



# Design Review Commission Report

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**Meeting Date:** Thursday, November 3, 2016  
*(continued from Thursday, September 1, 2016)*

**Subject:** **213 South La Peer Drive (PL1617589)**  
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:** SIA Architectural Design, Inc.

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

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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 Contemporary; however, since the project does not adhere to a pure architectural style, the project is before the Commission for review.

## BACKGROUND

The project was previously reviewed by the Design Review Commission at its meeting on September 1, 2016 (Attachment A). At that meeting, the Commission felt the design warranted further review and directed the project to be restudied and continued to a date certain (October 6, 2016; the project was subsequently continued to the current meeting [November 3, 2016] as revised plans had not been submitted for the October meeting). The Commission's comments related primarily to the overall elements of the front elevation appearing unbalanced and unresolved and that the building's architectural elements were not integrated into the building. Additionally, the Commission felt the project was too similar to a previous project. As a result of the Commission's comments, the applicant has modified the following elements:

- Building design was revised to appear more cohesive and less like architectural elements added to a box;
- Materials were changed so as to differentiate the design from previous designs by the Architect;
- Façade solid to void ratio was modified to appear less commercial.

### Attachment(s):

- September 1, 2016 DRC Staff Report and Previously Proposed Plans
- Applicant's Written Response to Comments
- Project Design Plans
- DRAFT Approval Resolution

### Report Author and Contact Information:

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



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

### **URBAN DESIGN ANALYSIS**

The Staff and the Commission provided comments for consideration by the design team and modifications have been made to the façade in this architectural iteration. Final refinement of the design for the proposed contemporary-style single-family residence in conjunction with the continued studies recommended by staff, will serve as a positive enhancement to the streetscape. The design resolutions and additional architectural details are being requested as follows:

- Provide the final details for the revised balcony enclosure design on the upper floor of the street-facing elevation to ensure the attachment of this feature is well resolved.
- Provide a final detail for the inset reclaimed wood component within the decorative framing device on the upper floor of the residence. In addition, provide any proposed preservative or color treatment for the reclaimed wood cladding proposed and the details and finish of the fencing and gate indicated in the front yard setback of the premises.
- Consideration should be given to adding a glazing element on the northern portion of the street-facing façade on the upper floor, so as not to create a blank wall condition at this location.
- Provide final details and specifications for the hardscape design proposed in the front setback.

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.

### **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**

As the project was continued to a date certain, no additional mailed notices are required. The posted notices at the site have been updated to reflect the continued hearing date of Thursday, November 3, 2016. To date staff has not received comments in regards to the submitted project.



**Design Review Commission Report**

213 South La Peer Drive

November 3, 2016

**Attachment A**

September 1, 2016 DRC Staff Report  
and Previously Proposed Plans



# Design Review Commission Report

**Meeting Date:** Thursday, September 1, 2016

**Subject:** **213 South La Peer Drive (PL1617589)**

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:** SIA Architectural Design, Inc.

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

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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 Contemporary; however, since the project does not adhere to a pure architectural style, the project is before the Commission for review.

## URBAN DESIGN ANALYSIS

A further refinement of the design for the proposed Contemporary-style single-family residence in conjunction with the final architectural studies recommended by staff, will serve as a positive enhancement to the streetscape. Careful study of a site-specific design with specific architectural features which are unique to this site should be considered as the project moves forward. The design resolutions and additional architectural details are being requested as follows:

- Review the treatment for the upper projecting fascia component on the front facade, including proposed color and consider an alternate, more durable material and/or darker treatment for the fascia. This refinement will help to prevent future maintenance issues for this element.
- Provide final detail and specification for the hardscape design proposed in the front setback.
- Provide final specifications for the external building corners for the specialty wood and tile cladding materials proposed on the facade to ensure that an appropriate architectural detail e.g., mitered corner, is including in the final building plan set. In addition, provide any proposed preservative or color treatment for the reclaimed wood cladding proposed.

**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](mailto:gmillican@beverlyhills.org)



## Design Review Commission Report

213 South La Peer Drive

September 1, 2016

Consider returning the reclaimed wood corner to an internal building corner adjacent to the main entry door and on the upper floor of the main street-facing façade so as not to appear as a surface-applied material.

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.

