



Architectural Commission Report

Meeting Date: Wednesday, December 21, 2016

Subject: **WALDORF ASTORIA (PL1630568)**
9850 Wilshire Boulevard

Request for approval of a new gateway statement located at the intersection of Wilshire Boulevard and Santa Monica Boulevard. The City Council previously certified a Final Environmental Impact Report for the project on April 21, 2008 pursuant to the California Environmental Quality Act, and no further environmental review is required at this time.

Project agent: Kent Warden – Alagem Capital

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

REPORT SUMMARY

The applicant is requesting review and approval of a new gateway statement located at the intersection of Wilshire Boulevard and Santa Monica Boulevard for the new Waldorf Astoria hotel located at 9850 Wilshire Boulevard.

The gateway statement is designed in a contemporary aesthetic and is comprised of the following elements:

- Sectioned and tapered stainless steel tubes arranged in a circular order (25 total tubes);
- Stabilized decomposed granite at the structure's base;
- Two in-ground LED uplights (color-changing) located at each steel tube (50 total lights);

Section 10, Subsection H (Gateway) of the Development Agreement made between the City of Beverly Hills and Oasis West Realty LLC (Developer) outlines general provisions for the requirement of a gateway statement, as referenced below:

“Prior to issuance of a certificate of occupancy (or temporary certificate of occupancy) for the Waldorf Astoria Hotel, Developer shall construct or install (or provide a guarantee of the construction or installation in form and content satisfactory to the City Attorney and the Director of Community Development) a significant “gateway statement” to enhance the significance of the entry to Beverly Hills. The gateway statement shall be located on the Property near the intersection of Wilshire Boulevard and Santa Monica Boulevard. The gateway statement shall be located in an area that is clearly visible to the general public traveling along Wilshire Boulevard and Santa Monica Boulevard. The gateway statement may take the form of public art, landscaping, architectural features such as fountains, or other features satisfactory to the City as hereafter provided.”

The full text of Section 10, Subsection H (Gateway) is included as Attachment C of this report.

Attachment(s):

- A. Detailed Design Description and Materials
- B. Project Design Plans
- C. Development Agreement – Section 10, Subsection H (Gateway)
- D. DRAFT Approval Resolution

Report Author and Contact Information:
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cgordon@beverlyhills.org



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BACKGROUND

The new Waldorf Astoria building was approved as part of the Beverly Hills City Council's approval of the Beverly Hilton Specific Plan in 2008. The overall building envelope, including the location and distribution of buildings and open space on the site, is dictated by the Specific Plan. Pursuant to the language set forth in the Specific Plan, "the final design, materials, and finishes of the buildings, and the proposed landscaping shall be subject to review and approval of the City's Architectural Commission."

The following table provides an outline of prior approvals granted by the Architectural Commission for the overall project:

SCOPE	APPROVAL DATE
Building design + materials	June 18, 2014
Site-wide landscaping + lighting	October 15, 2014
Rooftop/Third floor landscaping + lighting	July 20, 2016

URBAN DESIGN ANALYSIS

The proposed gateway statement creates a contemporary signature sculptural piece to highlight the entrance to Beverly Hills and the intersection of Wilshire Boulevard and Santa Monica Boulevard. The iconic design emphasizes the corner site and highlights the location of the new Waldorf Astoria Hotel. The siting also offers visitors to the City an opportunity to gather and venture out from this important new urban hub.

The design team should continue to review the color temperature for the proposed sculptural accent lighting to ensure the intensity does not overshadow the light display of the historic electric fountain on the opposing corner. Details should also be provided for the delineation of the sidewalk from the more central area (encompassing the sculpture) identified as decomposed granite.

ZONING CODE COMPLIANCE

Applications for design review are preliminarily evaluated for compliance with the zoning code, including the associated Specific Plan as is the case of the Waldorf Astoria hotel. Applicants are encouraged and have the option of requesting a comprehensive review separate and apart from this application. Formal compliance review will occur prior to the issuance of a building permit. The applicant has been advised that changes during review may require revisions and subsequent approval from the Architectural Commission or staff, as appropriate. In the event that any condition imposed by the Architectural Commission is in conflict with the adopted Specific Plan, Development Agreement or other applicable entitlements, those provisions shall prevail.

ENVIRONMENTAL ASSESSMENT

On April 21, 2008 the City Council adopted Resolution No. 08-R-12600, which certified a Final Environmental Impact Report for the project. The subject resolution was adopted in accordance with the provisions of the California Environmental Quality Act, and the City Council made environmental findings and adopted a statement of overriding considerations for the project. The Final Environmental Impact Report encompasses all aspects of the Specific Plan, including



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Architectural Review. Accordingly, no new environmental assessment is required at this time, and the Architectural Commission may rely on the Final Environmental Impact Report in its review of the project.

PUBLIC OUTREACH AND NOTIFICATION

The project was previously reviewed at numerous public hearings before the Planning Commission and City Council as part of the approval of the Specific Plan adoption process. The Architectural Commission's review of the project constitutes a public hearing and any interested individuals may attend the hearing and offer comments on the project. Agenda notice of the hearing was posted at the City of Beverly Hills Public Library and online on the City's website.



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Attachment A
Detailed Design Description and Materials
(Applicant Prepared)

SECTION 2 – PROJECT DESCRIPTION / ZONING INFORMATION

A Indicate Requested Application

- Staff Review
 - Three (3) sets of plans required (all plan sets must be 11" x 17" in size).
- Architectural Commission Review
 - Eight (8) sets of plans required (all plan sets must be 11" x 17" in size).
 - Public Notice materials required for Sign Accommodations (see Section 5 for public notice requirements).

B Identify the scope of work (check all that apply):

- New construction
 - Façade Remodel ONLY
 - Business Identification Sign(s)
Number of signs proposed:
 - Building Identification Sign(s)
Number of signs proposed:
 - Sign Accommodation (explain reason for the accommodation request below):
Number of signs proposed:
 - Other:
- Remodel: Int. & Ext, no floor area added
 - Remodel: Int. & Ext, floor area added
 - Awning(s): New Recovery
 - Open Air Dining: #Tables # Chairs

C Describe the scope of work proposed including materials and finishes:

Per the Waldorf-Astoria Hotel Development Agreement requiring a Gateway Statement at the intersection of Santa Monica & Wilshire Blvd: We are proposing an interactive site installation in the public right of way consisting of a circular grouping of 12 to 20 ft high stainless steel sculptural components with integrated lighting. The scope includes a circular shaped, pedestrian accessible base consisting of stabilized decomposed granite. The vertical elements consist of (24) individual half sections of 8" diameter stainless steel pipes that have been curved and modified to create a unified pattern called "Sway". Each vertical element consists of two finishes, one polished stainless(Interior) and one matte(Exterior). Recessed lighting set into the ground will have color changing and dimming capabilities that will work to create a subtle sense of motion around and within the vertical elements.

D Identify the Project Zoning (City Zoning Map: <http://gis.beverlyhills.org/>)

- | | | | | |
|------------------------------|---------------------------------|---------------------------------|---------------------------------|--------------------------------|
| <input type="checkbox"/> R-4 | <input type="checkbox"/> R-4X | <input type="checkbox"/> R-4 | <input type="checkbox"/> R-4-P | <input type="checkbox"/> R-4X2 |
| <input type="checkbox"/> R-3 | <input type="checkbox"/> RMCP | <input type="checkbox"/> C-3 | <input type="checkbox"/> C-3A | <input type="checkbox"/> C-3B |
| <input type="checkbox"/> C-5 | <input type="checkbox"/> C-3T-1 | <input type="checkbox"/> C-3T-2 | <input type="checkbox"/> C-3T-5 | <input type="checkbox"/> C-5 |
- Other: the Beverly Hilton Specific Plan

E Lot is currently developed with (check all that apply):

- General Office Building
- Retail Building
- Medical Office Building
- Multi-family Building
- Vacant
- Restaurant
- Other (specify below):
Hotel

F Has the existing structure been designed by a notable architect or is it identified on any historic resource inventory, including the City of Beverly Historic Resources Survey (Verify with the Planning Division if the property is listed on the City's survey)?

