



Design Review Commission Report

Meeting Date: Thursday, April 7, 2016

Subject: **311 Alpine Drive (PL1603978)**
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: Ben Borukhim – bBA Studios Inc.

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

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 with an Italianate influence; 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 design generally follows a Mediterranean style with Italianate influences that, with various modifications recommended by staff, will serve as a positive enhancement to the streetscape. Such modifications include:

- Study reducing the scale of the entry component as it is currently over scaled and competes with the adjacent balconies on the second floor. A reduction in the scale of this component would eliminate tension across the façade.
- Revising the solid-to-void ratio on the front façade, to allow for a greater percentage of wall surface, should be considered, especially for the two centrally located arched units on the upper floor. In addition, providing final specifications on the frosted/obscured treatment for these arched units located directly above the entry component; a specialty treatment should be considered, as opposed to an applied film.
- Consider simplifying the ironwork on the entry door and second floor balconies. The current pattern appears overly ornate and a more refined pattern is better suited for the Mediterranean/Italianate style.
- Study the roofline in conjunction with the mechanical bay to ensure it responds appropriately to the classical design. Currently, the proposed roofline contains an

Attachment(s):

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

Report Author and Contact Information:
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cgordon@beverlyhills.org



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additional pitch that is not consistent with a classical style and further simplification is suggested.

It is recommended that the Design Review Commission approve the project with the condition that a revised design and final details be presented to the Urban Designer for final review and approval.

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.

Prior to the filing of the original Design Review application for the project, 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 (Koerner & Gage). 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.

PUBLIC OUTREACH AND NOTIFICATION

The project requires 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, March 25, 2016; the site was posted on Friday, March 25, 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 proposed residence is a Mediterranean style house which borrows some formality and details from the Italianate style. The style incorporates references from Spanish, Beaux-Arts, Italian and even Gothic Architecture. The material palette and landscape concept are inspired by the more tropical aspect of the region while the details and general massing add formality and order to the house. Our material palette and landscape concept are in line with the styles from these regions

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

- | | | |
|------------------------------|-------------------------------|---|
| <input type="radio"/> R-1 | <input type="radio"/> R-1.5X2 | <input checked="" 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: 50' x 132' Lot Area (square feet): 6,500
 Adjacent Streets: between Burton way and Dayton Way

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: Koerner and Gage

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

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

We've discussed the existing house and our proposal with a few neighbors

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'	16'	25'
Roof Plate Height:	22'	9'	22'
Floor Area:	4100	2144	4084
Rear Setbacks:	27'	42'	27'
Side Setbacks:	S/E 5' N/W 9'	S/E 3'6" N/W 9'	S/E 5' N/W 9'
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: Smooth Stucco / Precast moldings
Texture /Finish: Smooth / Honed finish
Color / Transparency: San Simeon Beige / cream

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

Material: Aluminum cladding outside / wood inside
Texture /Finish:
Color / Transparency: Espresso (weathered brown)

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

Material: metal (painted to match dunn edwards dec756-wethere brown)
Texture /Finish: smooth/painted
Color / Transparency: weathered brown

PEDIMENTS

Material: n/a
Texture /Finish:
Color / Transparency:

ROOF

Material: Flat roof (not visible from street)
Texture /Finish:
Color / Transparency:

CORBELS

Material: n/a
Texture /Finish:
Color / Transparency:

CHIMNEY(S)

Material: n/a
Texture /Finish:
Color / Transparency:

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

COLUMNS

Material: n/a
Texture /Finish:
Color / Transparency:

BALCONIES & RAILINGS

Material: wrought iron
Texture /Finish: smooth/painted
Color / Transparency: black

TRELLIS, AWNINGS, CANOPIES

Material: n/a
Texture /Finish:
Color / Transparency:

DOWNSPOUTS / GUTTERS

Material: copper
Texture /Finish: smooth/copper
Color / Transparency: dark bronze