### **ENVIRONMENTAL ASSESSMENT**

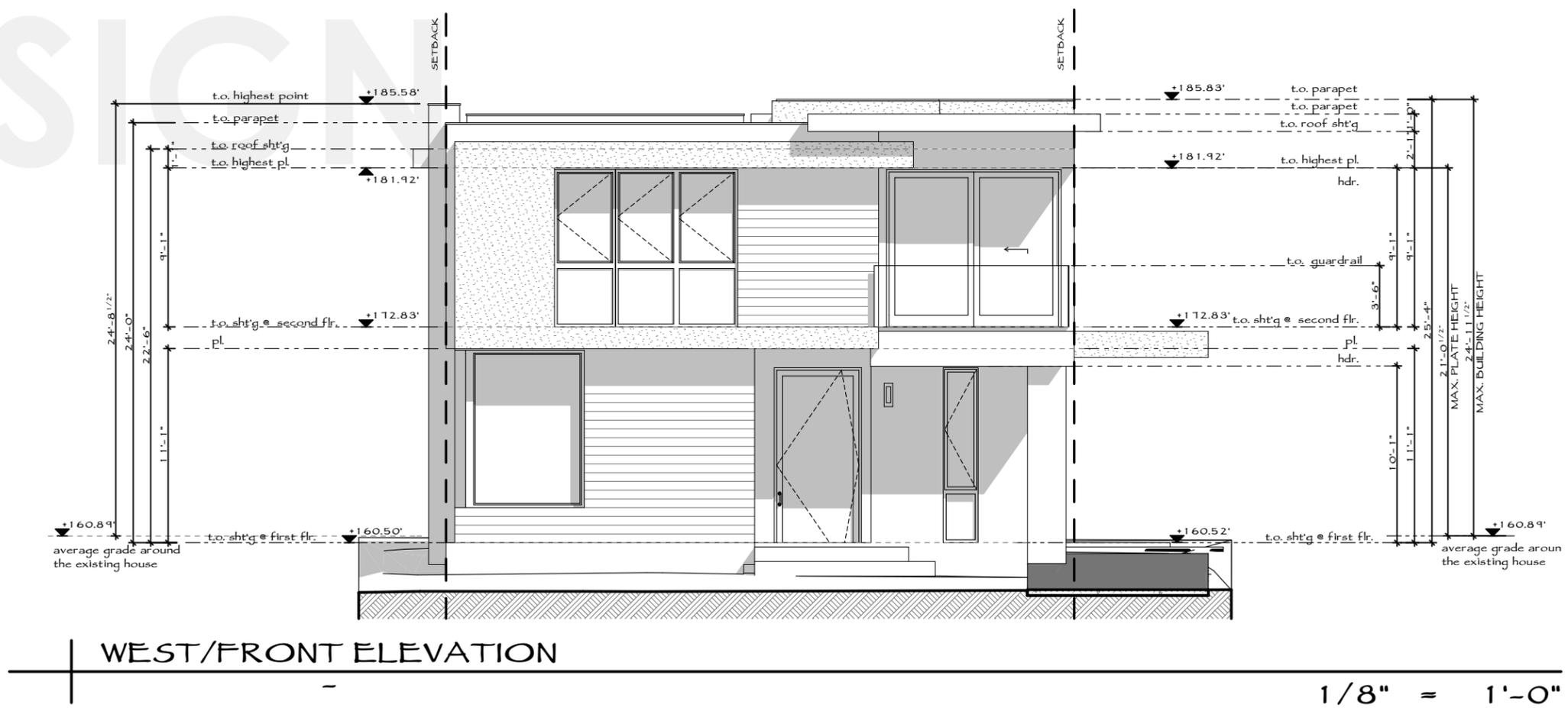
The subject project is exempt from the California Environmental Quality Act (CEQA – Public Resources Code §§21000 – 21178), pursuant to Section 15061(b)(3) of the State CEQA Guidelines in that the project includes the review of building design, colors and materials to the façade of the building, front 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 Friday, August 19, 2016; the site was posted on Thursday, August 18, 2016. To date staff has not received comments in regards to the submitted project.

NOTE TO ALL: No changes shall be made to these plans or specifications without prior approval from the Architect. Unauthorized changes will constitute a breach of Contract.

