



## Design Review Commission Report

**Meeting Date:** Thursday, February 4, 2016

**Subject:** **224 South Linden Drive (PL1600747)**  
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:** Gabbay Architects

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

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### 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 is identified by the applicant as Mediterranean; however, since the project does not adhere to a pure architectural style, the project is before the Commission for review.

### URBAN DESIGN ANALYSIS

The proposed Mediterranean-styled single-family residence exhibits an undesirable vertical orientation without a necessary horizontal component to reduce the scale of the structure. Additionally, the façade fenestration appears static in its execution given the primary use of door-scaled openings. Various modifications may be made to the structure that would help better incorporate a horizontal configuration and exhibit a stronger Mediterranean style. Such modifications may include:

- Increasing the spacing between the ground floor and second floor openings. Currently, these elements read as a singular mass without appropriate spacing in between. Increasing the space between the elements would allow for an additional horizontal component to be introduced while dividing the vertical orientation.
- Changing some of the doors to true windows with smaller openings. This would assist in reducing the verticality and would also eliminate the static configuration of the façade fenestration.
- Modifying the window directly above the entry way to one that is smaller scaled so that it does not compete unnecessarily with the entry and façade fenestration.

Project-specific conditions have not been proposed as a result of this analysis; however, the Commission may wish to consider such comments during the course of its review.

#### 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](mailto:cgordon@beverlyhills.org)



## **Design Review Commission Report**

341 South Canon Drive  
February 4, 2016

### **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. Additionally, 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**

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 Monday, January 25, 2016; the site was posted on Thursday, January 21, 2016. To date staff has not received comments in regards to the submitted project.



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**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 style is Mediterranean and use of original materials such as ceramic roof tile, smooth stucco and precast concrete molding emphasize the originality of the design.

- C Identify the Project Zoning** (City Zoning Map available online at <http://gis.beverlyhills.org/>)
- |   |  |   |
|---|--|---|
| <input checked="" type="radio"/> R-1    | <input checked="" type="radio"/> R-1.5X2 | <input checked="" type="radio"/> R-1.8X |
| <input checked="" type="radio"/> R-1X   | <input checked="" type="radio"/> R-1.6X  |   |
| <input checked="" type="radio"/> R-1.5X | <input checked="" type="radio"/> R-1.7X  |   |

**D Site & Area Characteristics**

Lot Dimensions: 127.58' x 55.00' Lot Area (square feet): 7,012.48 SF.

Adjacent Streets: Charleville Blvd

- 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 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:**

Mailing by the City.

**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:	30' - 0"	12' - 0"	30' - 0"
Roof Plate Height:		22' - 0"	22' - 0"
Floor Area:	4,305 SF	7,020 SF	4,105.51 SF
Rear Setbacks:	29' - 3"	21' - 7"	40' - 3"
Side Setbacks:	S/E 5' - 0"	S/E 6' - 1"	S/E 5' - 0"
	N/W 9' - 2"	N/W 2' - 8"	N/W 9' - 2"
Parking Spaces:	5		5

**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: Stucco / Precast Concrete  
 Texture /Finish: Smooth / Traditional Texture  
 Color / Transparency: Off White / Gray

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

Material: Clad Wood Frame / Clear Glass  
 Texture /Finish: Smooth  
 Color / Transparency: Dark Brown

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

Material: Clad Wood Frame / Clear Glass  
 Texture /Finish: Smooth  
 Color / Transparency: Dark Brown

**PEDIMENTS**

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

**ROOF**

Material: Ceramic Tile  
 Texture /Finish:  
 Color / Transparency: Brown / Terra cotta

**CORBELS**

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

**CHIMNEY(S)**

Material: Stucco / Metal  
 Texture /Finish: Smooth  
 Color / Transparency: Off white

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

**COLUMNS**

*Material:* \_\_\_\_\_  
*Texture /Finish:* \_\_\_\_\_  
*Color / Transparency:* \_\_\_\_\_

**BALCONIES & RAILINGS**

*Material:* Wrought Iron  
*Texture /Finish:* \_\_\_\_\_  
*Color / Transparency:* Black

**TRELLIS, AWNINGS, CANOPIES**

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

**DOWNSPOUTS / GUTTERS**

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

**EXTERIOR LIGHTING**

*Material:* Metal  
*Texture /Finish:* \_\_\_\_\_  
*Color / Transparency:* Black

**PAVED SURFACES**

*Material:* Travertine  
*Texture /Finish:* Traditional  
*Color / Transparency:* \_\_\_\_\_

**FREESTANDING WALLS AND FENCES**

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

**OTHER DESIGN ELEMENTS**

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

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

There has been major effort to conserve the existing landscaping intact. There has been an additional landscaping more appropriate to the architecture.

