



Architectural Commission Report

Meeting Date: Wednesday, October 21, 2015

Subject: **9200 WILSHIRE BOULEVARD (PL1520194)**
Request for approval of a one-year time extension for an Architectural Review Permit for a new five-story mixed use building. The Architectural Commission previously adopted a Categorical Exemption for the project on October 17, 2012 pursuant to the California Environmental Quality Act; no further environmental review is required at this time.

Project agent: Joseph N. Tilem – Dawson Tilem & Gole

Recommendation: Conduct public hearing to discuss the project details and provide the applicant with an approval.

REPORT SUMMARY

The applicant is requesting approval of a one-year time extension for an Architectural Review Permit for a new five-story mixed use building located at 9200 Wilshire Boulevard. The project was previously approved by the Architectural Commission on October 17, 2012. The approval resolution (AC 71-12) has been included as Attachment A of this report.

Pursuant to Beverly Hills Municipal Code (BHMC) §10-3-207, development entitlements are valid for an initial period of three (3) years and the reviewing authority may grant up to two (2) one-year extensions if an application is made at least thirty (30) days prior to the expiration of the time limit. Such an extension may be granted after a duly noticed public hearing held pursuant to the same procedures applicable to the approval of the original application and the City's public notice guidelines, if the reviewing authority determines that the conditions and regulations affecting development in the city have not changed in a manner that would warrant reconsideration of the findings and decision made at the time of the original approval and the extension of the approval will not unreasonably delay efforts to advance the objectives of the zone.

The current Architectural Review Permit is set to expire on October 17, 2015 as no prior extensions have been granted. The applicant submitted a one-year time extension request on September 8, 2015, which has been included as Attachment B of this report.

URBAN DESIGN ANALYSIS

The project design has not been substantially modified since its original approval and continues to exhibit a high level of architectural excellence. Additionally, staff does not believe that the conditions and regulations affecting development in the city have changed in a manner that would warrant reconsideration of the findings and the decision made at the time of the original approval in October 2012. Furthermore, it is not anticipated that the extension of the approval would unreasonably delay efforts to advance the objectives of the zone in which the project is located.

Attachment(s):

- A. Resolution No. AC 71-12
- B. Time Extension Request
- C. Project Design Plans
- D. DRAFT Approval Resolution

Report Author and Contact Information:

Cindy Gordon, AICP, Associate Planner
(310) 285-1191
cgordon@beverlyhills.org



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ZONING CODE COMPLIANCE

Applications for design review are preliminarily evaluated for compliance with the zoning code. Applicants are encouraged and have the option of requesting a comprehensive review separate and apart from this application. Formal compliance review will occur when a building permit application is filed (plan check). The applicant has been advised that changes during plan check may require revisions and subsequent approval from the Architectural Commission or staff, as appropriate.

ENVIRONMENTAL ASSESSMENT

The subject project is exempt from the California Environmental Quality Act (CEQA – Public Resources Code §§21000 – 21178), pursuant to Section 15061(b)(3) of the State CEQA Guidelines in that the project includes the review of building design, colors and materials to the façade of the building, front yard landscaping or minor low-scaled accessory structures, such as fences or walls. It can be seen with certainty that there is no possibility that the subject activity could result in a significant effect on the environment. The project has also been reviewed and found not be a historic resource. The existing improvements to be demolished or altered were not designed by an architect or builder identified on the City's Master Architect list and the site and improvements are not listed on the City's historic resource inventory.

The Architectural Commission previously adopted a Categorical Exemption for the project on October 17, 2012 pursuant to the California Environmental Quality Act; no further environmental review is required at this time.

PUBLIC OUTREACH AND NOTIFICATION

Public outreach and notification was not required for this project.



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Attachment A

Resolution No. AC 71-12

RESOLUTION NO. AC-71-12

RESOLUTION OF THE ARCHITECTURAL COMMISSION OF THE CITY OF BEVERLY HILLS CONDITIONALLY APPROVING AN ARCHITECTURAL REVIEW PERMIT TO ALLOW A NEW FIVE-STORY MIXED USE BUILDING FOR THE PROPERTY AT 9200 WILSHIRE BOULEVARD (PL1226510).