SIA  
ARCHITECTURAL  
DESIGN



Permit Date

Project

**La Peer**

**213 S La Peer Drive  
Beverly Hills, CA 90212**

Owner

**GOLDEN STATE  
INVESTMENT GROUP  
LLC  
213 S. La Peer Drive  
Beverly Hills, CA 90212**



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www.siaarchdesign.com

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**WEST / FRONT  
ELEVATION**

8/102016

scale: 1/8" = 1'-0"

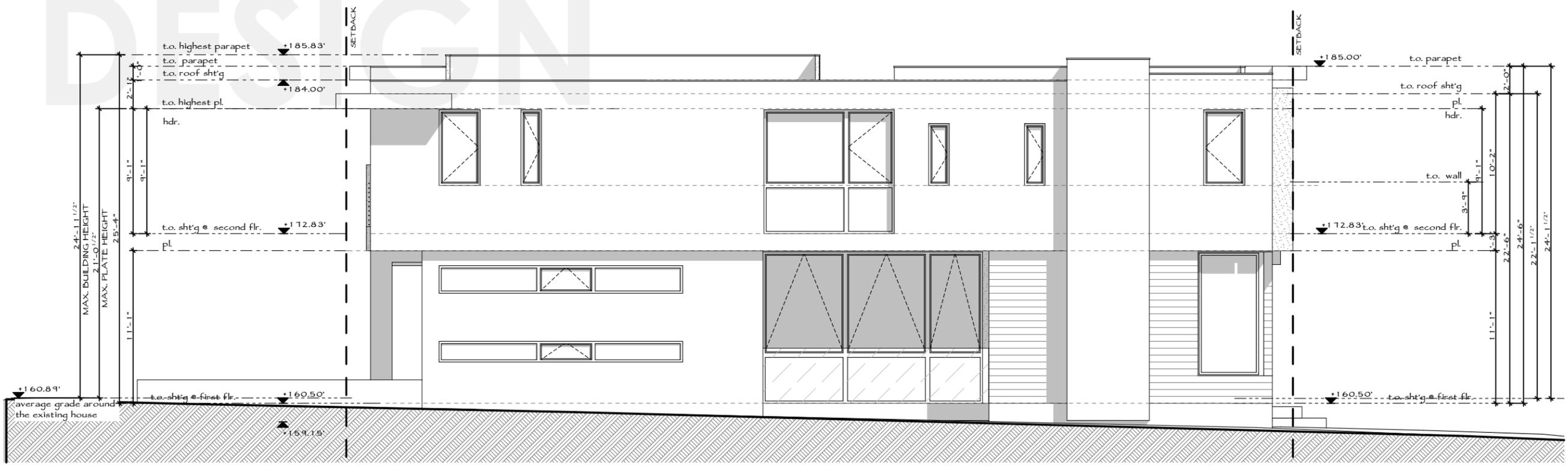
prepared by: S.J.

job #: 2016-237

**A-2.1**

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SIA ARCHITECTURAL DESIGN



SOUTH / RIGHT ELEVATION

1/8" = 1'-0"

Permit Date

Project

La Peer

213 S La Peer Drive  
Beverly Hills, CA 90212

Owner

GOLDEN STATE  
INVESTMENT GROUP  
LLC  
213 S. La Peer Drive  
Beverly Hills, CA 90212



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SOUTH / RIGHT ELEVATION

8/102016

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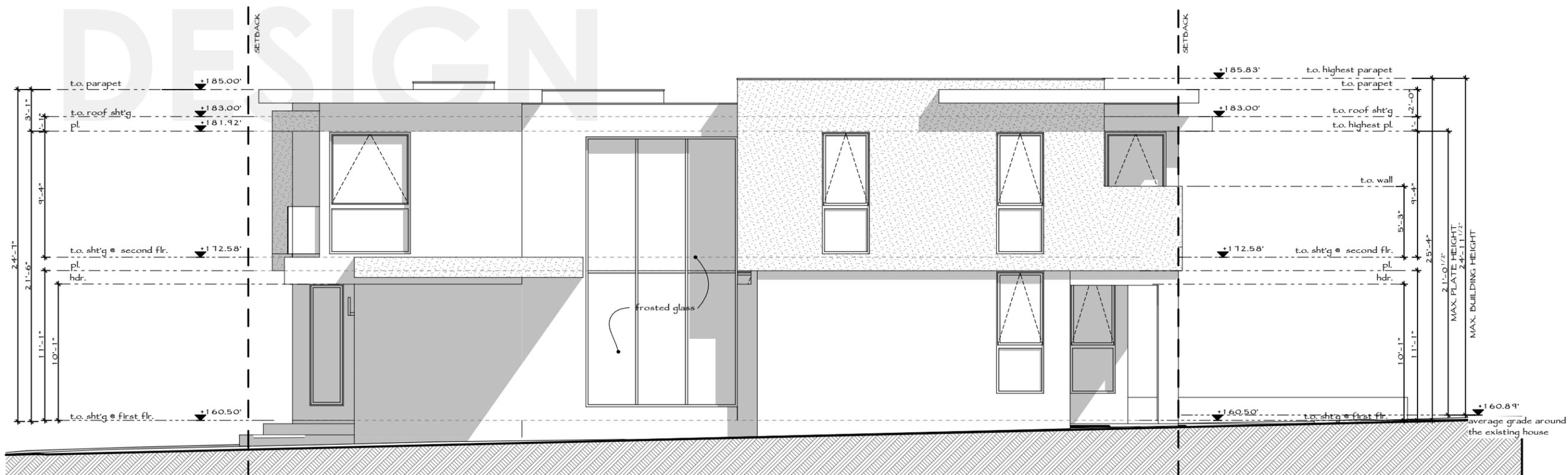
prepared by: S.J.