EXTERIOR LIGHTING

Material: Hinkley sconce light - Senator model 2504bk
Texture /Finish: smooth/solid brass
Color / Transparency: brass

PAVED SURFACES

Material: stamped concrete to match Davis color Buff 5237
Texture /Finish: smooth
Color / Transparency: earth tone

FREESTANDING WALLS AND FENCES

Material: Smooth Stucco to match house
Texture /Finish: Smooth
Color / Transparency: San simeon to match house exterior

OTHER DESIGN ELEMENTS

Material: Pre-cast moldings to match la habra color Alamo
Texture /Finish: smooth
Color / Transparency: mid tone beige

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

Our planting palette includes a diverse amount of plant types that are both colorful, structural, drought tolerant and native to southern California

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 Mediterranean style is inherently eclectic as it's influenced by many different styles across a large European region. However, with the exception of the entry, we have maintained a very clean and simple approach to the eaves, window and door details and even our wrought Iron. Our entry takes on a more ornate and formal approach, creating a sense of hierarchy on the facade and create a sense of place for the entry.

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 house itself is recessed back quite far from the entry element that protrudes out. We have a horizontal band that runs across the house and breaks up the first floor and second floor. Our entry element is also broken down between the first and second floor by the use of custom stone work around the first floor element. We aimed and creating a warm and grounded entry to anchor the house and it's facade.

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

The current house is in shambles and dealing with much deferred maintenance. The landscaping suffers the same. The proposed project will be an improvement to these existing conditions.

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.

We are providing landscaping around the entire perimeter of the house to provide a buffer from our yards to our neighbors in addition to the landscaping that each neighbor has in place already.

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.

In surveying the neighborhood, eight of the fifteen houses on this block are of Mediterranean, Spanish or Italianate architecture. We feel the style of the house fits the context rather well and that our lush landscaping ensures that the garden like quality of the street will be carried through our project and blend into our neighbors.



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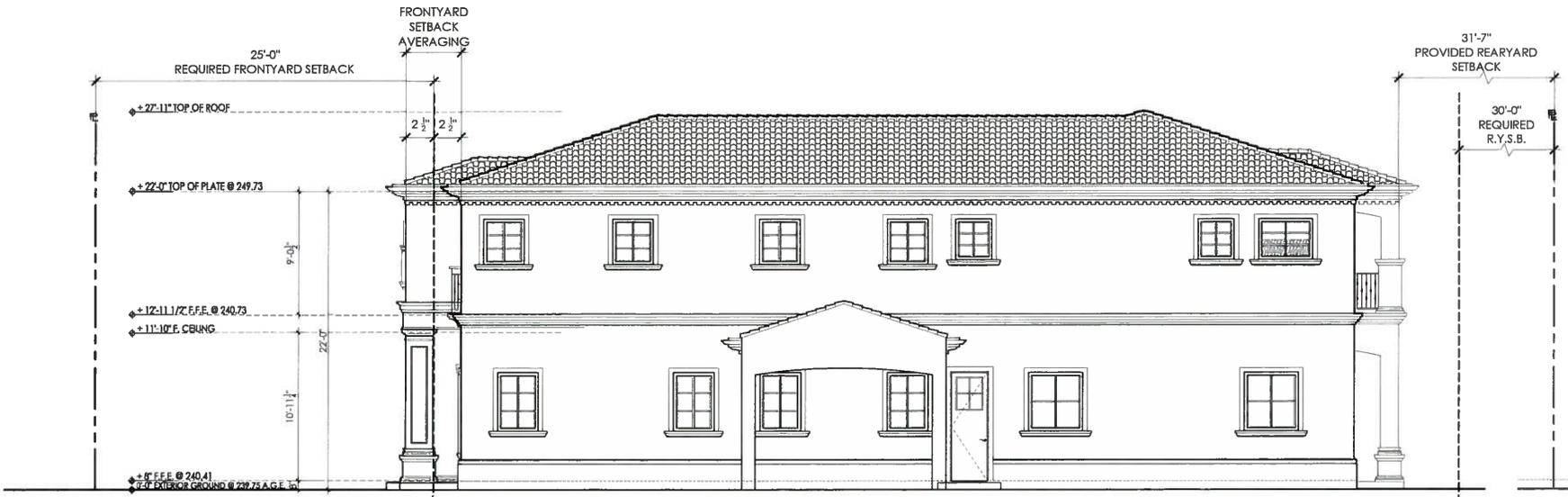
Attachment B
Project Design Plans



