

Sincerely,

Mark Elliot

Mark Elliot
212 S. Reeves Drive
Beverly Hills, CA 90212

Attachment D
Project Design Plans

PROJECT NAME

Relativity ARCHITECTS

CANON RESIDENCE
341 S CANON DR,
BEVERLY HILLS, CA 90212

6056 Harold Way
Hollywood, CA 90028
310.573.4300
213.232.3664 fx

reference/title: COLOR EAST ELEVATION

date: 12/14/15

SHEET

A400

scale: 1/4" = 1'-0"

PROJECT NAME

CANON RESIDENCE
341 S CANON DR,
BEVERLY HILLS, CA 90212

Relativity
ARCHITECTS

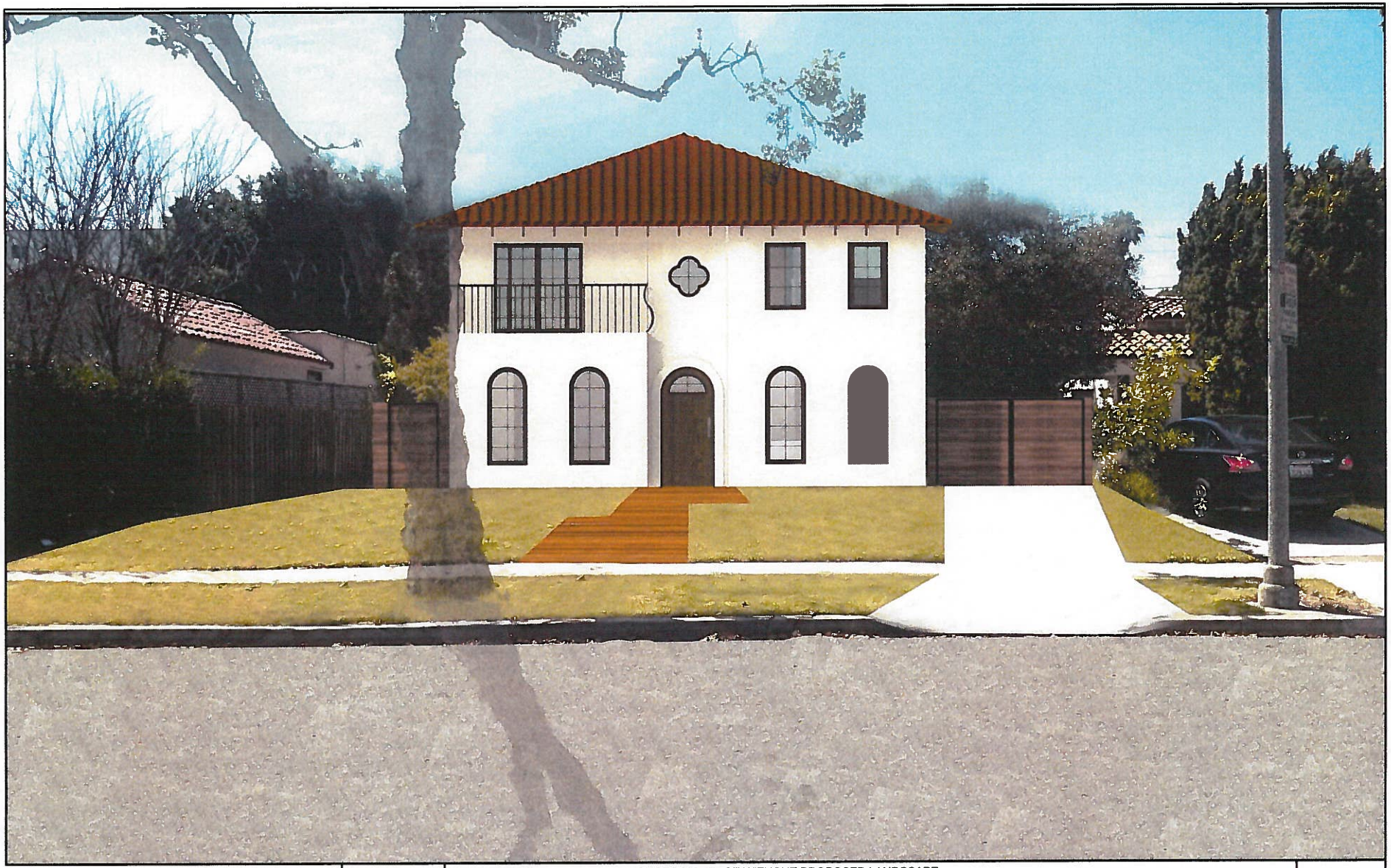
6056 Harold Way
Hollywood, CA 90028
310.573.4300
213.232.3664 fx

reference/title: STREETSCAPE PHOTO MONTAGE WITH PROPOSED LANDSCAPE

date: 12/14/15

SHEET
A702

scale: N.T.S.



PROJECT NAME

Relativity ARCHITECTS

CANON RESIDENCE
341 S CANON DR,
BEVERLY HILLS, CA 90212

6056 Harold Way
Hollywood, CA 90028
310.573.4300
213.232.3664 fx

reference/title: STREETSCAPE PHOTO MONTAGE WITHOUT PROPOSED LANDSCAPE

date: 12/14/15

SHEET
A703

scale: N.T.S.

PROJECT NAME

Relativity ARCHITECTS

CANON RESIDENCE
341 S CANON DR,
BEVERLY HILLS, CA 90028

6056 Harold Way
Hollywood, CA 90028
310.573.4300
213.232.3664 fx

reference/title: 3-DIMENSIONAL PERSPECTIVE RENDERING

date: 12/14/15

SHEET

A704

scale: N.T.S.