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

Section 1. Joseph Tilem, agent, on behalf of the property owner, New Pacific 9200 Wilshire LLC, (Collectively the "Applicant"), has applied for architectural approval of a new five-story mixed use building for the property located at 9200 Wilshire Boulevard.

Section 2. Beverly Hills Municipal Code Article 30, Chapter 3 of Title 10, authorizes the Architectural Commission the authority to approve, approve with conditions or deny design-related aspects of projects located in the city's commercial and multi-family districts, subject to findings set forth in Beverly Municipal Code Section 10-3-3010.

Section 3. Consistent with Beverly Hills Municipal Code Section 10-3-3010, this resolution documents the official action of the architectural commission with respect to the project.

Section 4. The subject project has been reviewed pursuant to the provisions set forth in the California Environmental Quality Act (CEQA – Public Resource Code Sections 21000, *et seq.*), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 *et seq.*), and the city's local CEQA Guidelines. The subject project is exempt from environmental review 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, 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.

Section 5. The Architectural Commission conducted a duly noticed public hearing on October 17, 2012 at which time oral and documentary evidence was received concerning the application.

Section 6. Based upon the evidence presented at the hearings, including the staff report(s), oral and written testimony, the Architectural Commission hereby makes the following findings:

A. The plan for the proposed building or structure is in conformity with good taste and good design and, in general, contributes to the image of Beverly Hills as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality. Specifically the project incorporates an appropriate balance of color, high quality materials and appropriate architectural design principles to reinforce the city's urban form and promote the image of Beverly Hills.

B. The plan for the proposed building or structure indicates the manner in which the structure is reasonably protected against external and internal noise, vibrations, and other factors which may tend to make the environment less desirable. The proposed project is proposed to be constructed using contemporary building materials and practices, and, as conditioned, compliant with all applicable building codes, including standards that protect against unwanted noise and vibrations.

C. Proposed building or structure is not, in its exterior design and appearance, of inferior quality such as to cause the nature of the local environment to materially depreciate in appearance and value. Specifically, the commission has reviewed the design and construction materials proposed for the project, which incorporates contemporary building material of known quality and durability. Moreover, the project design is appropriate to the building and surrounding improvements and is well matched to the selected materials.

D. As conditioned, the proposed building or structure is in harmony with the proposed developments on land in the general area, with the general plan for Beverly Hills, and with any precise plans adopted pursuant to the general plan. The proposed project complies with the applicable goals and policies set forth in the general plan, and, as conditioned, designed in a manner that complies with local ordinances. The overall design is consistent with and appropriate to other improvements in the general vicinity.

E. The proposed development is in conformity with the standards of this code and other applicable laws insofar as the location and appearance of the buildings and structures are involved. As, conditioned, the project will be designed in compliance with all applicable regulations.

F. The proposed development is designed in a manner that protects and preserves those exterior elements of the building which the planning commission found contributed to the determination of the project as a "character contributing building": in accordance with section 10-2-707 of this title. The proposed project does not include a request and has not been determined by the planning commission to be a project that qualifies as a "character contributing building" under section 10-2-707. Therefore, this finding is not applicable to the subject project.

Section 7. Based on the foregoing, the Architectural Commission hereby grants the request defined in this resolution subject to the following conditions:

Standard Conditions

1. **Architectural 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. 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 Architectural Commission.

7. **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.

Special Conditions

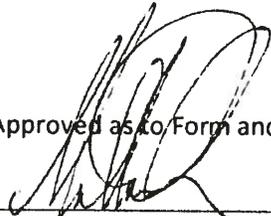
8. The pedestrian entrance on South Palm Drive shall be revised to provide a greater sense of arrival. A subcommittee consisting of Chair Rubins and Vice Chair Blakeley shall have final review and approval of the entrance design.

9. The project shall be returned to the Architectural Commission for review and approval in the event that the design of the project substantially changes as a result of the consistency review by the Planning Commission and/or the Planning Division.