Yes No If yes, please list Architect's name:

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

A Indicate in the chart below all applicable signage details:

	<u>Type of Sign</u>	<u>Quantity</u>	<u>Dimensions</u>	<u>Square Ft</u>	<u>Maximum Area Permitted by Code</u>
1					
2					
3					
4					
5					

B List the specific materials and finishes for all of the architectural features proposed in the project (List N/A, not applicable, for features that do not apply.):

FAÇADE (List all material for all portions visible from the street)

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

WINDOWS/DOORS (Include frame, trim, glass, metal, etc.)

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

ROOF

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

COLUMNS

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

BALCONIES & RAILINGS

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

OUTDOOR DINING ELEMENTS (List all material for all outdoor dining elements.)

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

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

AWNINGS, CANOPIES

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

DOWNSPOUTS / GUTTERS

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

BUSINESS ID SIGN(S)

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

BUILDING ID SIGN(S)

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

EXTERIOR LIGHTING

Material: Varies: See attached recessed lighting diagrams
Texture /Finish: _____
Color / Transparency: _____

PAVED SURFACES

Material: Stabilized decomposed granite within primary circle. Concrete sidewalk outside circle.
Texture /Finish: _____
Color / Transparency: tan

FREESTANDING WALLS AND FENCES

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

OTHER DESIGN ELEMENTS

Material: Site installation of sculptural tubing: See attached drawings and details
Texture /Finish: Stainless steel with both matte and polished finishes.
Color / Transparency: _____

C Describe the proposed landscape theme, if applicable. Explain how the proposed landscaping complements the proposed style of architecture:

N.A.

SECTION 4 – DESIGN ANALYSIS AND FINDINGS (for Commission level applications only)

A Clearly identify how your project adheres to each of the required findings of the Architectural Review Commission:

- 1. Describe how 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.**

This Gateway Statement recognizes the significance of the intersection of Wilshire and Santa Monica by creating an iconic focal point & pedestrian destination while blending seamlessly into the scale and architecture of the adjacent environment. The sculptural installation, entitled "Sway", is an interactive composition which visually references the palm & unique tree lined canopies of Beverly Hills. Pedestrians will be invited to walk up to and through this installation, which will constantly changes in appearance during the day & night due to it's ever changing pattern of light & shadow.

- 2. Describe how 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.**

No sound concerns. Lighting will be controlled and directed in such a way as to not create any unsafe driving conditions in the adjacent intersection. Additionally, no light will be directed away from the installation onto any adjacent properties.

- 3. Describe how the 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.**

N.A.

- 4. Describe how 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 design & composition of the sculptural elements have been arranged to allow for 270 degree viewing angles from all approaches to the intersection. The lighting and finishes of the installation have been designed to create harmonious integration with the adjacent Beverly Gardens Fountain, and the new Waldorf-Astoria Hotel and landscaping design.

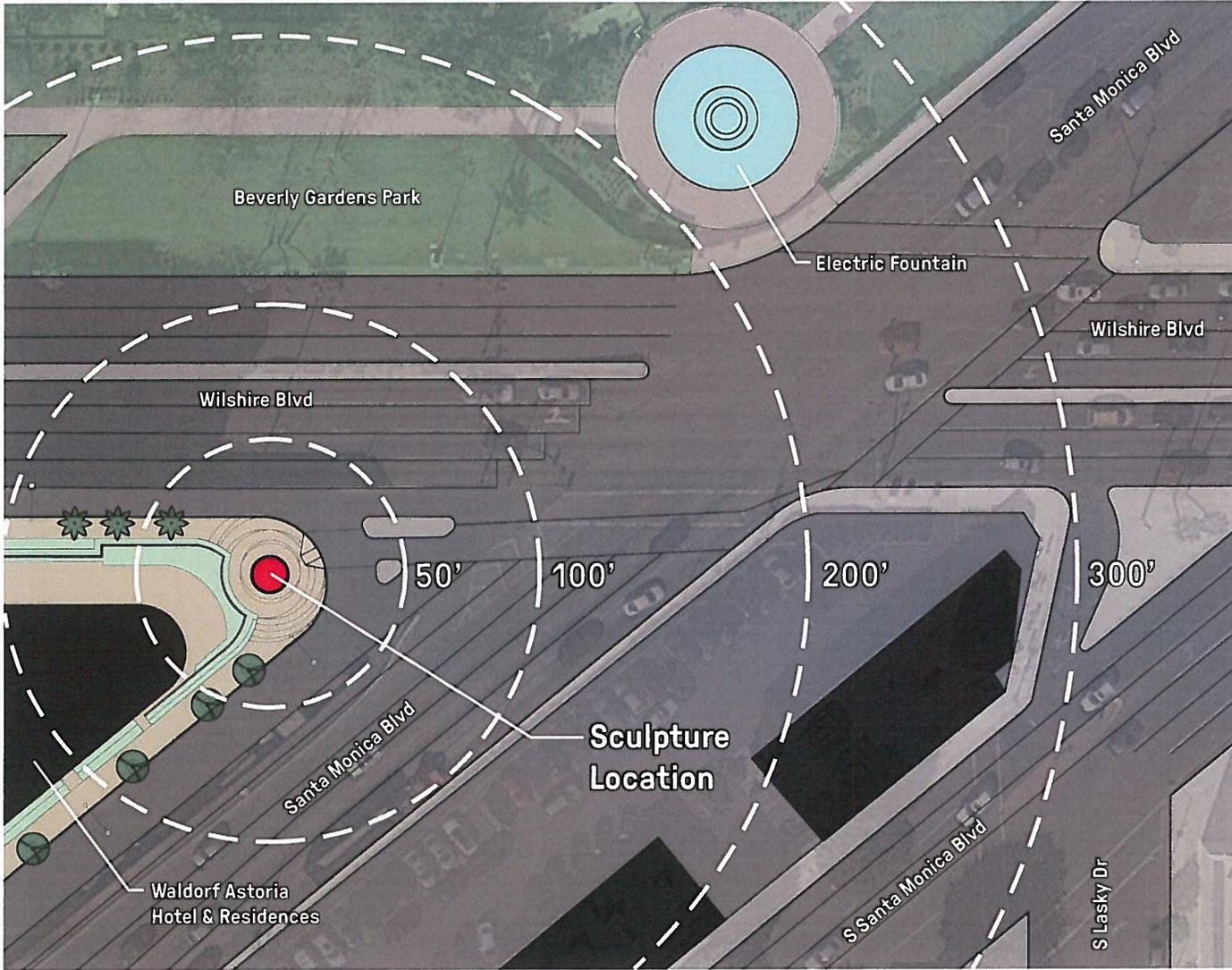
- 5. Describe how the proposed development is in conformity with the standards of the municipal code and other applicable laws insofar as the location and appearance of the buildings and structures are involved.**

Lighting and sculptural elements have been designed in such a way to conform to all required code obligations, including ADA access.



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Attachment B
Project Design Plans



The Proposal

This project seeks to position a site specific sculpture at the corner of Wilshire and Santa Monica in the City of Beverly Hills.

Located adjacent to what will be the future Waldorf Astoria Hotel and Residence, this sculpture will be highly visible to pedestrians, drivers and people in surrounding buildings.