**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 dominant style is Mediterranean style w/ceramic tile roofing, stucco facade and precast concrete finishes and details.

**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 modulations, achieved through horizontal accents and use of different materials, create a residence that does not look massive. The combination of the greenery with the colors used for the residence complement each other while it eases the transition to the building itself.

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

With a Mediterranean style of architecture, the colors, materials and landscaping are the same as used in the neighborhood and the house in the block. Therefore maintaining the appearance of the neighborhood, by blending in instead of standing out.

**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 owner is naturally very happy with the design and there has been no negative reaction from the neighbors. The landscape and overall design provide privacy for the owner as well as the neighbors, and maintains more than required side yards while being part of the curb appeal of the street.

**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.**

Furthermore by maintaining the existing the old and beautiful olive tree blends the house easily in the neighborhood.



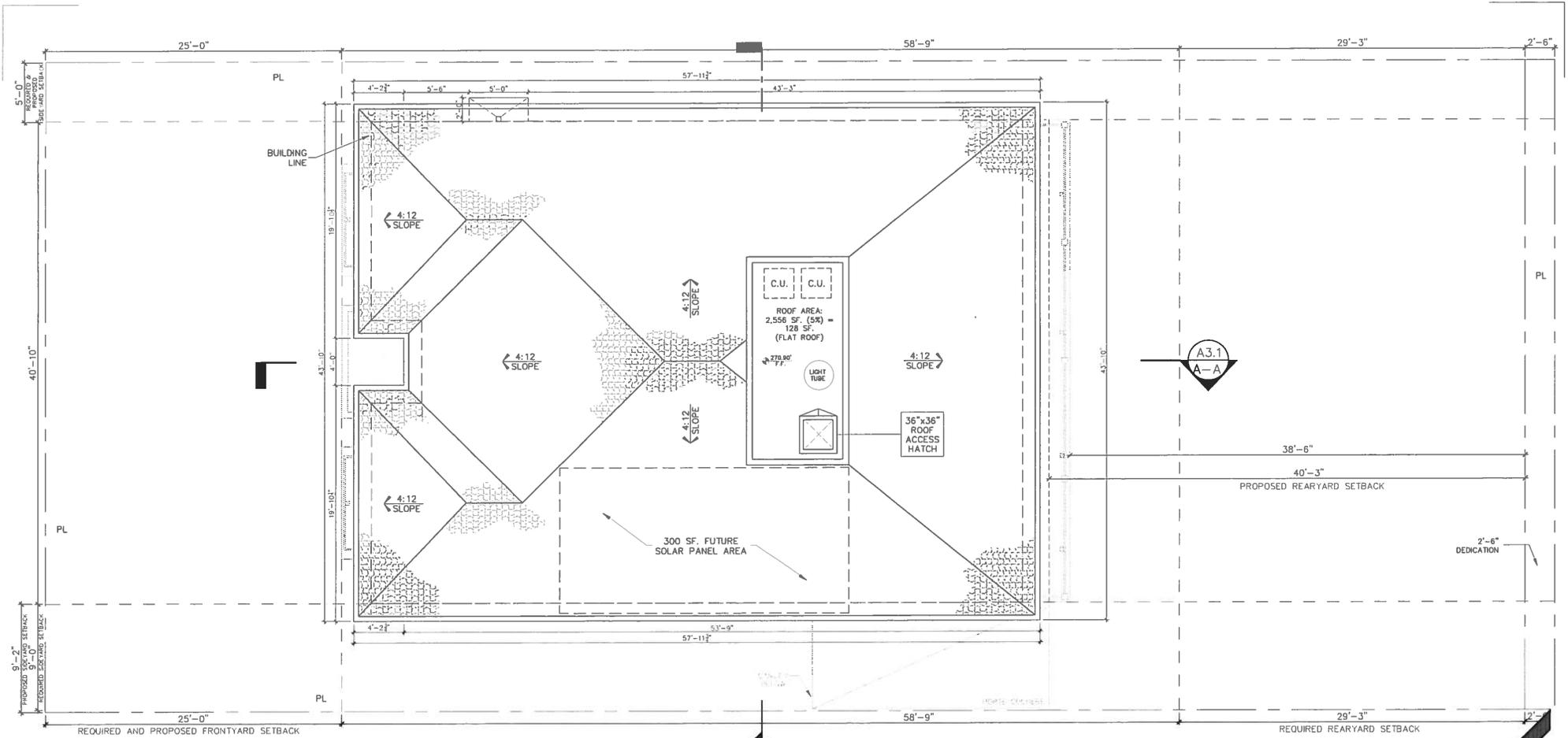
**Design Review Commission Report**

341 South Canon Drive

February 4, 2016

**Attachment B**  
Project Design Plans



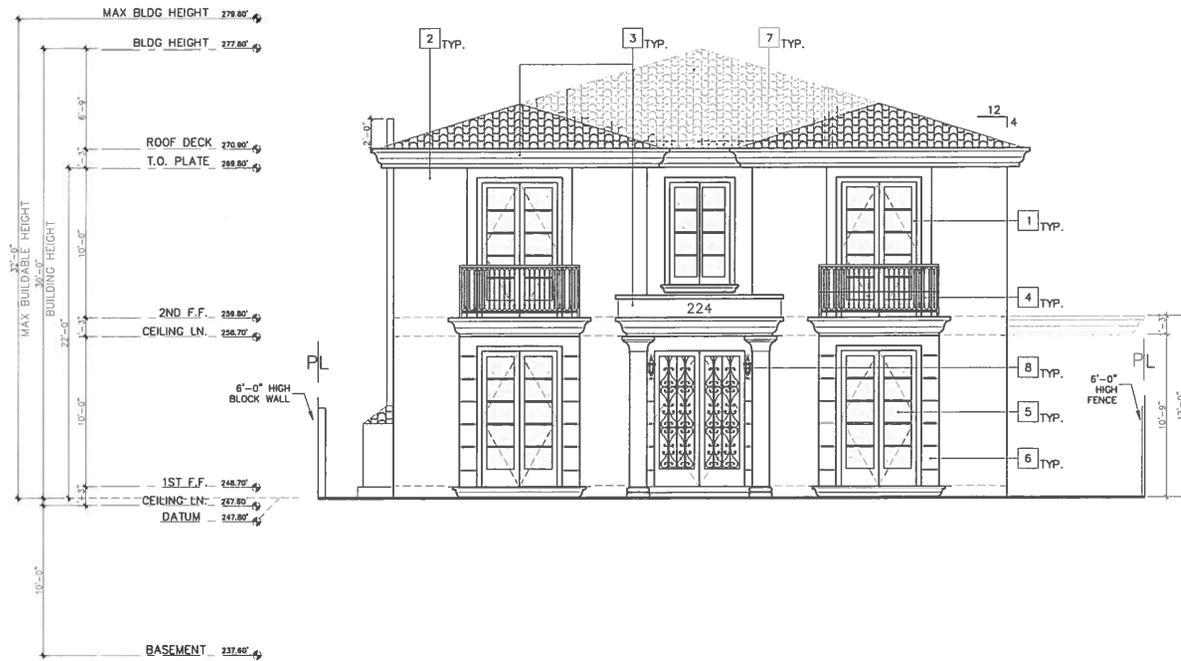


(N) ROOF PLAN  
 SCALE: 1/8" = 1'-0"  
 0 1 2 3 4 5 10 15 FT



**GABBAY ARCHITECTS**  
 ARCHITECTS  
 224 S. LINDEN DRIVE  
 BEVERLY HILLS, CA 90212  
 TEL: 310.978.8888 FAX: 310.978.1818

SHEET TITLE: <b>(N) ROOF PLAN</b>	REVISION:
PROJECT TITLE: 224 S. LINDEN DRIVE BEVERLY HILLS, CA 90212	DRAWN: F.P. SCALE: 1/8" = 1'-0" DATE: 01-19-16 PROJECT NO.:
SHEET NO. <b>A2.4</b>	



