



CITY OF SALINAS PLANNING COMMISSION STAFF REPORT

DATE: JUNE 16, 2021

TO: PLANNING COMMISSION

FROM: COURTNEY GROSSMAN, PLANNING MANAGER

BY: BOBBY LATINO, ASSOCIATE PLANNER

TITLE: **CONDITIONAL USE PERMIT 2020-001; REQUEST FOR RESIDENTIAL DESIGN REVIEW TO CONVERT 965 SQUARE FEET OF AN EXISTING 1,099 ATTIC INTO A SECOND STORY ADDITION WITHIN AN EXISTING SINGLE-FAMILY DWELLING UNIT LOCATED AT 1054 UNIVERSITY AVENUE IN THE R-L-5.5 (RESIDENTIAL LOW DENSITY) ZONING DISTRICT**

RECOMMENDED MOTION:

Approve a Resolution finding the project exempt pursuant to Section 15301 of the CEQA Guidelines, affirming the findings, and approving Conditional Use Permit 2020-001.

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EXECUTIVE SUMMARY:

The Property Owners, Eduardo, Helia, and Nefte Couttolenc, are requesting approval of a Conditional Use Permit 2020-001 for Residential Design Review to convert 965 square feet of an existing 1,099 attic into a second story addition located at 1054 University Avenue. The existing attic was converted into habitable space without permits resulting in code enforcement action. In early 2021, The Planning Commission denied the Conditional Use Permit. The applicant appealed the decision to the City Council. The Council remanded the project back to the Planning Commission for reconsideration.

DISCUSSION:

Background:

The existing attic space was constructed with Building Permit B14-0203. The scope of B14-0203 was to construct a 1,944 square foot addition and remodel an existing detached single-family dwelling unit. The proposed floor plan and roof attic plan did not show a second floor nor a formal staircase providing access to the attic. Access to the attic was shown through a ceiling hatch with a retractable ladder. The property owners converted the attic space into a second story addition without City of Salinas reviews or approvals and were cited under Code Violation CE1901-0101. If the Conditional Use Permit is approved, the applicant will be required to undergo a subsequent building permit review process to evaluate the structural and occupant loads of the second story.

The project was initially considered by the Planning Commission at the November 4, 2020 hearing, then continued to November 18, 2020, December 16, 2020, and finally February 3, 2021. Additional information is contained in the attached November 4, 2020, November 18, 2020, December 16, 2020, and February 3, 2021 staff reports.

Planning Commission Hearing Date	Planning Commission Action	Planning Commission Direction
November 4, 2020	Continued	Staff work with the Applicant to revise the plans to minimize the scale and bulk of the second story addition.
November 18, 2020	Continued	Allow the applicant to further study options for articulation opportunities on the front building elevation.
December 16, 2020	Continued	Allow the applicant to further study options for articulation opportunities on the front building elevation.
February 3, 2021	Denied; 6:0 vote	

City received an appeal to the Planning Commission's denial decision on February 16, 2021. The Conditional Use Permit was considered by the City Council on March 16, 2021. The Conditional Use Permit was remanded back to Planning Commission for reconsideration within 90 days. Subsequently, on May 24, 2021, the applicant submitted revised plans which are summarized and analyzed below.

Analysis:

The following analysis applies to the revised plans received on May 24, 2021. Revised plans include the following:

1. Demolishing 134 square feet of extraneous second floor area by removal of interior attic partition walls;

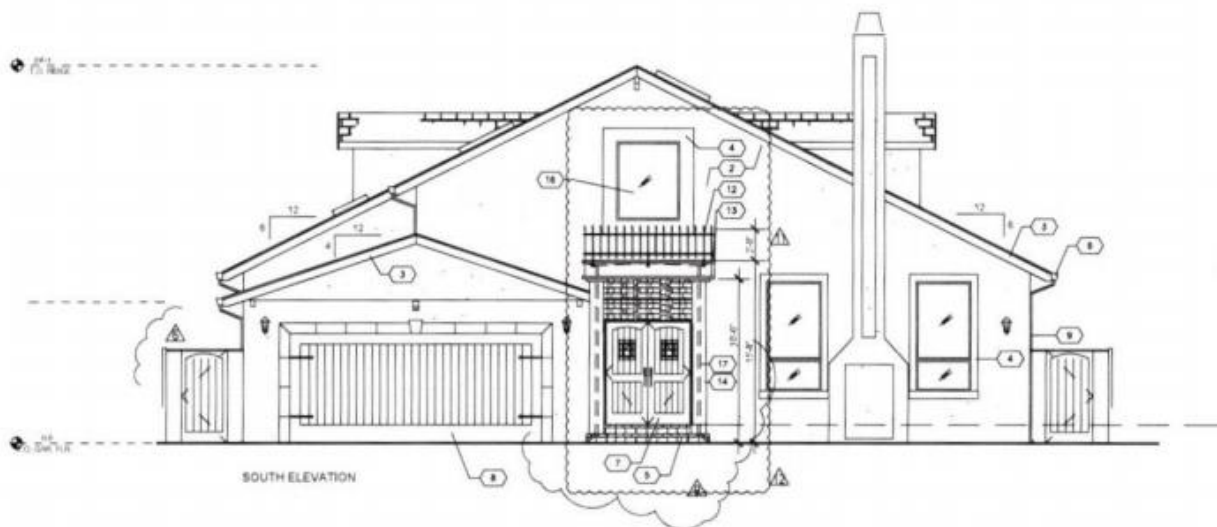
2. Frosting of dormer windows; and
3. Adding the following: stone veneer around main entry door and second floor window, a porch, which extends five-feet in front of the street façade and incorporates a two-foot tall wrought iron rail on top with round/tapered columns supporting the porch.

The revised plans appear to address the 2020 Planning Commission direction to minimize the scale and bulk of the second story addition and/or address articulation opportunities. Thus far, the applicant has not been receptive to modify the structure to meet the zoning regulations for second story additions. However, provision of a projecting porch with columns helps to minimize the scale and bulk of the second story.

Below is Google Street View of the existing dwelling unit and the adjacent dwelling units.



Below is a proposed building elevation showing the revised design along with a rendering on the following page.





Per Section 37-50.110(a), the purpose of Infill Residential Development is to preserve existing residential patterns and development, and reinforce the character and functional relationships of established neighborhoods; development is compatible in scale and height with the neighboring single-family detached residential dwelling units through the use of similar proportions, level of details, and scale; and development reflects some of the best characteristics of adjacent dwelling units in the choice of materials and colors, windows, height, and roofline. Height and scale design requirements are contained in Zoning Code Section 37-50.110(g)(1)(A-F) as discussed below:

- A) The height and scale of new dwelling units and additions shall follow the context of the neighboring residential block face and not overwhelm existing dwelling units with disproportionate size.

Analysis: The height and scale is existing, the existing height of 24'-1" is below the maximum 30' height allowed. With the existing dormers/windows and addition of the front porch the dwelling unit could be considered by the Planning Commission to be proportionate in size and not overwhelm the existing neighboring residential block face (see Google Street View).

- B) New dwelling units and additions shall preserve and reinforce the character of established streetscapes by maintaining similar horizontal and vertical proportions with adjacent

facades. First and second floor plate heights shall generally be consistent with those of existing dwelling units in the neighborhood.

Analysis: *The proposed roofline, mass, and architectural projections (front porch) along the street façade could be considered by the Planning Commission to maintain similar horizontal and vertical proportions with adjacent facades (see Google Street View).*

- C) The dominant existing scale of an established neighborhood should be maintained. Special attention shall be given to the design of a new two-story dwelling units or an addition constructed in a predominately one-story neighborhood to ensure that it is similar in scale and mass with surrounding structures and contributes to a harmonious transition between the new development and the existing development. In neighborhoods with both one-story and two-story dwelling units, second story additions shall generally reflect the scale, bulk, and height of other two-story dwelling units located in the neighborhood.

Analysis: *The height and scale is existing and may be proportionate in size and may not dominate the existing scale of the neighborhood. The proposed roofline, mass, and architectural projections along street façade (front porch) reflects a design that could be considered by the Planning Commission as aa harmonious transition between new development and existing development (see Google Street View).*

- D) The perceived scale of new dwelling units and additions should be minimized. To achieve this, two-story buildings should be stepped back from streets and adjacent smaller residential dwellings units, broken up into smaller architectural components, or include a substantial single-story element.

Analysis: *The Planning Commission could determine that the proposed roofline, mass, and architectural projections along the street façade reflect a design that is broken up into smaller architectural components and includes a substantial single-story element with the front porch (see Google Street View).*

- E) New dwelling units and additions should maintain a proportional relationship with buildings on adjacent properties including roof ridge height and eave height.

Analysis: *The Planning Commission could determine that the scale is existing and may be proportionate in size and the existing scale of the neighborhood. The proposed roofline may maintain a proportional relationship with buildings on adjacent properties (see Google Street View).*

- F) Accent materials or varied wall planes are encouraged to break up the vertical mass of two-story units and additions.