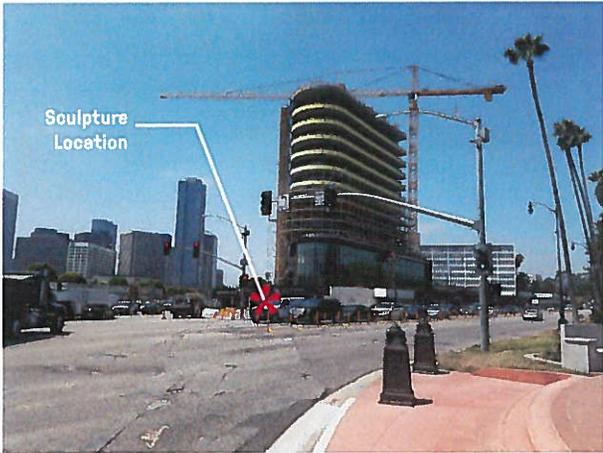


Oasis West Realty
Alagem Capital Group

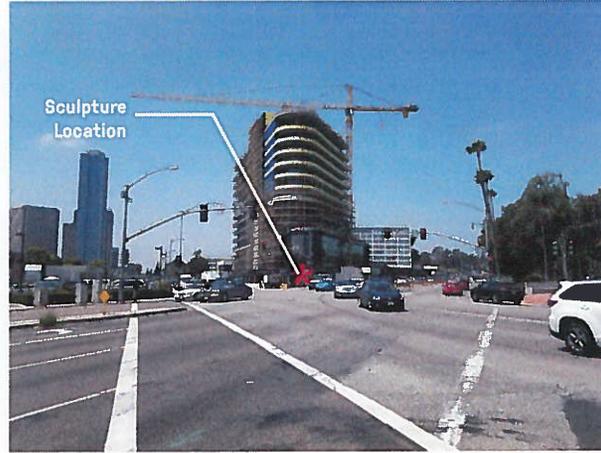
Beverly Hills Gateway Proposal & Vicinity Map

Scale: 1"=40'

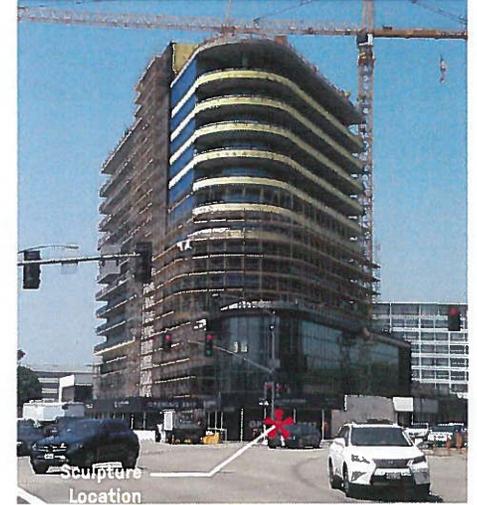




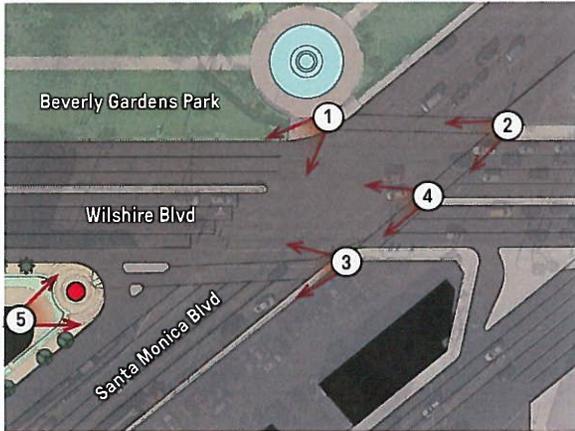
1. View from Electric Fountain



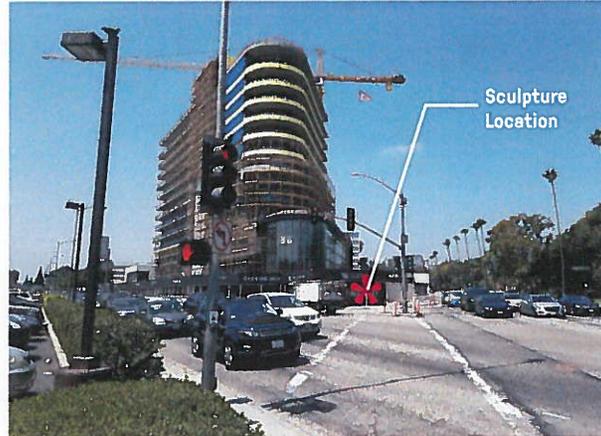
2. North East Corner of Wilshire and Santa Monica



4. Head on view from Wilshire median



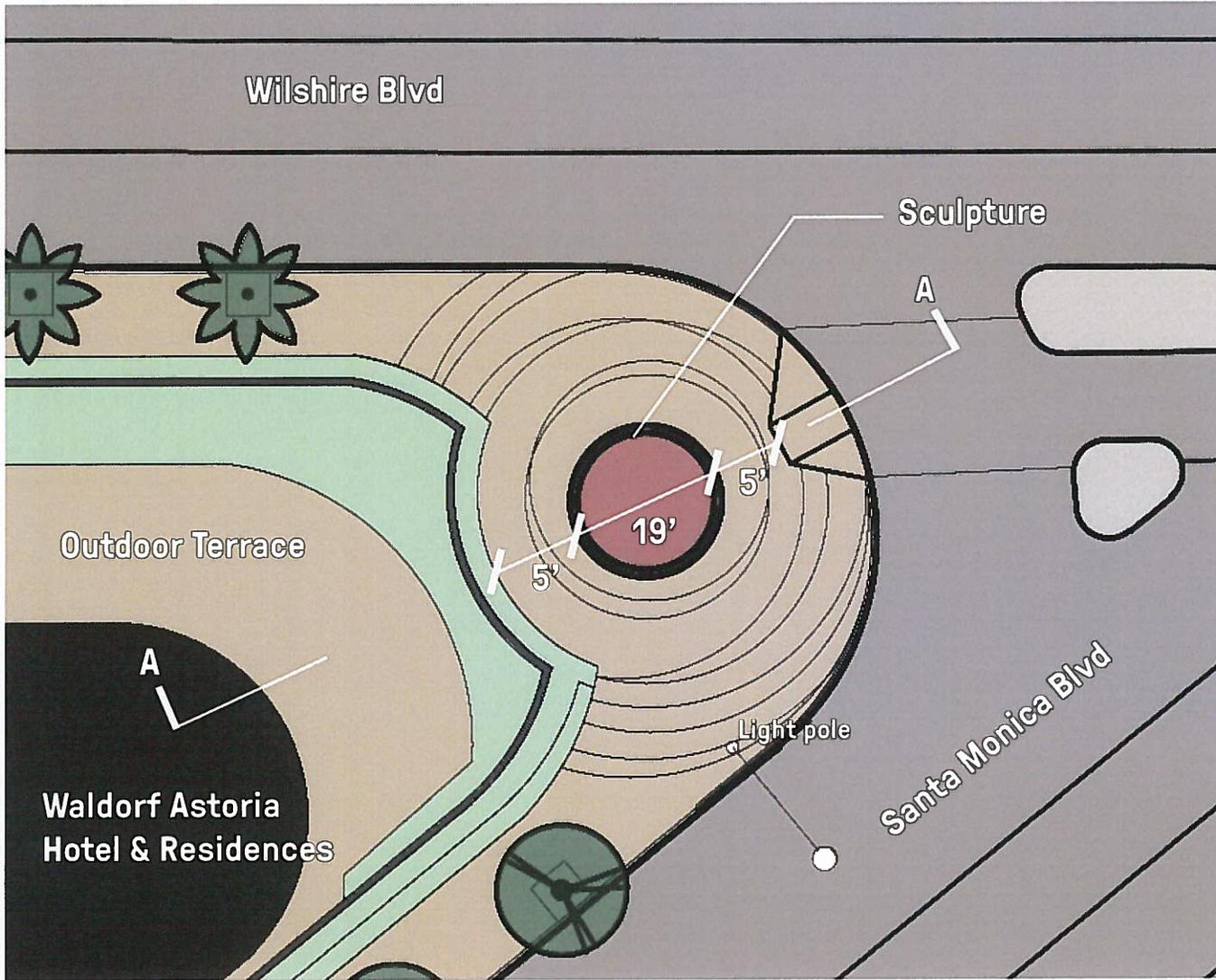
Plan Key Map



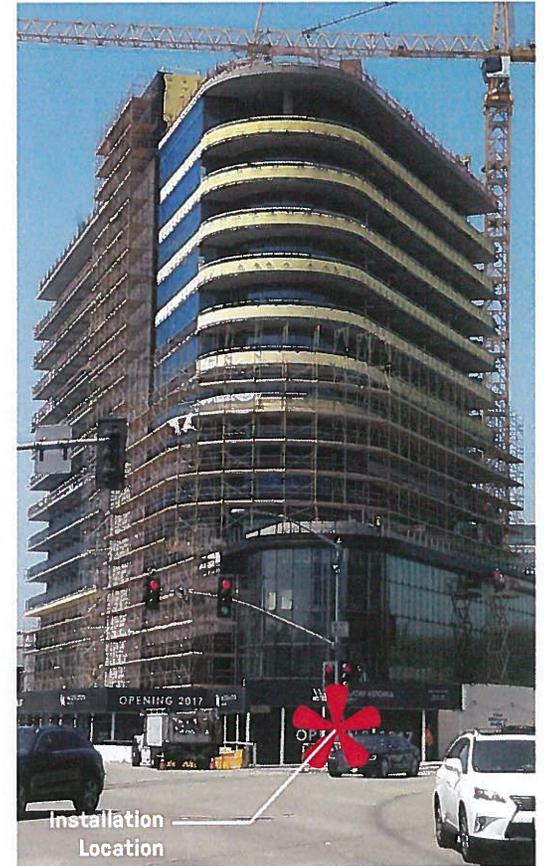
3. South East Corner of Wilshire and Santa Monica