job #: 2016-237

A-2.3

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SIA  
ARCHITECTURAL  
DESIGN



NORTH/LEFT ELEVATION

1/8" = 1'-0"

Permit Date

Project

**La Peer**

**213 S La Peer Drive  
Beverly Hills, CA 90212**

Owner

**GOLDEN STATE  
INVESTMENT GROUP  
LLC  
213 S. La Peer Drive  
Beverly Hills, CA 90212**



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**NORTH / LEFT  
ELEVATION**

8/102016

scale: 1/8" = 1'-0"

prepared by: S.J.

job #: 2016-237

**A-2.4**

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SIA  
ARCHITECTURAL  
DESIGN



COLOR WEST ELEVATION

1/8" = 1'-0"

Permit Date

Project

**La Peer**

**213 S La Peer Drive  
Beverly Hills, CA 90212**

Owner

**GOLDEN STATE  
INVESTMENT GROUP  
LLC  
213 S. La Peer Drive  
Beverly Hills, CA 90212**



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**COLOR FRONT/WEST  
ELEVATION**

8/102016

scale: 1/8" = 1'-0"

prepared by: S.J.

job #: 2016-237

**A-2.5**

EXISTING STREET VIEW



PROPOSED STREET VIEW



Permit Date

Project

**La Peer**

**213 S La Peer Drive  
Beverly Hills, CA 90212**

Owner

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INVESTMENT GROUP  
LLC  
213 S. La Peer Drive  
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**STREET VIEW PHOTO MONTAGE**

8/102016

scale:

prepared by: S.J.

job #: 2016-237

**A-5.2**

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ARCHITECTURE  
DESIGN

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SIA



Permit Date

Project

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**COLOR RENDERINGS**

8/102016

scale:

prepared by: S.J.

job #: 2016-237

**A-5.3**

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# SIA



Permit Date

Project

**La Peer**

**213 S La Peer Drive  
Beverly Hills, CA 90212**

Owner

**GOLDEN STATE  
INVESTMENT GROUP  
LLC  
213 S. La Peer Drive  
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## COLOR RENDERINGS

8/102016

scale:

prepared by: S.J.

job #: 2016-237

# A-5.4



**Design Review Commission Report**

213 South La Peer Drive

November 3, 2016

**Attachment B**

Applicant's Written Response to Comments

# S I A

## ARCHITECTURAL DESIGN

October 17<sup>th</sup>, 2016

Georgana Millican  
Associate Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Drive  
Beverly Hills, CA 90210

Project Located at 213 S La Peer Drive

The Design Review generally commented that the project was too similar to the project that was completed in 2014 at 321 S. Oakhurst Drive.

Additionally it was commented by the committee that the materials and the architectural elements of the building looked tacked on and the building was a slimily a box with added appendages. The committee felt that the elements of the front elevation were not balanced and the roof element was not resolved. They committee asked for revisions to the design and a resubmittal for further review.

I generally agree with the comments that were made, hence I have redesigned the front elevation to address the issue that were made.

First, the building elements are no longer added to a box, but the mass has negative or subtracted elements, so to make the building design more cohesive. The materials have been changes not to reflect on our other projects in the vicinity. The front elevation glass and wall space has been carefully balanced as not to appear commercial on a small frontage

See attached images

Sincerely

Siavash Jazayeri

Architect, C-22240.