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

**BUILDING ELEVATIONS KEY NOTES**

- |   |   |
|---|---|
| <p>1 WINDOW FRAMING (BRANDINO - F/C WALLUT 579/1123 PF)</p> <p>2 SMOOTH PLASTER STUCCO SAND FINISH (LA HABRA BASE-100 X-12 CHABLIS)</p> <p>3 SMOOTH PLASTER STUCCO SAND FINISH (LA HABRA BASE-100 X-B1588 MORNING SIDE)</p> <p>4 W/ RAILING 42" HIGH W/4" MAX. OPENING SPACE BETWEEN RAILINGS (BLACK MAGNETIC CHALKBOARD)</p> | <p>5 WINDOW GLASS (CLEAR TEMPERED GLASS)</p> <p>6 TRAVERTINE STONE (PORCELANOSA - SILVER WOOD CLASSICO BPT)</p> <p>7 'C' CORRIGATION CLAY TILE ROOFING (CLADDING McBEATH &amp; CO. BLENDED RED)</p> <p>8 OUTDOOR LIGHTING FIXTURE (KICHLER LIGHTING 925K 3 LIGHT TRENTON)</p> |
|---|---|

**GABBAY ARCHITECTS**  
 224 S. LINDEN DRIVE, BEVERLY HILLS, CA 90212  
 TEL: 310.555.0888 FAX: 310.555.1111

<b>(N) WEST ELEVATION</b>	REVISION:
PROJECT TITLE:	DATE:
224 S. LINDEN DRIVE BEVERLY HILLS, CA 90212	01-19-15
DRWN: F.P.	SHEET NO. <b>A4.4</b>
SCALE: 1/8"=1'-0"	PROJECT NO.:



(N) WEST ELEVATION  
 SCALE: 1/4" = 1'-0"

<b>GABBAY ARCHITECTS</b> <small>ARCHITECTS INC. 1000 W. BEVERLY BLVD. SUITE 1000 BEVERLY HILLS, CA 90212</small>	
SHEET TITLE: (1) COLORED ELEVATION W/O LANDSCAPE	DRAWN: E.P. SCALE: 1/4" = 1'-0" DATE: 01-19-16 PROJECT NO.:
PROJECT TITLE: 224 S. LINDEN DRIVE BEVERLY HILLS, CA 90212	SHEET NO.: <b>A4.5</b>



(N) WEST ELEVATION  
 SCALE: 1/4" = 1'-0"

<b>GABBAY ARCHITECTS</b> <small>ARCHITECTS INC. 101 N. GARDEN ST. SUITE 200 BEVERLY HILLS, CA 90210        TEL: 310.274.8888</small>	
SHEET TITLE (1) COLORED ELEVATION W/ LANDSCAPE	ELEVATION DRAWN: F.P. SCALE: 1/4" = 1'-0" DATE: 01-19-16 PROJECT NO: A4.6
PROJECT TITLE 224 S LINDEN DRIVE BEVERLY HILLS, CA 90212	



STREETSCAPE PHOTO MONTAGE (with EXISTING HOUSE)



STREETSCAPE PHOTO MONTAGE (PROPOSED HOUSE without LANDSCAPE)



STREETSCAPE PHOTO MONTAGE (PROPOSED HOUSE with LANDSCAPE)

<p><b>GABBAY ARCHITECTS</b>  <small>1870 W. PALM BLVD., STE. 771 BEVERLY HILLS, CA 90212        TEL: 310-955-8888 FAX: 310-955-1111</small></p>	
<p>SHEET TITLE  <b>STREETSCAPE PHOTO MONTAGE</b></p>	<p>REVISIONS</p>
<p>PROJECT TITLE</p>	<p>DATE: 01-19-16        PROJECT NO:</p>
<p>224 S. LINDEN DRIVE        BEVERLY HILLS, CA 90212</p>	<p>SCALE        DRAWN: F.P.P.        SHEET NO.  <b>A6.1</b>  <small>224 S. LINDEN DR.</small></p>



<b>GABBAY ARCHITECTS</b> <small>1001 W. BEVERLY BLVD., SUITE 100 BEVERLY HILLS, CALIF. 90212          TEL: 310.276.8888</small>		SHEET TITLE	BOYS/DOT
		3D VIEW	
PROJECT TITLE	SCALE	DRAW: F.P.	SHEET NO.
224 S. LINDEN DRIVE BEVERLY HILLS, CA 90212		DATE: 01-19-16	PROJECT NO.
			<b>A7.1</b>