5. Intersection Bird's Eye View from Waldorf



The Site

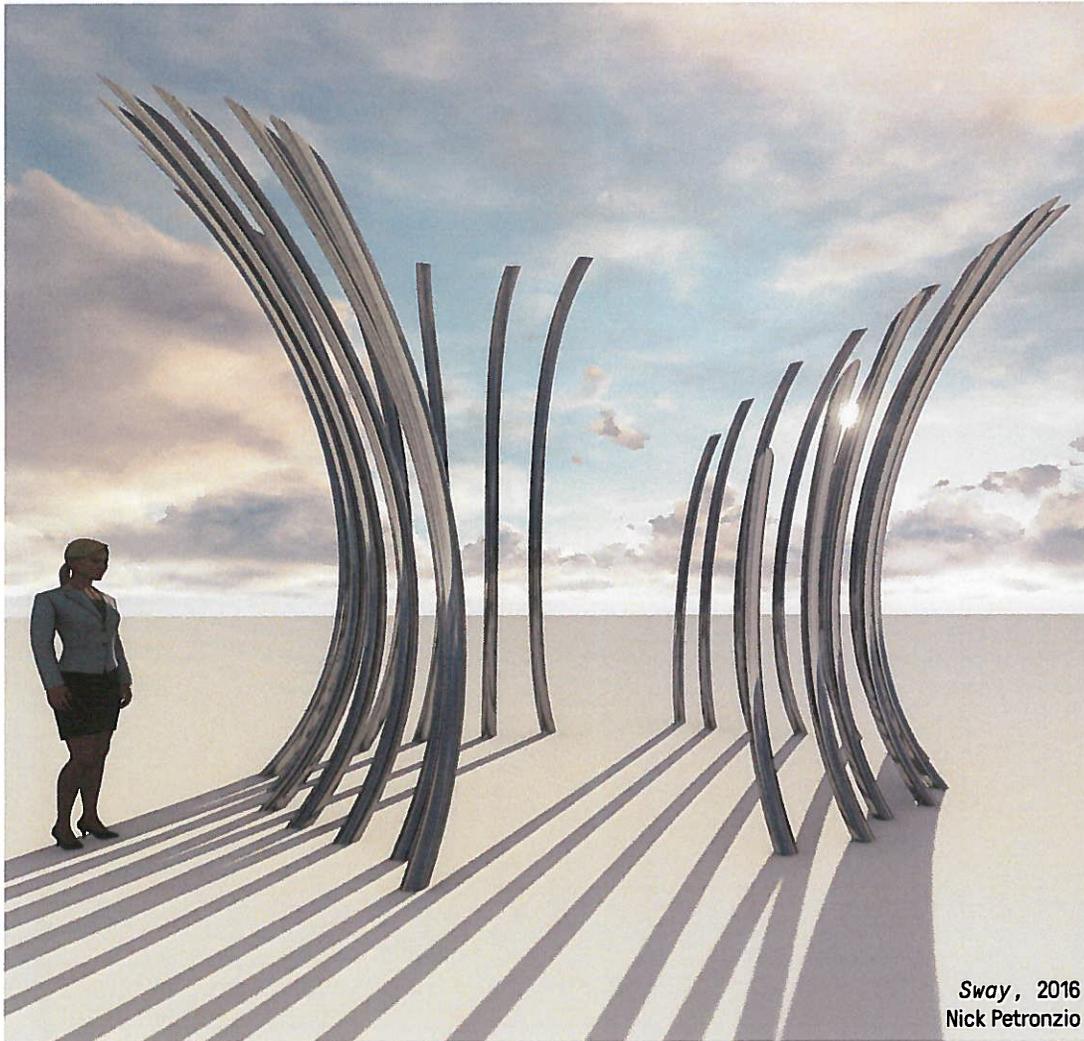


Oasis West Realty
Alagem Capital Group

**Beverly Hills Gateway
Enlargement**

Scale: 1"=40'





Sway, 2016
Nick Petronzio



Ephemeral Nature

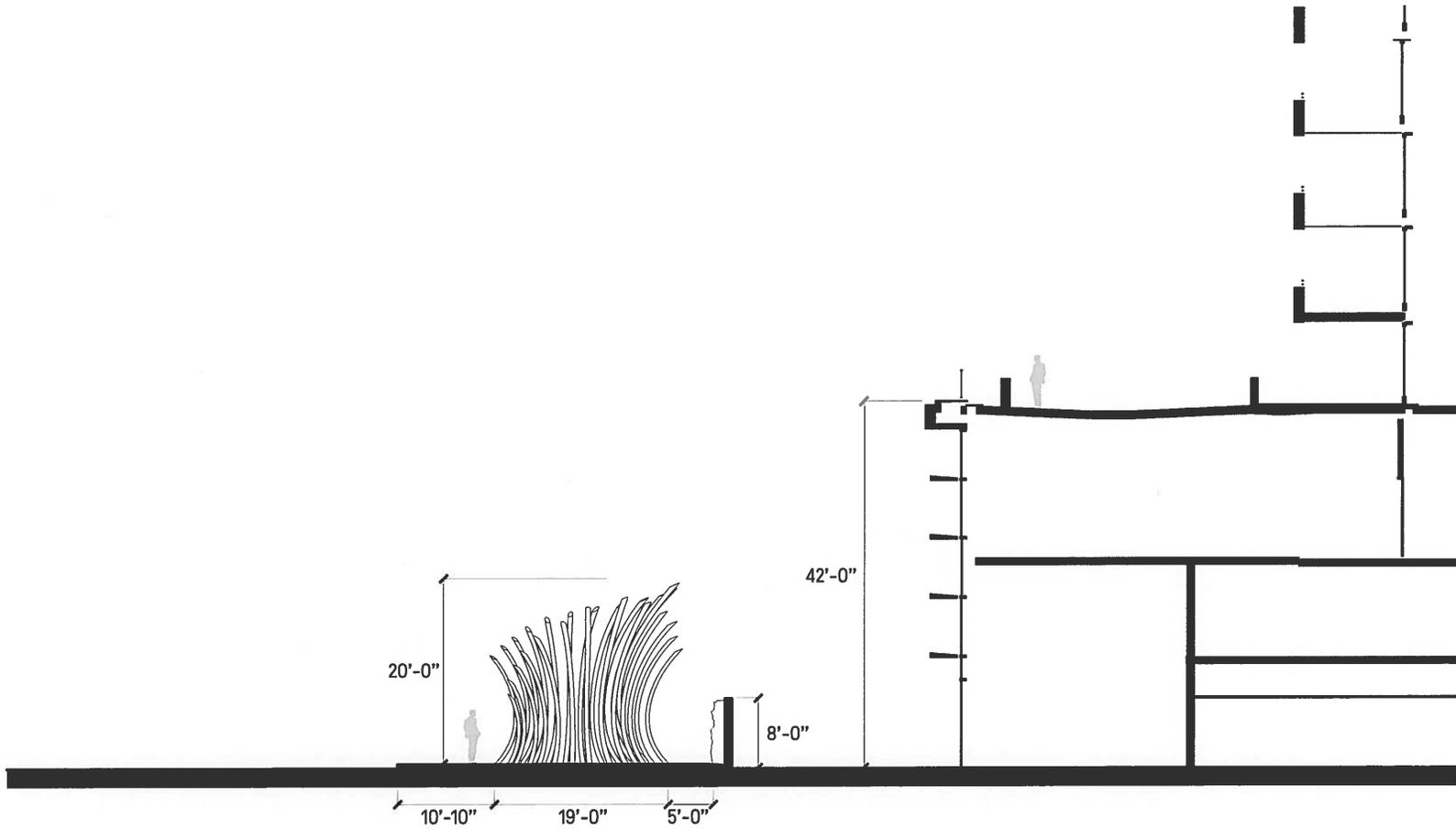
Sway is a bold and expressive sculptural study by artist Nick Petronzio of a natural gesture captured and abstracted from organic forms in nature. The interactive sculpture references the iconic palm of Beverly Hills as a symbol of growth and regeneration.