Section 8. The Secretary of the Architectural 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.

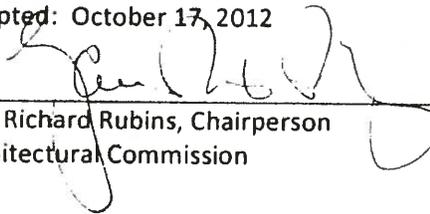
Section 9. Decisions of the Architectural Commission may be appealed to the City Council within fourteen (14) days of the final action by filling a written appeal and paying appropriate fees with the City of Beverly Hills City Clerk.

Approved as to Form and Content:



William Crouch, Commission Secretary
Community Development Department

Adopted: October 17, 2012



Zale Richard Rubins, Chairperson
Architectural Commission

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS.
CITY OF BEVERLY HILLS)

I, WILLIAM CROUCH, Secretary of the Architectural Commission and Urban Designer of the City of Beverly Hills, California, do hereby certify that the foregoing is a true and correct copy of Resolution No. AC-71-12 duly passed, approved, and adopted by the Architectural Commission of said City at a meeting of said Commission on October 17, 2012 and thereafter duly signed by the Secretary of the Architectural Commission, as indicated; and that the Architectural Commission of the City consists of five (5) members and said Resolution was passed by the following vote of said Commission, to wit:

AYES: Commissioners Gardner-Apatow, Bernstein, Vice Chair Blakeley and Chair Rubins.
NOES: None.
ABSTAIN: None.
ABSENT: None.



WILLIAM CROUCH
Secretary to the Architectural
Commission/Urban Designer
City of Beverly Hills, California



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Attachment B
Time Extension Request

Law Offices of
DAWSON TILEM & GOLE

MITCHELL J. DAWSON
JOSEPH N. TILEM
GARY M. GOLE

9454 Wilshire Boulevard, Penthouse
Beverly Hills, California 90212
Telephone: (310) 273-3313
Facsimile: (310) 285-0807

September 8, 2015

Architectural Commission,
City of Beverly Hills
455 N. Rexford Drive
Beverly Hills, CA. 90210

Re: Extension of Approval: Resolution AC – 71-12 for 9200 Wilshire Boulevard

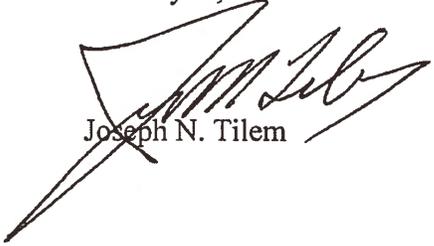
Dear Commissioners:

I represent the owners of the project at 9200 Wilshire Boulevard. This letter is a request for a one year extension of the Approval by the Architectural Commission pursuant to the Resolution of Approval AC 71-12 on October 17, 2012, of the project at 9200 Wilshire Boulevard.

Enclosed is the fee of \$1,917.57 and seven sets of the elevations and renderings for the project.

This request is pursuant to Section 10-3-207 of the Beverly Hills Municipal code.