224 S. LINDEN DR.

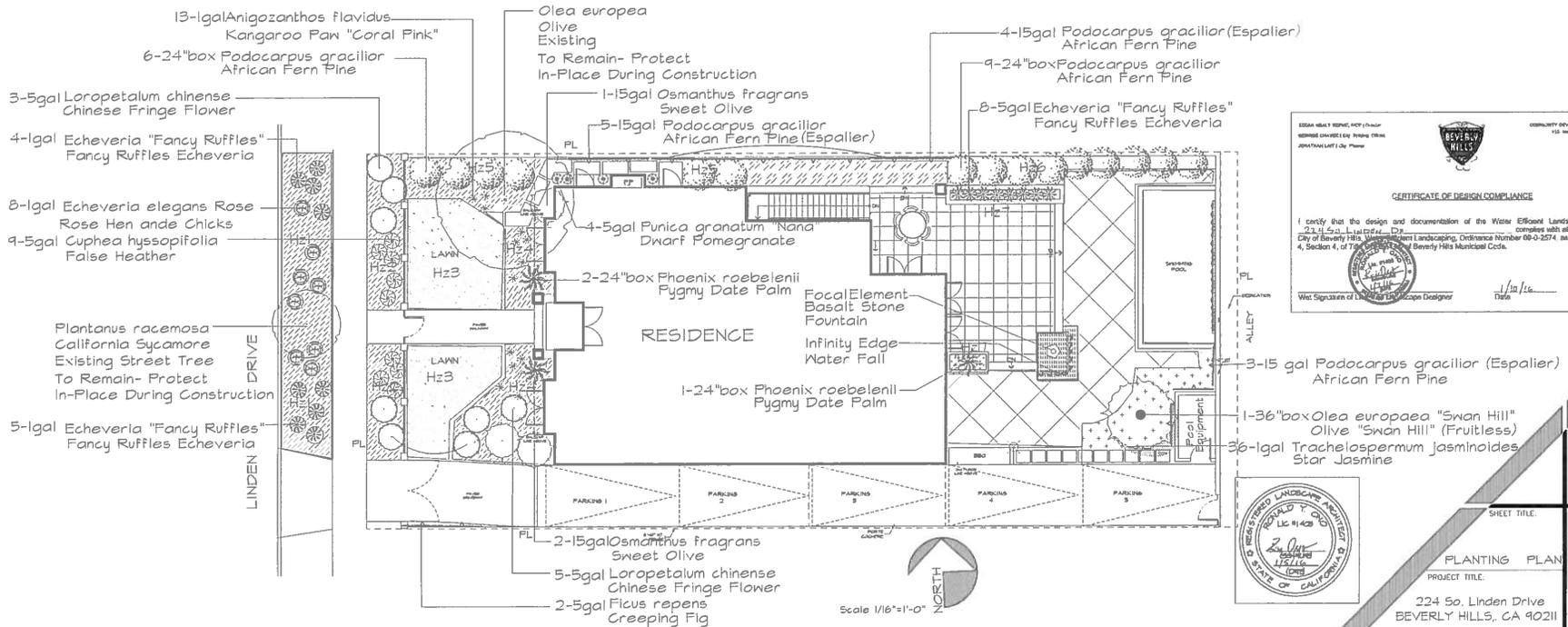
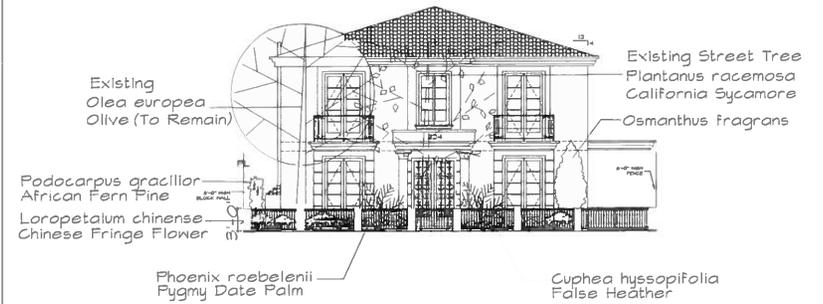


PROJECT TITLE 3D VIEW		SHEET TITLE 3D VIEW	
		REVISIONS	
PROJECT TITLE 224 S. LINDEN DRIVE BEVERLY HILLS, CA 90212		DRAWN: F.P. SCALE:	
DATE: 01-19-16		PROJECT NO: A7.2	
GABBAY ARCHITECTS <small>ARCHITECTS INC. 111 BROADWAY, 10TH FLOOR          NEW YORK, NY 10038          TEL: 212-692-9000</small>		SHEET NO.: 224 S. LINDEN	

T R E E S						
SYMBOL	10" Dia.	12" Dia.	14" Dia.	18" Dia.	24" Dia.	36" Dia.
	1					
		3				
S H R U B S						
				13		
				4		
				2		
				4		
				8		
				8		
				2		
				25		
				4		
				4		
				15		

	Dymondia margaretae	Dymondia from flats Plant at 10" o.c.
	Lawn Marathon2 Sod	from Southland Sod Farms of approval Equal



I certify that the design and documentation of the Water Efficient Landscape located at 224 So. Linden Drive, Beverly Hills, CA 90211, complies with all the provisions of the City of Beverly Hills Water Efficient Landscaping Ordinance Number 69-0-2574, as codified in Article 4, Section 4, of the City of Beverly Hills Municipal Code.