Fabricated in sectioned and tapered stainless steel tubes, frond-like forms radiate from the ground bending in a rhythmic and expanding composition of dynamic movement while capturing an ever changing pattern of light and shadow.



In this work, many elements come together as one form elevating the sculpture upwards and outwards in a beautifully seductive sway. Openings at either end of the sculpture invite viewers inside to experience the ephemeral sense of nature within the center of the sculpture as though they are the seeds of growth within a pod or the pistils and stamens of a flower.



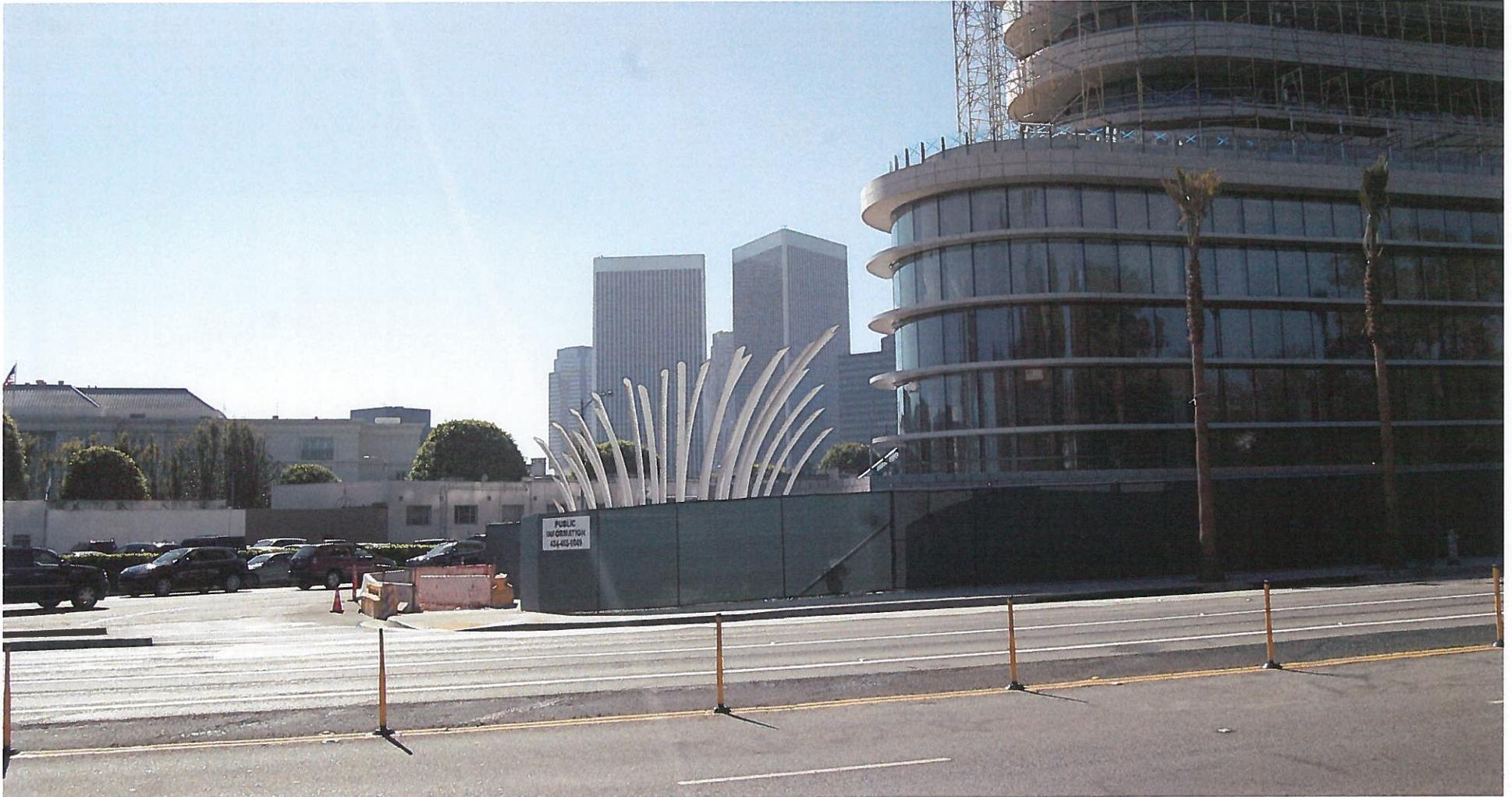


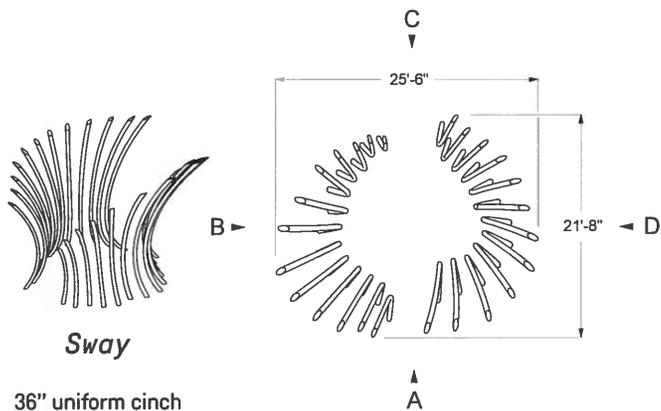
—
swa



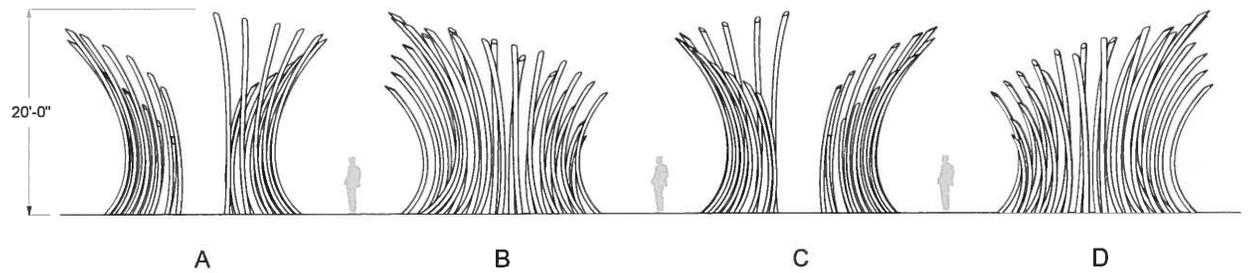
Oasis West Realty
Alagem Capital Group

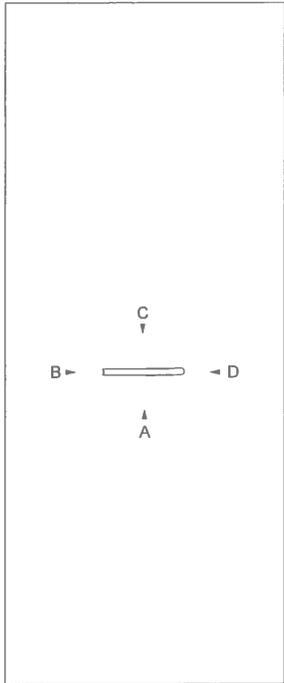
Beverly Hills Gateway
Photo Montage



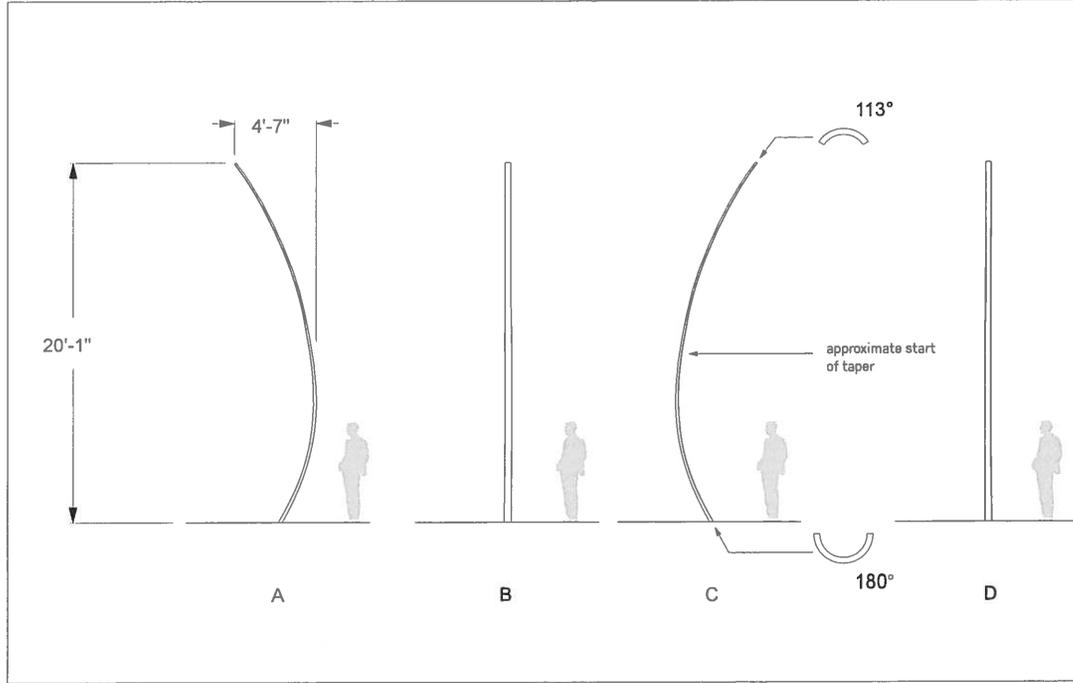


36" uniform cinch
 12" spacing between members
 8" member thickness at base
 20' max member height
 chisel tip

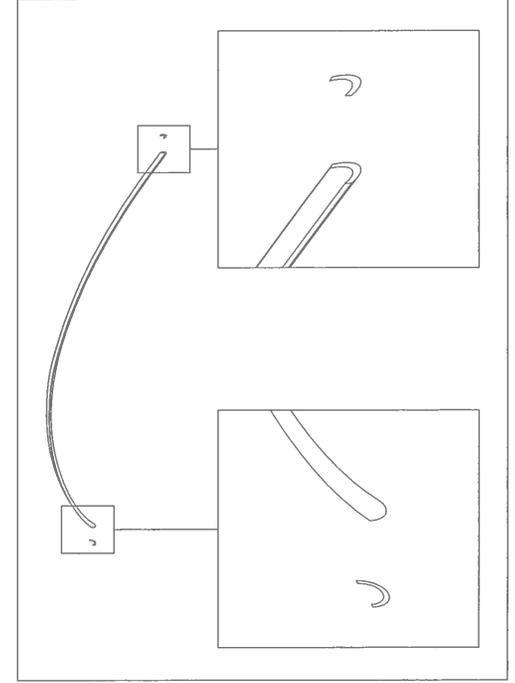




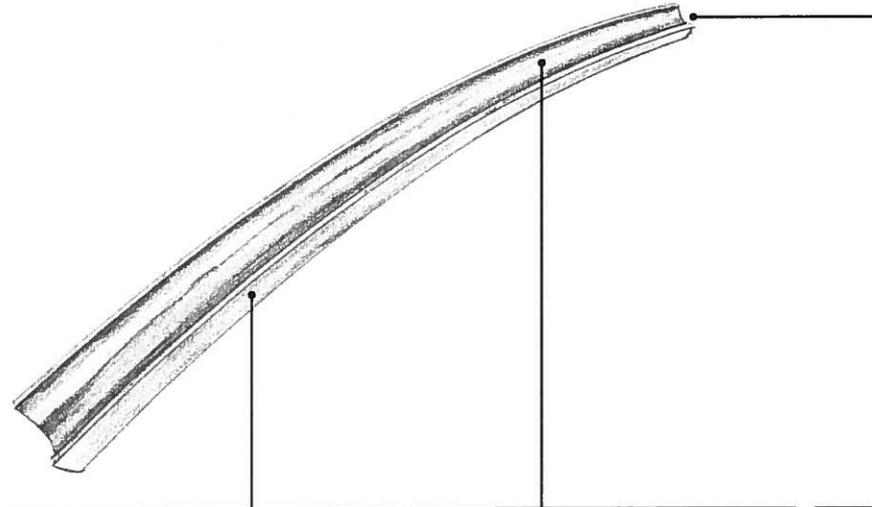
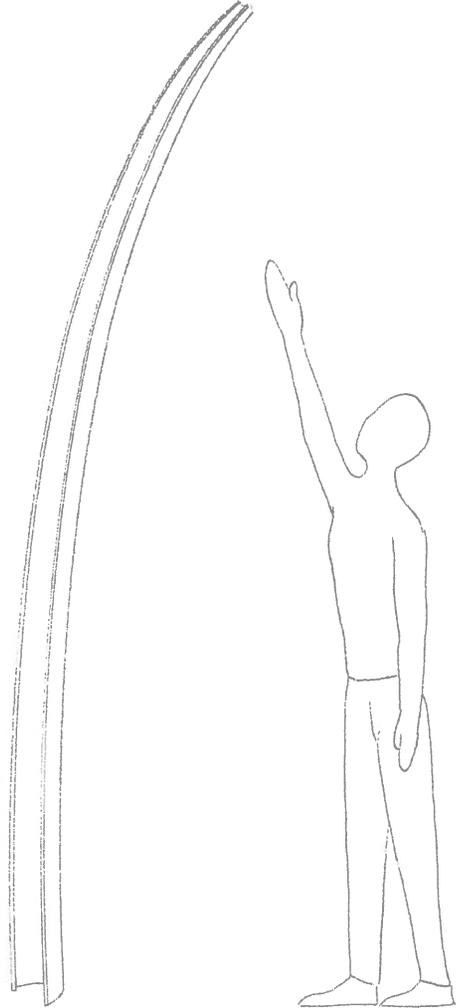
plan