20230 WELLS DRIVE, WOODLAND HILLS, CA 91364

TEL (818) 704-0667 Fax (818) 704 0760



Original Design Submitted in the September Hearing



Revised Design Submitted for the November Hearing



## **Design Review Commission Report**

213 South La Peer Drive

November 3, 2016

### **Attachment C** Project Design Plans

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# CHARLEVILLE BLVD.

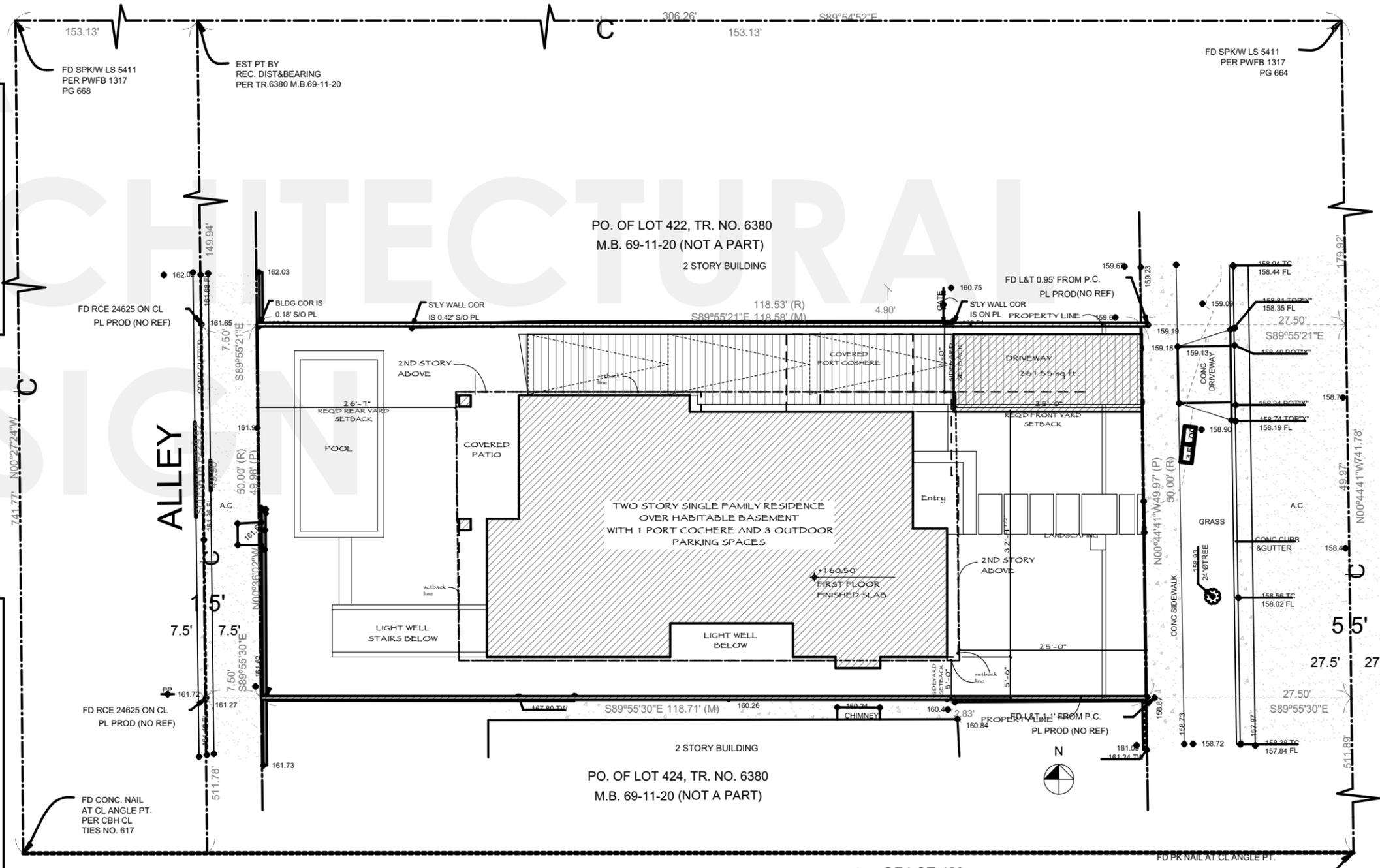
**AVERAGE GRADE AROUND EXT'G HOUSE:**

161.60
161.79
161.82
161.58
161.58
161.49
160.43
160.14
160.06
160.19
159.91
160.27
160.75
Total: 2,091.61

