

**ATTACHMENT B  
DRAFT STATEMENT OF OFFICIAL ACTION**



City of Santa Monica  
City Planning Division

**PLANNING COMMISSION  
STATEMENT OF OFFICIAL ACTION**

**PROJECT INFORMATION**

CASE NUMBER:	20ENT-0261 Appeal of Architectural Review Board 20ARB-0204
LOCATION:	2425 20 <sup>th</sup> Street
APPELLANT:	Thomas C. Malayil
APPLICANT:	Scott Myers, Empire Associates
PROPERTY OWNER:	Scott Myers, Empire Associates
CASE PLANNER:	Ross Fehrman, AICP, Associate Planner
REQUEST:	Appeal of the Architectural Review Board (20ARB-0204) approval of the design, colors, materials, and landscape plans for the construction of a new two-story, three-unit condominium development totaling 5,464 square feet with one subterranean level of parking.
CEQA STATUS:	The project is categorically exempt from the provisions of CEQA, pursuant to Section 15061 (b)(3) in that it can be seen with certainty that the proposed project does not have the potential for causing a significant effect on the environment in that the project involves the review of design-related issues associated with the proposed structure(s) in terms of general architectural design, materials, colors, and landscape plans.

**PLANNING COMMISSION ACTION**

<u>February 3, 2020</u>	Determination Date
	Appeal granted based on the following findings and subject to the conditions below.
X	Appeal 20ENT-02561 denied; ARB application 20ARB-0204 approved based on the following findings and subject to the conditions below.
	Other:

<b>EFFECTIVE DATES OF ACTIONS:</b>	February 18, 2021
<b>EXPIRATION DATE OF ANY PERMITS GRANTED:</b> (2 years pursuant to SMMC Section 9.54.090 + 2 years pursuant to the Eighteenth Supplement to the Executive Order of the Director of Emergency Services Declaring the Existence of a Local Emergency adopted on May 29, 2020)	February 18, 2025
<b>LENGTH OF ANY POSSIBLE EXTENSION OF EXPIRATION DATES*:</b>	One year

\* Any request for an extension of the expiration date must be received in the City Planning Division prior to expiration of this permit.

Each and all of the findings and determinations are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the Project. All summaries of information contained herein or in the findings are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

**ARCHITECTURAL REVIEW BOARD FINDINGS:**

- A. The plan for the proposed building or structure is expressive of good taste, good design, and in general contributes to the image of Santa Monica as a place of beauty, creativity and individuality in that the contemporary building is simple and expresses a clear architectural concept. Its design is further enhanced by high quality materials and simple color palette. The perceived mass is appropriately addressed through various design techniques so that it is consistent with and appropriate to the adjoining buildings and surrounding context. The building architecture is further supported by a drought tolerant plant palette that enhances the visual interest from the public right-of-way and usability of the outdoor spaces.

- B. The proposed building or structure is not of inferior quality such as to cause the nature of the local neighborhood or environment to materially depreciate in appearance and value in that high quality materials such as dark solid cement boards, anodized aluminum windows, and board formed concrete planters will be incorporated into the design.
- C. The proposed design of the building or structure is compatible with developments on land in the general area in that the project's design is complementary to the surrounding neighborhood through the use of various design techniques, including use of colors, materials, and building form. Additionally, the mass and scale takes into consideration the surrounding context with single-unit residential to its rear.
- D. The proposed development conforms to the effective guidelines and standards adopted pursuant to Chapter 9.55 – *Architectural Review Board*, and all other applicable ordinances insofar as the location and appearance of the buildings and structures are involved. Specifically, the location and appearance of the building complies with required findings set forth in Chapter 9.55, and as conditioned, the plans will fully comply with all applicable regulations prior to the issuance of a building permit.

## **CONDITIONS OF APPROVAL:**

### **Project Specific Conditions**

1. Subject to staff review and approval, prior to the issuance of a building permit the applicant shall provide additional details where different materials meet.
2. Subject to staff review and approval, prior to the issuance of a building permit the applicant shall provide additional details of the proposed exterior façade materials, such as the texture and color of the proposed stucco and pattern of cement board.
3. This approval shall expire when the administrative or discretionary entitlements, not including any Subdivision Map approvals, previously granted for the project have lapsed. If no such entitlements have been granted, this approval shall expire 24 months from its effective date, or 30 months if in the Coastal Zone unless appealed.
4. Prior to the issuance of a building permit, the applicant shall demonstrate landscape and irrigation plan compliance with the City's Green Building Ordinance standards (SMMC 8.108) subject to staff approval. Modifications to the landscape plan that affect less than 750 square feet of area may be reviewed and approved by the Staff Liaison to the Board.

5. Prior to the issuance of a building permit a hydrozone matrix shall be included in the landscape and irrigation plans that describes for each hydrozone the following: the square footage, percentage of total landscaped area, plant type and plant form, hydrozone basis, hydrozone description, exposure or micro-climate, irrigation method, irrigation devices (including manufacturer, make and model), zone pressure, precipitation rates, zone gallons per minute and controller station numbers.
6. Prior to the issuance of a building permit, the applicant shall demonstrate that the plans comply with all applicable provisions of the Zoning Ordinance. Significant changes to a project's design shall require review and approval of the Architectural Review Board. Minor changes may be approved administratively pursuant to all applicable guidelines.

### **Administrative**

7. In the event permittee violates or fails to comply with any conditions of approval of this permit, no further permits, licenses, approvals or Certificates of Occupancy shall be issued until such violation has been fully remedied.
8. Within ten days of City Planning Division transmittal of the Statement of Official Action, project applicant shall sign and return a copy of the Statement of Official Action prepared by the City Planning Division, agreeing to the conditions of approval and acknowledging that failure to comply with such conditions shall constitute grounds for potential revocation of the permit approval. By signing same, applicant shall not thereby waive any legal rights applicant may possess regarding said conditions. The signed Statement shall be returned to the City Planning Division. Failure to comply with this condition shall constitute grounds for potential permit revocation.

### **Conformance with Approved Plans**

9. This approval is for those plans dated February 3, 2021, a copy of which shall be maintained in the files of the City Planning Division. Project development shall be consistent with such plans, except as otherwise specified in these conditions of approval.

### **Fees**

10. As required by California Government Code Section 66020, the project applicant is hereby notified that the 90-day period has begun as of the date of the approval of this application, in which the applicant may protest any fees, dedications, reservations, or other exactions imposed by the City as part of the approval or as a condition of approval of this development. The fees, dedications, reservations,

or other exactions are described in the approved plans, conditions of approval, and/or adopted city fee schedule.

**VOTE [LIST EACH INDIVIDUAL VOTE FOR EACH PERMIT]**

*Ayes:*  
*Nays:*  
*Abstain:*  
*Absent:*

**NOTICE**

If this is a final decision not subject to further appeal under the City of Santa Monica Comprehensive Land Use and Zoning Ordinance, the time within which judicial review of this decision must be sought is governed by Code of Civil Procedure Section 1094.6, which provision has been adopted by the City pursuant to Municipal Code Section 1.16.010.

**I hereby certify that this Statement of Official Action accurately reflects the final determination of the Planning Commission of the City of Santa Monica.**

\_\_\_\_\_  
Shawn Landres, Chairperson

\_\_\_\_\_  
Date

**Acknowledgement by Permit Holder**

I hereby agree to the above conditions of approval and acknowledge that failure to comply with such conditions shall constitute grounds for potential revocation of the permit approval.

\_\_\_\_\_  
Print Name and Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant's Signature