Analysis: *The Planning Commission could determine that the accent on the front façade of a front porch achieves compliance with the provision of varied wall planes that break up the vertical mass of the second-story addition.*

Staff notes that the existing attic one-story project was subject to a 2014 ministerial building permit process and was approved per the R-L-5.5 (Residential Low Density) development regulations contained in Section 37-30.080, which regulate architectural details, human scale structures, façade/roof articulation, and color/materials. The attic project was determined to meet the development regulations for one-story projects at the time of approval. The proposed attic to second-story conversion project is discretionary (subject to a Conditional Use Permit) and is subject to the Infill Development regulations contained in Section 37-50.110, which regulate in more particular the considerations of size, mass, scale, and privacy as discussed above. Going forward, staff notes that the Zoning Code should be amended to address large and or tall one-story additions.

Findings:

The Planning Commission may approve an application for a Conditional Use Permit for residential design review if all of the findings set forth in the proposed Planning Commission Resolution are established.

Time Consideration:

The appeal of the Planning Commission decision on Conditional Use Permit 2020-001 was received by City staff on February 16, 2021. Per Zoning Code Section 37-60.1300(a), the City Council is required to schedule the appeal hearing within 60 days of receipt (February 16, 2021). On March 16, 2021, the City Council Hearing was scheduled, and City Council took action by remanding the project back to Planning Commission, extended the final action deadline 90 days from March 16, 2021 to June 16, 2021 for final action.

Conclusion:

The Planning Commission may find the project to be consistent with the Zoning Code Infill Regulations.

CEQA CONSIDERATION:

The project has been determined to be exempt from the California Environmental Quality Act under Section 15301 (Existing Facilities) of the CEQA Guidelines.

ATTACHMENTS:

Proposed Approval Planning Commission Resolution

Draft CUP 2020-001, with May 24, 2021 Revised Plans (CUP 2020-001), including the following exhibits:

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|-------------|--|
| Exhibit "A" | Vicinity Map |
| Exhibit "B" | Project Details (Sheet A0.1) |
| Exhibit "C" | Existing Site Plan (Sheet A1.0) |
| Exhibit "D" | Proposed Site Plan (Sheet A1.1) |
| Exhibit "E" | Existing First Floor Plan (Sheet A2.0) |

Exhibit "F"	Proposed First Floor Plan (Sheet A2.1)
Exhibit "G"	Existing Attic Floor Plan (Sheet A2.0A)
Exhibit "H"	Proposed Second Floor Plan (Sheet A2.1A)
Exhibit "I"	Existing Exterior Elevations (Sheet A2.0B and A2.0C)
Exhibit "J"	Proposed Exterior Elevations (Sheet A2.1B and A2.1C)
Exhibit "K"	Proposed Building Sections (Sheet A2.1D)
Exhibit "L"	Color and Materials Board

Google Street View Image of Dwelling Unit, October 2007 (before attic addition)
 Google Street View Image of Dwelling Unit, May 2019 (after attic addition)
 Protest Email from Mr. Chuck Eads, dated October 14, 2020
 Public Comment Letter from Barbara Chagnon, dated November 4, 2020
 Public Comment Letter from Applicant, Dave Elliott, dated November 18, 2020
 Public Comment Letter from Applicant, Dave Elliott, dated December 1, 2020
 Permit Streamlining Act Extension Letter dated December 17, 2020
 Public Comment Letter from Applicant, Dave Elliott, dated January 20, 2021
 Public Comment Letter from Applicant, Dave Elliott, dated May 26, 2021
 November 4, 2020 Planning Commission Staff Report
 November 4, 2020 Planning Commission CUP Exhibits
 November 4, 2020 Planning Commission Official Minutes
 November 18, 2020 Planning Commission Staff Report
 November 18, 2020 Planning Commission CUP Exhibits
 November 18, 2020 Planning Commission Unofficial Minutes
 December 16, 2020 Planning Commission Staff Report
 December 16, 2020 Planning Commission Unofficial Minutes
 February 3, 2021 Planning Commission Staff Report
 February 3, 2021 Planning Commission CUP Exhibits
 February 3, 2021 Planning Commission Unofficial Minutes
 Planning Commission Resolution 2021-05
 February 16, 2021 Appeal Letter from Applicant's Legal Representation
 March 16, 2021 City Council Staff Report
 B14-0203 Approved Plans