West Signature of Licensed Landscape Designer: *[Signature]* / 1/10/16  
 Title: *[Signature]*



PLANTING PLAN  
 PROJECT TITLE:  
 224 So. Linden Drive  
 BEVERLY HILLS, CA 90211

DRAWN: KN  
 SCALE:  
 DATE: 01-05-16  
 PROJECT NO.:

SHEET TITLE: **LP.1**

**GABBAY ARCHITECTS**  
 100 N. GARDEN ST. SUITE 200  
 BEVERLY HILLS, CA 90210



Echeveria "Fancy Ruffles"  
Fancy Ruffles Echeveria



Cuphea hyssopifolia  
False Heather



Anigozanthos flavidus  
Kangaroo Paw "Coral Pink"  
Podocarpus gracilior  
African Fern Pine



Existing (To Remain)  
Olea europaea  
Olive



Podocarpus gracilior  
African Fern Pine

Echeveria elegans Rose  
Rose Hen ande Chicks



Plantanus racemosa  
California Sycamore  
Existing Street Tree  
To Remain- Protect  
In-Place During Construction

Phoenix roebelenii  
Pygmy Date Palm



Loropetalum chinense  
Chinese Fringe Flower



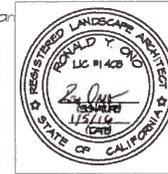
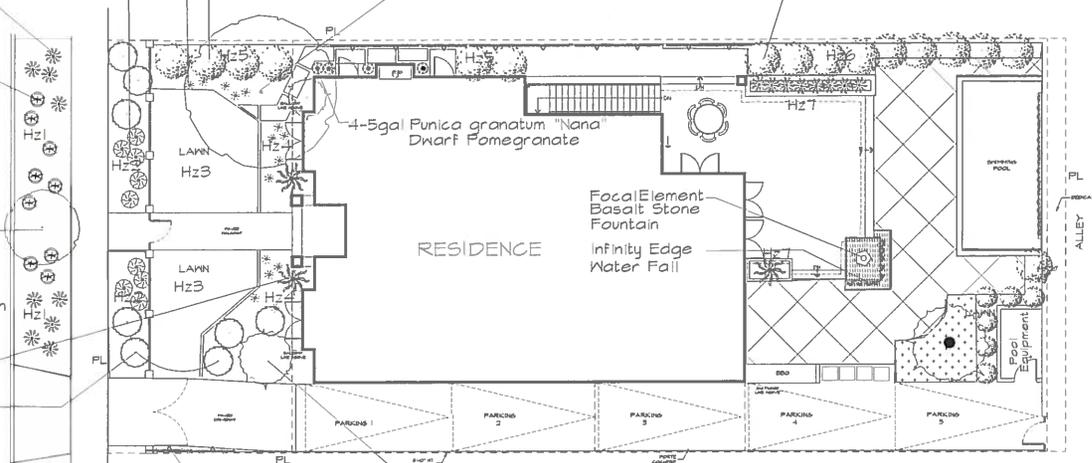
Ficus repens  
Creeping Fig



Osmanthus fragrans  
Sweet Olive



Scale 1/16"=1'-0"



PLANT PHOTO  
PROJECT TITLE  
224 So. Linden Drive  
BEVERLY HILLS, CA 90211

GABBAY ARCHITECTS  
1107 HOLMWOOD BLVD., SUITE 100, BEVERLY HILLS, CA  
TEL: 310.282.2888 FAX: 310.282.1818

SHEET NO.  
DRAWN: K.N.  
SCALE  
DATE: 01-06-14  
PROJECT NO.  
LP.2



**Design Review Commission Report**

341 South Canon Drive

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**Attachment C**

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 224 SOUTH LINDEN DRIVE.

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

Section 1. Gabbay Architects, agent, on behalf of Albert Bootesaz, 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 224 South Linden 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. Additionally, 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 February 4, 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:

Adopted: February 4, 2016

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Ryan Gohlich, Commission Secretary  
Community Development Department

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Arline Pepp, Chairperson  
Design Review Commission