1 PROPOSED WEST ELEVATION
SCALE: 1/8" = 1'-0"

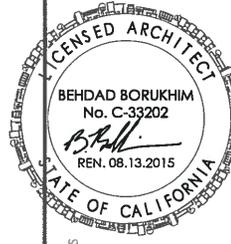
ELEVATION KEYNOTES:

1	STUCCO BY LA HABRA	SMOOTH	LA HABRA COLOR: SAN SIMEON
2	ROOF TILE	SMOOTH	1 PIECE MISSION TILE PALERMO BLEND - BY BORAL
3	PRE-CAST MOLDINGS BY PARAMOUNT PRECAST	SMOOTH	TO MATCH LA HABRA COLOR ALAMO
4	GUTTER	PRE-FORMED METAL	PAINTED TO MATCH DUNN EDWARDS #DEC756
5	BALCONY/RAILINGS	WROUGHT IRON	PAINTED TO MATCH DUNN EDWARDS #DEC756
6	WIN. + DRS. FRAME	ALUM. CLADDING	POWDER COATED TO MATCH DUNN EDWARDS #DEC756
7	OUTDOOR PAVER	STAMPED CONCRETE	TO MATCH DAVIS COLOR BUFF 5237
8	9' ENTRY DOOR	SOLID WOOD W/ GLASS/DECORATIVE METAL	STAINED TO MATCH DUNN EDWARDS #DEC756
9	SCONCE LIGHT	SOLID BRASS	SENATOR MODEL 2504BK BY HINKLEY
10	KEYSTONE	SMOOTH	TO MATCH LA HABRA COLOR ALAMO



2 PROPOSED SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

PRIVATE RESIDENCE
3111 N. ALPINE DR



SCALE: 1/8" = 1'-0"
PROPOSED ELEVATIONS

SHEET A3.1
bBA STUDIOS, INC
6404 WILSHIRE BLVD, SUITE 1235
LOS ANGELES, CA 90048
tel: 310.596.0300
web: www.bba-studios.com
email: info@bba-studios.com

Z:\16.118.02.311 N. Alpine\CAD\Sheets\11. X17 DRC\A8.6 STREETScape PHOTO MONTAGE.dwg, 3/18/2016 10:48:51 PM

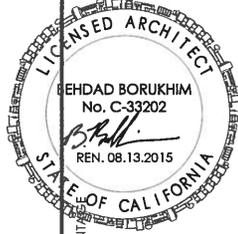


1 VIEW-2 (WITH TREES)
SCALE: 1/8" = 1'-0"



2 VIEW-2 (WITHOUT TREES)
SCALE: 1/8" = 1'-0"

PRIVATE RESIDENCE 3111 N. ALPINE DR



SCALE: N.T.S.
• STREETScape PHOTO MONTAGE

SHEET A8.6

bbA STUDIOS, INC
6404 WILSHIRE BLVD., SUITE 1235
LOS ANGELES, CA 90048
tel 310.598.6330
web www.bbAstudios.com
email info@bbAstudios.com