Average: 2,091.61/13=160.89

**NOTE:**

- 1- CURB AND GUTTER FRONTING THE PROPOSED PROJECT, IF DAMAGED DURING CONSTRUCTION, WILL NEED TO BE REMOVED AND REPLACED (ACCORDING TO CITY STANDARDS) AND SHALL BE PAID FOR BY THE APPLICANT. <http://www.beverlyhills.org/cbhfiles/storage/files/filebank/5621-Standard%20Drawings%201 reduced REVISED%2012-6-2011.pdf>
- 2- ALL SURVEY MONUMENTS, STREET LIGHTS, AND UNDERGROUND UTILITIES, AND ANY EXISTING OFF-SITE IMPROVEMENTS AFFECTED BY THE CONSTRUCTION SHALL BE RE-ESTABLISHED ACCORDING TO CITY STANDARDS, AND SHALL BE PAID FOR BY THE APPLICANT. NO PRIVATELY-OWNED STRUCTURES OR IMPROVEMENTS ARE PERMITTED WITHIN THE PUBLIC RIGHT-OF-WAY WITHOUT AN ENCROACHMENT PERMIT.
- 3- DRIVEWAY APPROACH SHALL BE CONSTRUCTED PER CITY OF BEVERLY HILLS STANDARD DETAIL BH 101. SEPERATE PERMIT HAS TO BE OBTAINED FOR THE CONSTRUCTION OF THE DRIVEWAY APPROACH.
- 4- CURB DRAINS SHALL BE CONSTRUCTED PER CITY OF BEVERLY HILLS STANDARD DETAIL BH 109. SEPERATE PERMIT HAS TO BE OBTAINED FOR THE CONSTRUCTION OF THE CURB DRAINS.



## SITE PLAN

1/16" = 1'-0"

**PROPOSED PROJECT AREA**

TOTAL BUILDING FLOOR AREA:	3,840.11 Sq. Ft.
TOTAL BASEMENT FLOOR AREA:	1,981.31 Sq. Ft.
MAX. ALLOWABLE FLOOR AREA PER BHMC SECTION 10-3-100:	1,500 Sq. Ft. + 40% OF LOT AREA
	1,500 Sq. Ft. + 40% (5,929.00) = 3,811.60

**BUILDING SETBACKS**

FRONT SETBACK :	25.00 FEET
SOUTH SIDE SETBACK :	5.00 FEET
NORTH SIDE SETBACK :	9.00 FEET
REAR SETBACK :	LOT DEPTH X 30% - 9.00' = 121.39' X 30% - 9.00' = 27.41'