PLANTING KEY

TREES

SYMBOL	ABBR.	QTY.	SIZE	BOTANICAL NAME	COMMON NAME	WUCOLS
	GEI PAR	1	36" BOX STD	GEIJERA PARVIFLORA	AUSTRALIAN WILLOW	L
	OLE SWA	2	48" BOX MULTI	OLEA EUROPEA 'SWAN HILL'	FRUITLESS OLIVE	L
	FIG MIS	1	24" BOX ESPALIER	FIG 'MISSION'	MISSION FIG	NA

SHRUBS/PERENNIALS/VINES

SYMBOL	ABBR.	QTY	SIZE	BOTANICAL NAME	COMMON NAME	WUCOLS
	DIE BIC	12	5 GAL	DIETES BICOLOR	FORTNIGHT LILY	L
	FIC PUM	14	1 GAL STAKED	FICUS PUMILA	FIG IVY	M
	LAV GRO	73	5 GAL	LAVANDULA INTERMEDIA 'GROSSO'	FRENCH LAVENDER	L
	LIR GIG	39	1 GAL	LIRIOPE GIGANTEA	GIANT LIRIOPE	M
	PEN ORI	29	5 GAL	PENNISETUM ORIENTALE	ORIENTAL FOUNTAIN GRASS	L
	PHO TEN	1	5 GAL	PHORMIUM TENAX 'MAORI CHIEF'	NEW ZEALAND FLAX	L
	PIT CRA	22	5 GAL	PITTOSPORUM CRASSIFOLIUM 'COMPACTUM'	COMPACT PITTOSPORUM	M
	PIT SIL	20	24" BOX	PITTOSPORUM TENUIFOLIUM 'SILVER SHEEN'	SILVER SHEEN PITTOSPORUM	M

SUCCULENTS/GROUNDCOVERS

SYMBOL	ABBR.	QTY	SIZE	BOTANICAL NAME	COMMON NAME	WUCOLS
o	ECH IMB	55 SF	4" POTS @ 6" O.C.	ECHEVERIA IMBRICATA	HENS 'N' CHICKS	L
	FES GLA	171 SF	4" POTS @ 6" O.C.	FESTUCA GLAUCA	BLUE FESCUE	L
	LAWN	320 SF	SOD	MARATHON SOD	MARATHON SOD	H
	DYM MAR	40 SF	FLATS SOLID	DYMONDIA MARGARATAE	DYMONDIA	L
	STA BYZ	120 SF	4" POTS @ 9" O.C.	STACHYS BYZANTINA	LAMB'S EARS	M
		79 SF		SHREDDED WOOD MULCH		
		75 SF		MEXICAN BEACH PEBBLES		

HERB GARDEN

SYMBOL	ABBR.	QTY	SIZE	BOTANICAL NAME	COMMON NAME	WUCOLS
		65 SF	4" POTS	HERB GARDEN	PLANTS TO BE SELECTED BY OWNER	NA

NOTES

1. MINIMUM OF 2" OF SHREDDED WOOD MULCH SHALL BE APPLIED TO ALL EXPOSED SOIL SURFACES OF PLANTING AREAS EXCEPT IN TURF AREAS, OR CREEPING OR ROOTING GROUNDCOVERS
2. SOIL AMENDMENTS SHALL BE INCORPORATED ACCORDING TO RECOMMENDATIONS OF THE SOIL REPORT
3. 65 SF OF HERB GARDEN PERMANENTLY AND SOLELY DEDICATED TO EDIBLE PLANTS

- - - - - HYDROZONE PER IRRIGATION DESIGN PLAN

DYM MAR

STA BYZ

GEI PAR

OLE SWA

FIG MIS

DIE BIC

FIC PUM

LAV GRO

LIR GIG

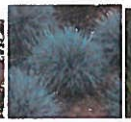
PEN ORI

PHO TEN

PIT CRA

PIT SIL

ECH IMB


FES GLA

LAWN

meg rushing coffee
landscape architecture & design #4747

732 S. Mansfield Ave. #211
Los Angeles, CA 90036
310-387-5891

CANON DRIVE RESIDENCE

341 S. Canon Drive
Beverly Hills, CA 90212

L1.2
PLANTING KEY & NOTES
17 AUG 2015

Attachment E
DRAFT Approval Resolution

RESOLUTION NO. DR XX-16

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 341 SOUTH CANON DRIVE DRIVE.

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

Section 1. Ginna Nguyen, Relativity Architects, agent, on behalf of Daniel Halevy, property owner (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 341 South Canon 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. It can be seen with certainty that there is no possibility that the subject activity could result in a significant effect on the environment.

Prior to the filing of the Design Review application, the existing single family residence on the site was reviewed and found to be a potential historic resource designed by a party listed on the City's Master Architect list (Dickason Building Co.). Pursuant to BHMC §10-3-3218, any work involving a change in design, material, or appearance proposed on a property forty five (45) years or older and designed by a person listed on the city's list of master architects shall be subject to a thirty (30) day holding period prior to the issuance of permits. If, after the expiration of the final period of time to act, the City Council has not taken an action on the application or initiation to designate, then any pending permit(s) may be issued and demolition, alteration, or relocation of the property may proceed (BHMC §10-3-3217). Since no action was initiated to designate the subject property within the 30-day holding period, the subject property is not considered to be a historic resource in the City of Beverly Hills and the processing of the pending demolition permit may proceed.

Section 4. The Design Review Commission conducted a duly noticed public hearing on November 5, 2015 and January 7, 2016, 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. **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.

2. **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.

3. **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.

4. **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.

5. **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.

6. **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.

7. **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.

8. **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.

9. **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:

Ryan Gohlich, Commission Secretary
Community Development Department

Adopted: January 7, 2016

Arline Pepp, Chairperson
Design Review Commission