elevations



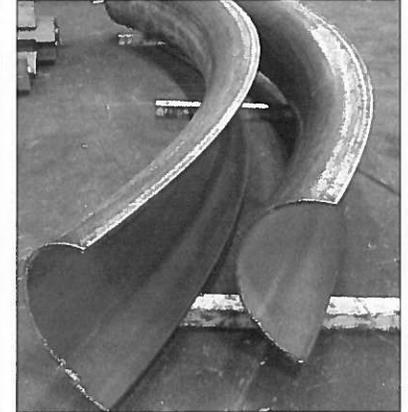
perspective enlargement



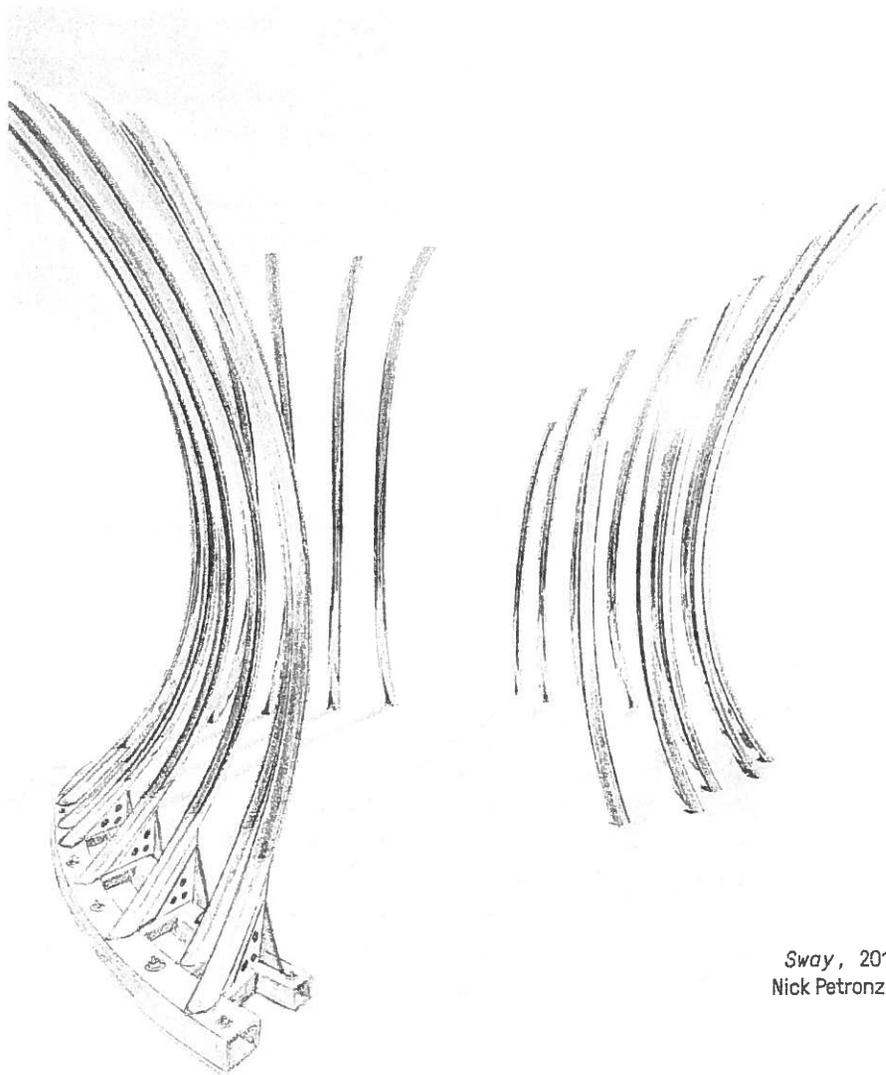
brushed stainless steel



polished stainless steel



cut and bent
stainless steel pipe

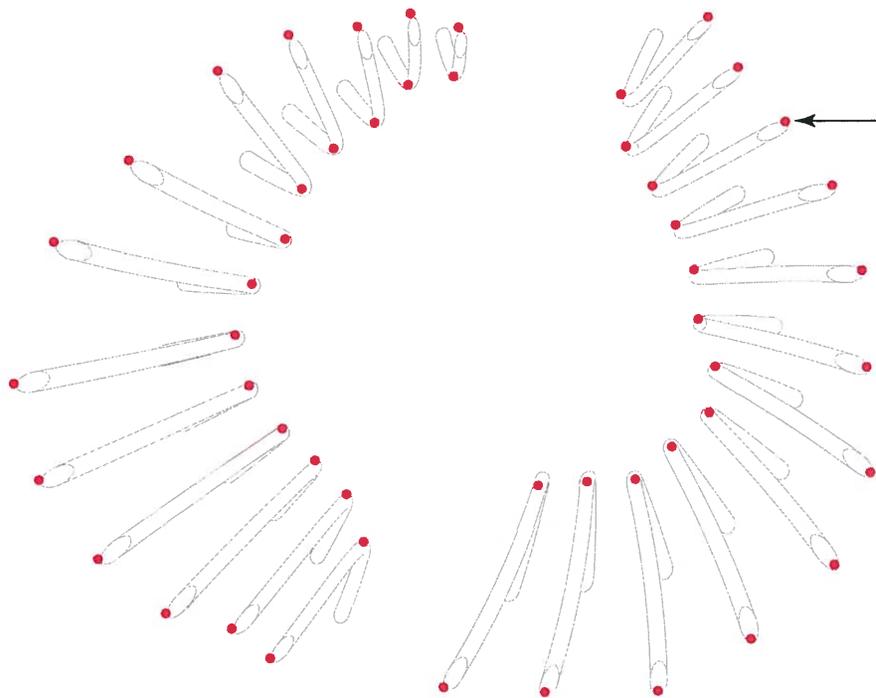


Sway, 2016
Nick Petronzio

Note:

- Sketch is to illustrate design intent only. Shop drawings by structural engineer will be submitted for review and approval by the City of Beverly Hills.
- All substructure steel is 2'-0" below grade and bolted to a 2'-0" thick, reinforced concrete slab.
- Finished paving material to be stabilized decomposed granite in order to compensate for minor lateral sway of vertical steel members.
- Each stainless steel round pipe member to have a welded vertical steel plate that bolts to a receiving plate supported by welded gussets and substructure.
- No fasteners to be visible above grade.
- All stainless steel members to be removable should they need to be replaced or repaired.





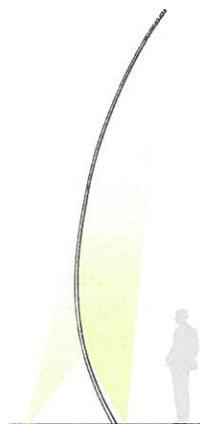
In-ground L.E.D. uplight
(RGB; color-changing + white)

DMX lighting control system
provides individual dynamic control
of each uplight for sequenced
lighting effects, color-changing.

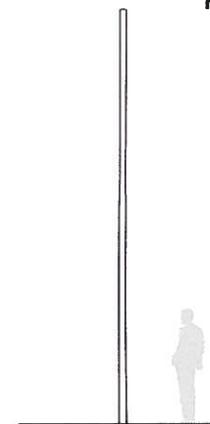
Two (2) fixtures at each stainless
steel member; uplighting front-
side and back-side of bent metal
element.

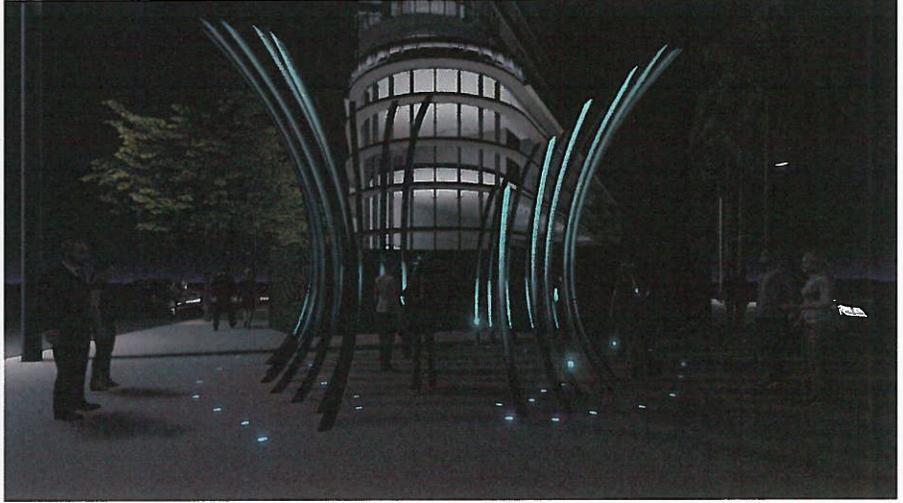
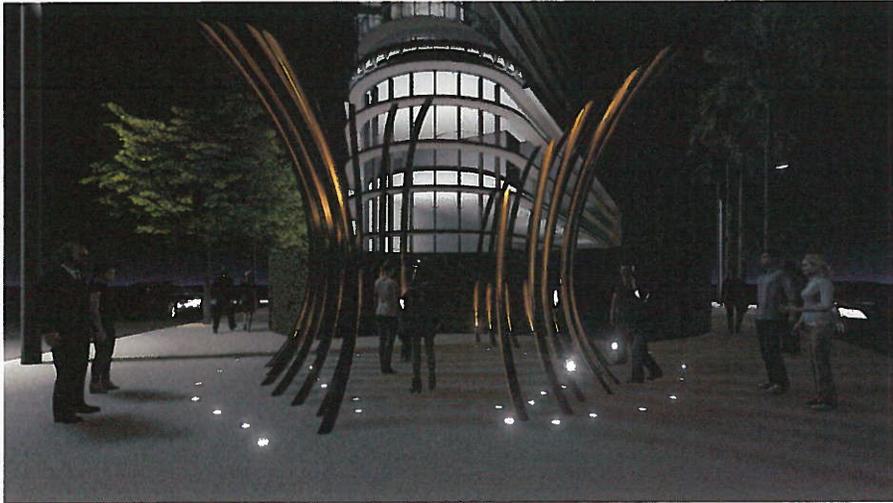


Proposed light fixture



Lighting section







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Attachment C

Development Agreement

Section 10, Subsection H (Gateway)

Development Agreement

the lesser of (i) eighteen and one-half percent (18.5%), or (ii) the highest rate then permitted by applicable law.