Thank you,


Joseph N. Tilem



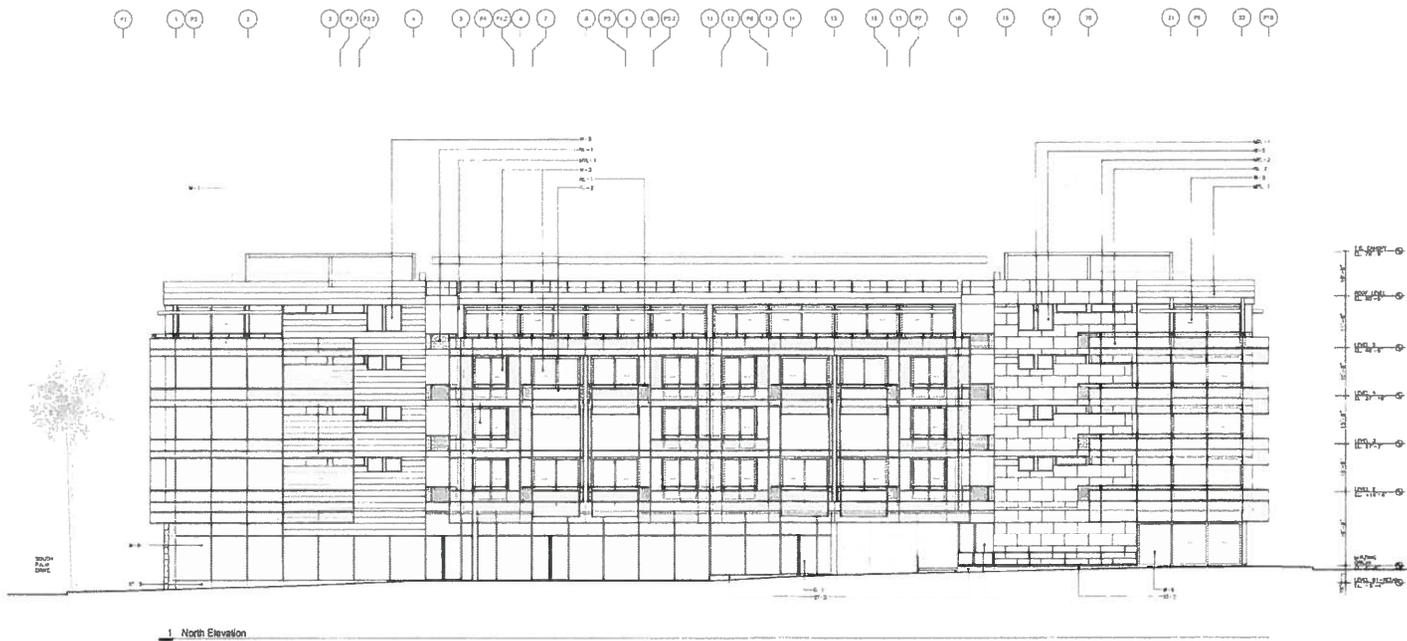
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Attachment C
Project Design Plans





- MATERIAL LEGEND**
- ST-1: ARCHITECTURAL CONCRETE
 - ST-2: STONE
 - ST-3: FINISHED Gypsum PLASTER
 - * WHITE FROM INTERIOR IS ASSUMED AS ST-1/ST-2
 - ST-1 IS ALTERNATE TO ST-2 IS ALTERNATE ST-3
 - MAL: METAL PANELS WITH STAINLESS STEEL FINISH
 - MAL-1: METAL PANELS WITH STAINLESS STEEL FINISH
 - MAL-2: METAL PANELS WITH STAINLESS STEEL FINISH
 - GL-1: HIGH-TOUCH, LOW-IRON GLASS WITH HORIZONTAL BRASS/BRONZE MULLIONS WITH STAINLESS STEEL SILLING
 - GL-2: GLASS LOW-IRON GLASS WITH HORIZONTAL BRASS/BRONZE ALUMINUM SILLING
 - GL-3: ALUMINUM SLIDING GLASS CURTAIN WALL
 - GL-4: ALUMINUM WINDOW
 - GL-5: PANELLED SLIDING WINDOW
 - GL-6: STAINLESS STEEL WINDOW
 - PAINT: PAINTED WITH PIGMENT
 - GL-1: HIGH-TOUCH, LOW-IRON GLASS CURTAIN WALL
 - GL-2: GLASS CURTAIN WALL

PRINTED BY 6/19/21

Client:
 New York University
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 New York, NY 10003
 Tel: 212 998 7111

Architect:
 Richard Glavin & Partners Architects LLP
 1000 Avenue of the Americas
 10th Floor, Suite 1000
 New York, NY 10020
 Tel: 212 998 6400

9200 Wilshire

North Elevation



Scale: 1/4" = 1'-0"
 Date: 6/19/21
 Drawn by: [Name]

A3.1.1

RSPLA Project No. 1000



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Attachment D

DRAFT Approval Resolution

RESOLUTION NO. AC-XX-15

RESOLUTION OF THE ARCHITECTURAL COMMISSION OF THE CITY OF BEVERLY HILLS CONDITIONALLY APPROVING A ONE-YEAR TIME EXTENSION FOR AN ARCHITECTURAL REVIEW PERMIT FOR A NEW FIVE-STORY MIXED USE BUILDING FOR THE PROPERTY LOCATED AT 9200 WILSHIRE BOULEVARD (PL1520194).