REVISIONS	DATE

DIG ALERT

 IDEAL TOLL FREE
 1-800-422-4153
 AT LEAST TWO DAYS
 BEFORE YOU DIG

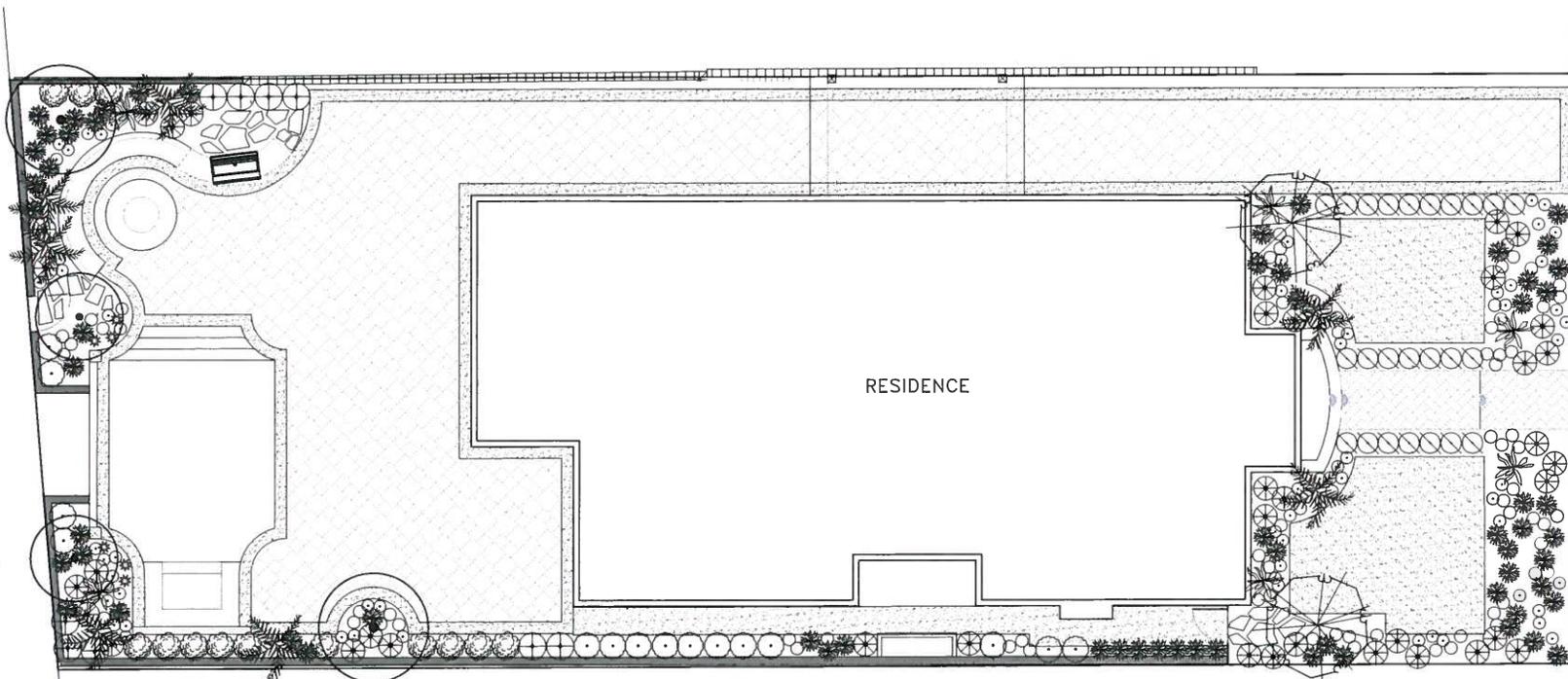
ALPINE RESIDENCE
 311 ALPINE
 BEVERLY HILLS, CA 90210