(h) Gateway. Prior to issuance of a certificate of occupancy (or temporary certificate of occupancy) for the Waldorf=Astoria Hotel, Developer shall construct or install (or provide a guarantee of the construction or installation in form and content satisfactory to the City Attorney and the Director of Community Development) a significant "gateway statement" to enhance the significance of the entry to Beverly Hills. The gateway statement shall be located on the Property near the intersection of Wilshire Boulevard and Santa Monica Boulevard. The gateway statement shall be located in an area that is clearly visible to the general public traveling along Wilshire Boulevard and Santa Monica Boulevard. The gateway statement may take the form of public art, landscaping, architectural features such as fountains, or other features satisfactory to the City as hereafter provided.

(i) *Design*. Prior to issuance of a Building Permit for the Waldorf=Astoria Hotel, Developer shall provide to the Director of Community Development conceptual drawings, satisfactory to the Director, depicting the gateway statement and its location or Developer shall provide a one million dollar guarantee of the construction or installation in form and content satisfactory to the City Attorney and the Director of Community Development. The gateway statement shall be reviewed and approved by the City's Architectural Commission prior to construction or installation. The aggregate cost of constructing, or purchasing and installing, the gateway statements shall not be required to exceed one million dollars (\$1,000,000). If the gateway statement includes public art, the City's Fine Arts Commission shall review and approve the public art prior to its installation. Decisions of the Architectural Commission and Fine Arts Commission shall be appealable to the Planning Commission, and decisions of the Planning Commission shall be appealable to the City Council pursuant to the procedures set forth in the Beverly Hills Municipal Code. Any appeals shall be filed within ten (10) days of the final decision that is the subject of the appeal. The gateway statement shall be constructed or installed in substantial compliance with the approvals of the Architectural and Fine Arts Commissions.

(ii) *Public Art Requirement*. The gateway statement, combined with a payment of five hundred thousand dollars (\$500,000) into the fund established pursuant to Beverly Hills Municipal Code Section 3-1-808 shall satisfy Developer's obligations under the Beverly Hills Public Art Ordinance.

(iii) *Maintenance*. Developer shall own the gateway statement and maintain the gateway statement in good condition and repair. In the event that Developer transfers ownership of the Waldorf=Astoria Hotel, the gateway statement shall also be transferred to the owner of the Waldorf=Astoria Hotel and shall be maintained by the Waldorf=Astoria Hotel owner. Additionally, the Developer, initially, and thereafter the Waldorf=Astoria Hotel owner, shall maintain insurance satisfactory to the City's Risk Manager and City Attorney and in an amount equal to the value of the gateway statement, which insures the gateway statement against any loss or damage, including vandalism. Upon

Development Agreement

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damage, the party obligated to maintain the gateway statement shall timely repair or replace the gateway statement, as appropriate, to the reasonable satisfaction of the City's Director of Community Development.

(i) Bus Turnouts. Prior to issuance of a Building Permit for the Waldorf=Astoria Hotel, Developer shall dedicate to the City of Beverly Hills right of way easements along the Project's Wilshire Boulevard frontage and Santa Monica Boulevard frontage sufficient to provide reasonable sidewalk area behind bus turnouts in locations as shown on Exhibit B. The dedication shall be in form and substance satisfactory to the City Attorney and substantially in the form set forth in Exhibit B.

(j) Access for City Shuttle. Prior to issuance of a Building Permit for the Waldorf=Astoria Hotel, Developer shall dedicate to the City a non-exclusive easement to allow any City sponsored, financed or operated shuttle service vehicle to access the Property for the purpose of picking up or dropping off residents and visitors to the Property. The easement shall be in form and substance satisfactory to the City Attorney and substantially in the form set forth in Exhibit C.

(k) Subway Portal. Prior to obtaining a Building Permit for the Waldorf=Astoria Hotel, Developer shall dedicate an easement to the City substantially in the form set forth in Exhibit D. The easement shall be for the purpose of providing a portal for a subway station under Wilshire Boulevard or Santa Monica Boulevard and shall be assignable to the Metropolitan Transportation Authority or any other governmental entity responsible for constructing or maintaining a subway line. The easement shall provide that the surface area of the portion of the portal on the Property at ground level shall be no more than 300 square feet. The easement shall automatically terminate unless each of the following conditions are met: (i) the City must accept the easement within twenty (20) years from the Effective Date of this Agreement; and (ii) the Metropolitan Transportation Authority, or other appropriate governmental entity, must have secured funding for construction of the station within twenty years from the Effective Date of this Agreement. The easement shall limit the portal so that it does not materially interfere with or limit access to the Project, materially interfere with the structural integrity of the Property or buildings or structures on the Property, or materially interfere with the operations of the Property or the businesses located on the Property.

(l) School Benefit Fee. Prior to the issuance of a Building Permit for the Project, Developer shall pay to the Beverly Hills Unified School District a school benefit fee in the amount of one million six hundred sixty thousand dollars (\$1,660,000).

11. Issuance of Building Permit. The City shall be under no obligation to issue a Building Permit for any portion of the Project until: (i) all the fees and other obligations set forth in Section 10 and due prior to or concurrent with issuance of the Building Permit have been fully paid or otherwise fulfilled or satisfied; and (ii) any lender whose lien is prior and superior to any lien created by this Agreement or any conveyance or covenant required by this Agreement shall have agreed to subordinate its lien to the liens, conveyances and covenants created and required by this Agreement. The forgoing notwithstanding, nothing herein shall limit or restrict the ability of the City to grant Building Permits for the buildings and structures existing on the



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Attachment D
DRAFT Approval Resolution

RESOLUTION NO. AC XX-16

RESOLUTION OF THE ARCHITECTURAL COMMISSION OF THE CITY OF BEVERLY HILLS CONDITIONALLY APPROVING AN ARCHITECTURAL REVIEW PERMIT OF A NEW GATEWAY STATEMENT LOCATED AT THE INTERSECTION OF WILSHIRE BOULEVARD AND SANTA MONICA BOULEVARD FOR THE PROPERTY LOCATED AT 9850 WILSHIRE BOULEVARD (PL1630568 – WALDORF ASTORIA).

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

Section 1. Kent Warden, Alagem Capital, agent, on behalf of the property owner, Oasis West Realty, LLC, and the tenant, Waldorf Astoria, (Collectively the “Applicant”), has applied for architectural approval of a new gateway statement located at the intersection of Wilshire Boulevard and Santa Monica Boulevard for the property located at 9850 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 Hills 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. On April 21, 2008 the City Council adopted Resolution No. 08-R-12600, which certified a Final Environmental Impact Report for the project. The subject resolution was adopted in accordance with the provisions of the California Environmental Quality Act, and the City Council made

environmental findings and adopted a statement of overriding considerations for the project. The Final Environmental Impact Report encompasses all aspects of the Specific Plan and development of the project, including Architectural Review. Accordingly, no new environmental assessment is required at this time, and the Architectural Commission relied on the Final Environmental Impact Report in its review of the project.

Section 5. The Architectural Commission conducted a duly noticed public hearing on December 21, 2016 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:

Project-Specific Conditions

No project-specific conditions.

Standard Conditions

1. **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.
2. **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.
3. **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.
4. **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.
5. **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.
6. **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.

7. **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.

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.

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 filing a written appeal and paying appropriate fees with the City of Beverly Hills City Clerk.

Approved as to Form and Content:

Adopted: December 21, 2016

Mark Odell, Urban Designer
Community Development Department

Gidas Peteris, Chair
Architectural Commission