Permit Date

Project

**La Peer**

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Beverly Hills, CA 90212

Owner

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INVESTMENT GROUP  
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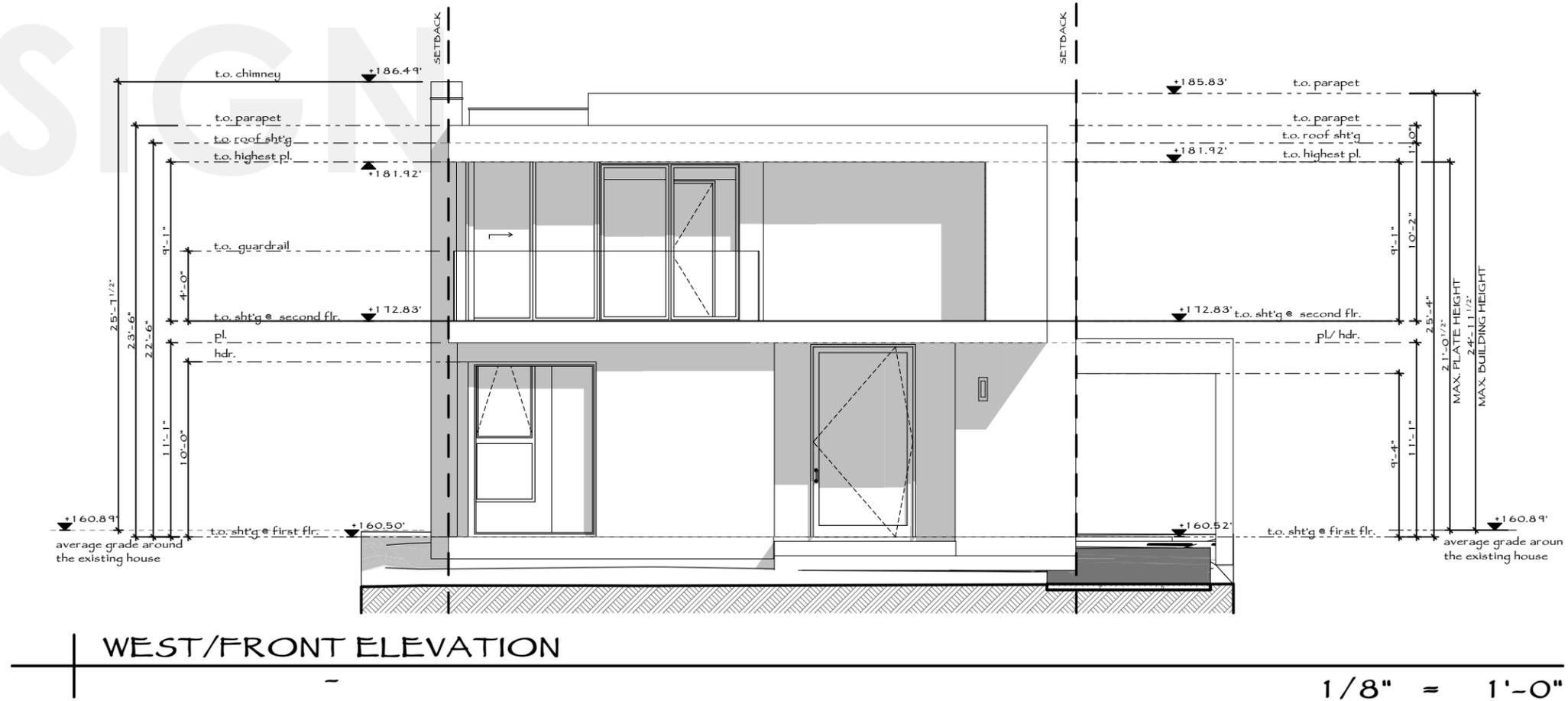
## SITE PLAN

10/14/2016  
scale: 1/16" = 1'-0"  
prepared by: S.J.  
job #: 2016-237

**A-0.0**

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SIA  
ARCHITECTURAL  
DESIGN



Permit Date

Project

**La Peer**

213 S La Peer Drive  
Beverly Hills, CA 90212

Owner

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**SIA**  
architectural  
design

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**WEST / FRONT  
ELEVATION**

10/14/2016

scale: 1/8" = 1'-0"

prepared by: S.J.

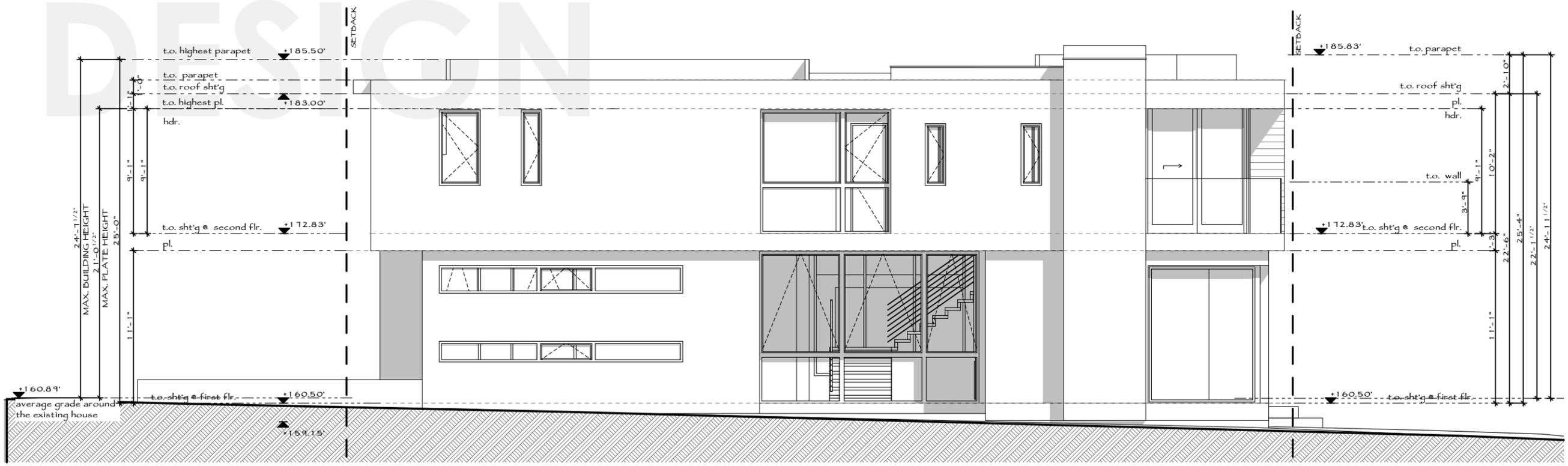
job #: 2016-237

**A-2.1**



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# SIA ARCHITECTURAL DESIGN



SOUTH / RIGHT ELEVATION

1/8" = 1'-0"