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

Section 1. Joseph N. Tilem, Dawson Tilem & Gole, agent, on behalf of the property owner, 9200 Wilshire LLC, (Collectively the "Applicant"), has applied for approval for a one-year time extension for an architectural review permit for a new five-story mixed use building for the property located at 9200 Wilshire Bouelvard.

Section 2. Beverly Hills Municipal Code Article 30, Chapter 3 of Title 10, authorizes the Architectural Commission the authority to approve, approve with conditions or deny design-related aspects of projects located in the city's commercial and multi-family districts, subject to findings set forth in Beverly Municipal Code Section 10-3-3010.

Section 3. Pursuant to Section 10-3-207 of the Beverly Hills Municipal Code, the Architectural Review Permit granted under Architectural Commission Resolution No. AC 71-12 will expire if not exercised within thirty-six (36) months of the date of adoption; however, up to two, one-year extensions may be granted by the Architectural Commission if certain findings are made. This is the first such request for an extension, and one additional extension remains available to the Applicant. The application for time extension was timely filed on September 8, 2015.

Section 4. Consistent with Beverly Hills Municipal Code Section 10-3-3010, this resolution documents the official action of the architectural commission with respect to the project.

Section 5. The subject project has been reviewed pursuant to the provisions set forth in the California Environmental Quality Act (CEQA – Public Resource Code Sections 21000, *et seq.*), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 *et seq.*), and the city's local CEQA Guidelines. 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. The project has also been reviewed and found not be a historic resource. The existing improvements to be demolished or altered were not designed by an architect or builder identified on the City's Master Architect list and the site and improvements are not listed on the City's historic resource inventory. The Architectural Commission previously adopted a Categorical Exemption for the project on October 17, 2012 pursuant to the California Environmental Quality Act; no further environmental review is required at this time.

Section 6. The Architectural Commission conducted a duly noticed public hearing on **October 21, 2015** at which time oral and documentary evidence was received concerning the application.

Section 7. Based upon the evidence presented at the hearings, including the staff report(s), oral and written testimony, the Architectural Commission hereby finds and determines as follows:

1. The conditions and regulations affecting development in the city have not changed in a significant manner, nor have there been any substantial changes to the Project or the surrounding environment since the initial Project approval.

Section 8. Based on the foregoing, the Architectural Commission hereby extends the Architectural Review Permit granted under Resolution No. 71-12 through and including October 17, 2016, subject to all conditions set forth in Resolution No. 71-12, and the following conditions of approval:

Project-Specific Conditions

1. No project-specific conditions.

Standard Conditions

2. **Revised Plan Submittal.** For all projects that are approved with project-specific conditions, a revised plan set that has fully incorporated all such conditions shall be submitted to the project planner, both in hard copy format and in electronic format, prior to submitting for the building permit plan check process.
3. **Architectural 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.

4. **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.
5. **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.
6. **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. 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.
7. **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.
8. **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 Architectural Commission.

9. **Validity of Permits.** The rights granted by this approval shall remain valid for three (3) years from the date of approval, unless extended pursuant to Beverly Hills Municipal Code Section 10-3-207.

Section 9. The Secretary of the Architectural 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 10. Decisions of the Architectural Commission may be appealed to the City Council within fourteen (14) days of the final action by filing a written appeal and paying appropriate fees with the City of Beverly Hills City Clerk.

Approved as to Form and Content:

Adopted: **October 21, 2015**

Ryan Gohlich, Commission Secretary
Community Development Department

Andrea Gardner Apatow, Chair
Architectural Commission