PLANTING PLAN

DATE
 3-21-2018
 DRAWN BY:
 PLAG
 JOB NO:
 SCALE:
 PER PLAN

SHEET NO.
LP.1

2 OF 10 SHEETS



Area 2: V:\3130.02.311 R Alpine\CA\Units\17 - FP-Land

PLANT MATERIALS LIST

SYMBOL	BOTANICAL NAME/Common Name	SIZE	QTY	SYMBOL	BOTANICAL NAME/Common Name	SIZE	QTY	SYMBOL	BOTANICAL NAME/Common Name	SIZE	QTY
TREES											
	OLEA EUROPEAE SEEDLESS OLIVE	36" BOX	2		PHORMIUM TENAX NEW ZEALAND FLAX	5 GAL.	64		AGAPANTHUS AFRICANUS LILY OF THE NILE	5 GAL.	38
	ARCHONTOPHOENIX CUNNINGHAMIANUM KING PALM	36" BOX	7		PRUNUS CAROLINIANA LAUREL CHERRY	15 GAL.	13		ST. AUGUSTINE	SOD	360 SF
	LAGERSTOEMIA INDICA 'PINK' CRAPE MYRTLE	24" BOX	4		HIBISCUS MOSCHEUTOS LUNA RED DWARF HIBISCUS	5 GAL.	24	NOTE: PLACE ROOT BARRIERS AT ALL SHRUBS AND TREES ADJACENT TO POOLS AND WALLS			
	PHYLLOSTACHYS NIGRA BLACK BAMBOO	15 GAL.	15		LIRIOPE MUSCARI BIG BLUE LILY TURF	1 GAL.	68				
	PODOCARPUS GRACILIOR FERN PINE	15 GAL.	9		PHORMIUM TENAX 'TOM THUMB' NEW ZEALAND FLAX	1 GAL.	75				
	CYCAS REVOLUTA SAGO PALM	15 GAL.	6		ASPARAGUS DENSIFLORUS ASPARAGUS FERN	1 GAL.	6				

HOLD HARMLESS AND INDEMNIFICATION CLAUSE
 CONTRACTOR AGREES TO ASSUME SOLE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY AND THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER/DEVELOPER, COUNTY OF LOCAL JURISDICTION AND THE LANDSCAPE ARCHITECT HARMLESS FROM ANY AND ALL LIABILITY REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPT FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER/DEVELOPER, COUNTY OF LOCAL JURISDICTION, OR THE LANDSCAPE ARCHITECT

CONSTRUCTION NOTES
 1. THIS PROJECT WILL COMPLY WITH: 2007 CEC, CPC AND 2007 CEC AND 2008 TITLE 24 ENERGY REGULATIONS AND ALL CITY ORDINANCES.
 2. THE HOUSE STREET NUMBER WILL BE VISIBLE FROM THE STREET.
 3. THE DISCHARGE OF POLLUTANTS TO ANY STORM DRAINAGE SYSTEM IS PROHIBITED. NO SOLID WASTE, PETROLEUM BY-PRODUCTS, SOIL PARTICULATES, CONSTRUCTION WASTE MATERIALS, OR WASTE WATER DEREGULATED ON CONSTRUCTION SITES OR BY CONSTRUCTION ACTIVITIES SHALL BE PLACED CONVEYED OR DISCHARGED INTO THE STREET, GUTTER, OR STORM DRAIN SYSTEMS.




 NORTH
 SCALE 1/4" = 1'-0"



• FRUITLESS OLIVE TREE



• PINK CRAPE MYRTLE



• LAUREL CHERRY



• KING PALM



• BLACK BAMBOO



• SAGO PALM



• FERN FINE



• ASPARAGUS FERN



• NEW ZEALAND FLAX



• TOM THUMB FLAX



• BIG BLUE LILY TURF



• LILY OF THE NILE



• DWARF RED HIBISCUS



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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 311 ALPINE DRIVE.

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

Section 1. Ben Borukhim, bBA Studios Inc., agent, on behalf of Michael Eghbali, 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 311 Alpine 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.

Prior to the filing of the original Design Review application for the project, 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 (Koerner & Gage). 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.

Section 4. The Design Review Commission conducted a duly noticed public hearing on **April 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:

Adopted: **April 7, 2016**

Mark Odell, Commission Secretary
Community Development Department

Arline Pepp, Chairperson
Design Review Commission