

Information Item

Date: May 27, 2011

To: Mayor and City Council

From: Eileen Fogarty, Director of Planning & Community Development

Subject: Transmittal of Occupancy Permit Determination for Property at 420 Washington Avenue (11OC-004)

Introduction

Attached for the Council's information is a copy of an Occupancy Permit determination for the property at 420 Washington Avenue. The eight units at this property were withdrawn from the rental market pursuant to the Ellis Act effective on February 20, 2008 (six units) and October 23, 2008 (two units) and all units are being returned to the rental market. Pursuant to SMMC Section 4.32.130(c)(2), an occupancy permit for residential occupancy shall be approved based on finding that the property or rental unit therein is to be used for multifamily rental housing, and the Rent Control Board has certified that the owner has complied with the requirements set forth in Government Code Sections 7060.2 and 7060.4 and with applicable regulations promulgated by the Rent Control Board. The application for Occupancy Permit No. 11OC-004 conforms to these provisions.

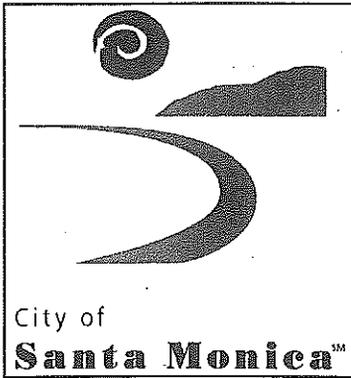
The determination granting the Occupancy Permit 11OC-004 was issued on May 27, 2011. Pursuant to SMMC Section 4.32.130 (c)(4), the Planning Director shall make a

written report to the Planning Commission and the City Council within five days of approving an Occupancy Permit.

According to Section 4.32.130(c)(4) SMMC, the decision approving this Occupancy Permit may be appealed to the Planning Commission in accordance with the provisions in SMMC Section 9.04.20.24. Any decision of the Planning Commission may be further appealed to the City Council in accordance with the same provisions.

Prepared by: Grace Page, Associate Planner

cc: Planning Commission



CITY OF SANTA MONICA
CITY PLANNING DIVISION

OCCUPANCY PERMIT DETERMINATION

Case Number: Occupancy Permit No. 11OC-004

Address: 420 Washington Avenue

Number of Units: 8-Units

Zoning: Low Density Multiple Residential District (R2)

General Plan: Medium Density Housing

Proposed Use: The applicant proposes to reoccupy an eight-unit residential building in accordance with the Ellis Act.

CEQA Status: The project is statutorily exempt pursuant to Section 15268 (Ministerial Projects) of the California Environmental Quality Act.

Applicant: Bordeaux, LLC

Rent Control Status: On February 20, 2008, six of eight rental units on the property were withdrawn from Rent Control. On October 23, 2008 the two remaining rental units were withdrawn from Rent Control. The Rent Control Board has certified that the owner has complied with the requirements set forth in Government Code Sections 7060.2 and 7060.4 and with applicable regulations promulgated by the Rent Control Board.

Comments/Conclusion: The applicant requests to reoccupy all eight units and return the residential building to the rental market.

Determination

The Planning Director finds that the property or rental units therein is to be used for multifamily rental housing, and the Rent Control Board has certified that the owner has complied with the requirements set forth in Government Code Sections 7060.2 and 7060.4 and with applicable regulations promulgated by the Rent Control Board.

The application for Occupancy Permit No. 11OC-004 is:

Denied

Subject to separate administrative or discretionary review.

Granted with the following findings and conditions.

CONDITIONS

1. Within ten (10) days of transmittal of City Planning Division approval, the applicant shall sign the Occupancy Permit determination prepared by the City Planning Division.
2. No property or rental units therein which have been withdrawn pursuant to the Ellis Act, Government Code Sections 7060 et seq., shall be subsequently occupied unless an occupancy permit is obtained in accordance with the provisions of this Section.
3. Failure to comply with the conditions shall constitute grounds for revocation of the permit approval. Failure to comply with this condition shall constitute grounds for permit revocation, pursuant to Section 9.04.20.28.040 (SMMC).

Determination by: *Amanda Schachter* Date: 05.27.2011
Amanda Schachter, Zoning Administrator

Case Planner: *Grace Page, Associate Planner*

EFFECTIVE DATE OF ACTION: _____

Acknowledgement by Permit Holder

I agree to the above conditions of approval and acknowledge that failure to comply

with any and all conditions shall constitute grounds for potential revocation of the permit approval.

Signature

Date

Print name here

Drivers License Number
Santa Monica, California