Permit Date

Project

**La Peer**

213 S La Peer Drive  
Beverly Hills, CA 90212

Owner

GOLDEN STATE  
INVESTMENT GROUP  
LLC  
213 S. La Peer Drive  
Beverly Hills, CA 90212



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**SOUTH / RIGHT ELEVATION**

10/14/2016

scale: 1/8" = 1'-0"

prepared by: S.J.

job #: 2016-237

**A-2.3**

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# SIA ARCHITECTURAL DESIGN



NORTH/LEFT ELEVATION

1/8" = 1'-0"

Permit Date

Project

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Beverly Hills, CA 90212

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NORTH / LEFT  
ELEVATION

10/14/2016

scale: 1/8" = 1'-0"

prepared by: S.J.

job #: 2016-237

**A-2.4**

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# SIA ARCHITECTURAL DESIGN



COLOR WEST ELEVATION

1/8" = 1'-0"

Permit Date

Project

**La Peer**

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Beverly Hills, CA 90212**

Owner

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INVESTMENT GROUP  
LLC  
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**COLOR FRONT/WEST  
ELEVATION**

10/14/2016

scale: 1/8" = 1'-0"

prepared by: S.J.

job #: 2016-237

**A-2.5**

NOTE TO ALL: No changes shall be made to these plans or specifications without prior approval from the Architect. Unauthorized changes will constitute a breach of Contract.

# SIA ARCHITECTURAL DESIGN

EXISTING STREET VIEW



PROPOSED STREET VIEW

Permit Date

Project

**La Peer**

**213 S La Peer Drive  
Beverly Hills, CA 90212**

Owner

**GOLDEN STATE  
INVESTMENT GROUP  
LLC  
213 S. La Peer Drive  
Beverly Hills, CA 90212**



20230 Wells Drive  
Woodland Hills, CA  
91364  
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**STREET VIEW PHOTO MONTAGE**

10/14/2016

scale:

prepared by: S.J.

job #: 2016-237

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Permit Date

Project

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Beverly Hills, CA 90212**

Owner

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**SIA**  
architectural  
design

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### COLOR RENDERING

10/14/2016

scale:

prepared by: S.J.

job #: 2016-237

**A-5.3**

NOTE TO ALL: No changes shall be made to these plans or specifications without prior approval from the Architect. Unauthorized changes will constitute a breach of Contract.

SIA  
ARCHITECT  
DESIGN

ORIGINAL DESIGN SUBMITTED TO THE SEPTEMBER HEARING  
COMMENTS  
PROJECT LOOKS TOO SIMILAR TO OTHER PROJECTS  
THE USE OF ELEMENTS LOOK ADDED TO A BOX  
THE ELEVATION IS NOT BALNCED



REVIASED DESIGN FOR THE NOVEMBER  
HEARING  
COMMENTS  
THE PROJECT HAS BEEN COMPLETY REDESIGNED  
ARCHITECTURAL ELEMENTS ARE NOW PART OF THE  
MASSING RATHER THAN ADDED  
EXTERIOR MATERIALS ARE ALL CHANGED

Permit Date

Project

**La Peer**

**213 S La Peer Drive  
Beverly Hills, CA 90212**

Owner

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INVESTMENT GROUP  
LLC  
213 S. La Peer Drive  
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**PROJECT CHANGES**

10/14/2016

scale:

prepared by: S.J.

job #: 2016-237

**A-5.4**





**Design Review Commission Report**

213 South La Peer Drive

November 3, 2016

**Attachment D**

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 213 SOUTH LA PEER DRIVE.

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

Section 1. SIA Architectural Design Inc., agent, on behalf of Golden State Investment Group, 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 213 South La Peer 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 duly noticed public hearings on **September 1, 2016 and November 3, 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: **November 3, 2016**

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Mark Odell, Urban Designer  
Community Development Department

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Ilene Nathan, Chair  
Design Review Commission