



CITY OF SALINAS PLANNING COMMISSION STAFF REPORT

DATE: NOVEMBER 18, 2020

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:

A motion to 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.

RECOMMENDATION:

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.

DISCUSSION:

Background:

The project was initially considered by the Planning Commission at the November 4, 2020 hearing, but was continued to November 18, 2020. The commission should refer to the attached November 4, 2020 staff report and draft minutes for additional background information. At the November 4, 2020 meeting, the Commission received the staff report and public testimony. A letter from Barbara Chagnon, dated November 4, 2020 (see attached) was received and read into the record.

at the hearing. In summary, the letter states the following:

1. The height of the house blocks natural daylight to two of the adjacent properties, one of which now receives very little winter sun in the afternoon.
2. Privacy is non-existent for adjacent property Owners. There are 4 dormer windows in the roof/attic/second floor level, all of which overlook and infringe on privacy into the back yards of surrounding homes; one dormer has a direct line of sight into a bedroom of an adjacent home; the window on the back of the house at the second level has a direct line of sight into the living space of an adjacent home.
3. The glazing on the windows is clear.

The Commission was unable to obtain a motion to approve the project. An alternative motion to deny the project received a second, but staff suggested that the Commission continue the item so that a resolution for denial reflecting the Commission's action could be prepared. Commissioner Nohr suggested that staff work with the Applicant to revise the plans to minimize the scale and bulk of the second story addition as described below:

1. Remove the two walled off attic spaces;
2. Identify dormer windows as frosted/louvered/or located at the top third of the wall; and
3. Step back the front wall above the first story where the large window and balcony are located.

Staff contacted the Applicant's architect following the November 4, 2020 hearing via email and requested revised plans responding to the Commission's direction no later than the morning of November 9, 2020. Revised plans were received on November 9, 2020, and they incorporate all three of these conditions.

Analysis:

The following analysis applies to the revised plans received on November 9, 2020. Revised plans respond to the Commission's direction and 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. Stepping back of the front façade building wall above the first story where the large window and balcony are located with a new sloping roofline.

The revised project is in substantial compliance with the the Infill Development Regulations in Section 37-50.110(f). The proposed 33-foot front yard setback measured from the front property line to the second story addition substantially meets the average front yard setback in neighboring block face of 20 feet. The proposed 24'-1" height of the second story addition does not exceed the maximum 30-foot height allowed in the R-L-5.5 Zoning District. No more than 4,194 square feet of floor area is permissible per Section 37-50.110(f)(2)(B). Therefore, a total of 134 square feet of attic space needs to be demolished to conform with the maximum allowed second story addition area. To address privacy concerns with adjacent dwelling units as stated in Ms. Chagnon's letter,

the second story windows are staggered and are proposed and conditioned to be frosted in accordance with Section 37-50.110(f)(4)(B).

The existing attic 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 regulates 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(f), which regulate in more particular the considerations of size, mass, scale, and privacy. As stated above and in the November 4, 2020 Planning Commission Staff Report, the subject second-story project was determined by staff to be substantially compliant with the infill development regulations.

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 project was deemed complete on September 25, 2020. Final action is required by November 24, 2020 pursuant to Government Code Section 65950(a)(5).

Conclusion:

The revised project has been found by Staff to be substantially consistent with the Zoning Code and the General Plan. The proposed second-story addition will be mostly compatible with adjacent properties because the front yard setback of the attic conversion exceeds the average front yard setback of the Neighboring Block Face as it is stepped back 10 feet on the front elevation and 7 feet on the side elevations from the first story portions of the dwelling unit thereby minimizing the scale and bulk.

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 Conditional Use Permit (CUP 2020-020), including the following exhibits:

- 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
November 4, 2020 Planning Commission Staff Report
November 4, 2020 Planning Commission CUP Exhibits
November 4, 2020 Planning Commission Unofficial Minutes

I:\ComDev\Planning Share Space\Conditional Use Permits\2020 CUP's\CUP 2020-001 - 1054 University Ave\11-18-20 PC Hearing\CUP 2020-001 PC Staff Report 11-18-20.docx