

**SALINAS PLANNING COMMISSION
RESOLUTION NO. 2021-05**

Resolution Denying a Conditional Use Permit 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 (Conditional Use Permit 2020-001)

WHEREAS, on January 24, 2020, the Property Owners, Eduardo, Helia, and Nefte Couttolenc, submitted an application for 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 (Assessor's Parcel Number 016-052-005-000); and

WHEREAS, on October 9, 2020, a Notice of Intent to Approve Conditional Use Permit 2020-001 was distributed to the neighboring properties within 300 feet of 1054 University Avenue; and

WHEREAS, on October 14, 2020, the Community Development Department received email correspondence from Mr. Chuck Eads in protest of Conditional Use Permit 2020-001; and

WHEREAS, on November 4, 2020, the Salinas Planning Commission, held a duly noticed public hearing to consider Conditional Use Permit 2020-001 and continued said item to the November 18, 2020 Salinas Planning Commission hearing with direction to the applicant to revise the project plans; and

WHEREAS, on November 9, 2020, revised plans were submitted to the Community Development Department responding to Planning Commission direction;

WHEREAS, on November 18, 2020, the Salinas Planning Commission, held a duly noticed public hearing to consider Conditional Use Permit 2020-001 and continued said item to the December 16, 2020 Salinas Planning Commission hearing with direction to the applicant to revise the project plans; and

WHEREAS, on December 1, 2020, revised plans were submitted to the Community Development Department responding to Planning Commission direction;

WHEREAS, on December 16, 2020, the Salinas Planning Commission, held a duly noticed public hearing to consider Conditional Use Permit 2020-001 and continued said item to the January 20, 2021 Salinas Planning Commission hearing with direction to the applicant to revise the project plans; and

WHEREAS, on January 20, 2021, the Salinas Planning Commission, held a duly noticed public hearing to consider Conditional Use Permit 2020-001 and continued said item to the February 3, 2021 Salinas Planning Commission hearing; and

WHEREAS, on January 20, 2021, revised plans were submitted to the Community Development Department responding to Planning Commission direction;

WHEREAS, on February 3, 2021, the Salinas Planning Commission, held a duly noticed

public hearing to consider revised Conditional Use Permit 2020-001; and

WHEREAS, the Planning Commission weighed the evidence presented at the February 3, 2021 public hearing, including the Staff Report which is on file at the Community Development Department; and

WHEREAS, the project is determined to be exempt from the California Environmental Quality Act (CEQA).

NOW, THEREFORE, BE IT RESOLVED by the Salinas Planning Commission that the Commission denies Conditional Use Permit 2020-001; and

BE IT FURTHER RESOLVED that the Salinas Planning Commission adopts the following findings as the basis for its determination, and that the foregoing recitations are true and correct, and are included herein by reference as findings:

1. *The project has been found to be a Class 1 Categorical Exemption pursuant to Guidelines section 15301 of the Guidelines to the California Environmental Quality Act;*

The Conditional Use Permit for Residential Design Review to convert 965 square feet of an existing 1,099 attic into a second story addition, is categorically exempt from further environmental analysis per CEQA Guidelines Section 15301 (Existing Facilities). The addition is less than 50 percent of the floor area of the existing house before the addition.

2. *The proposed location of the use is in accord with the objectives of the General Plan, the Zoning Code, and the purposes of the district in which the site is located.*

The site is designated Low Density Residential by the 2002 Salinas General Plan. The proposed project does not conform to Community Design Element Policy CD-2.3, which requires infill development to be consistent with the scale and character of existing neighborhoods.

As shown on the official Zoning Map, the site is located in the Low Density Residential District. Per Section 37-30.050, the purpose of the Low Density Residential District is to provide appropriately located areas for single-family dwellings, achieve design compatibility through the use of site development regulations and design standards, encourage attractive and interesting single-family residential streetscapes, and provide adequate light, air, privacy, and open space for each dwelling unit. The proposed second-story addition does not meet the purposes of the Low Density Residential District.

3. *The proposed location of the conditional use and the proposed conditions under which it would be operated or maintained will be consistent with the Salinas General Plan and will not be detrimental to the public health, safety, or welfare of persons residing or working adjacent to the neighborhood of such use, nor detrimental to the properties, or improvements in the vicinity or to the general welfare of the City.*

The site is designated Low Density Residential by the 2002 Salinas General Plan. The proposed project does not conform to Community Design Element Policy CD-2.3, which requires infill development to be consistent with the scale and character of existing neighborhoods.

Existing single-family detached dwelling units surround the project site. The project would be detrimental to the public health, safety and general welfare of the people of the City, because the project would not be in compliance with the following:

- a. The proposed second-story addition will not be compatible with adjacent properties because it does not follow the context of neighborhood residential block face because it overwhelms existing dwelling units with its disproportionate size per Section 37-50.110(g)(1)(A).
- b. The second-story addition does not preserve and reinforce the character of established streetscape by maintain similar horizontal and vertical proportions with adjacent facades Section 37-50.110(g)(1)(B).

4. The proposed conditional use will comply with the provisions of the Salinas Zoning Code, including any specific conditions required for the proposed use.

The proposed conditional use will not comply with provisions of the Salinas Zoning Code because of the following:

- a. The proposed second-story addition will not be compatible with adjacent properties because it does not follow the context of neighborhood residential block face because it overwhelms existing dwelling units with its disproportionate size per Section 37-50.110(g)(1)(A).
- b. The second-story addition does not preserve and reinforce the character of established streetscape by maintain similar horizontal and vertical proportions with adjacent facades per Section 37-50.110(g)(1)(B).

In addition to the above findings, Residential Design Review projects require that the following two findings per Zoning Code Section 37-60.500(f)(2)(A) & (B) must be established:

5. The proposed dwelling, addition, or land subdivision will not adversely impact the character of the existing residential neighborhood.

The proposed addition will adversely impact the character of the existing neighborhood because it would not be in compliance with the Infill Development Regulations in Section 37-50.110(g) as identified in the table below:

- a. Per Section 37-50.110(g)(1)(C), the dominant existing scale of an established neighborhood is not maintained.
- b. Per Section 37-50.110(g)(1)(D), the perceived scale of the second-story addition has not been minimized.
- c. Per Section 37-50.110(g)(1)(E), the second-story addition does not maintain a proportional relationship with buildings on adjacent properties including roof ridge height and eave height.

6. *The proposed dwelling or addition will be compatible with scale, bulk, height, and location of existing single-family detached dwellings located on the neighboring block face.*

The proposed second story addition will not be compatible with scale, bulk, and height of existing single-family detached dwellings located in the neighborhood block face because of the following:

- a. The proposed second-story addition will not be compatible with adjacent properties because it does not follow the context of neighborhood residential block face because it overwhelms existing dwelling units with its disproportionate size per Section 37-50.110(g)(1)(A).
- b. The second-story addition does not preserve and reinforce the character of the established streetscape by maintaining similar horizontal and vertical proportions with adjacent facades Section 37-50.110(g)(1)(B).
- c. Per Section 37-50.110(g)(1)(C), the dominant existing scale of the established neighborhood is not maintained.
- d. Per Section 37-50.110(g)(1)(D), the perceived scale of the second-story addition is not minimized.
- e. Per Section 37-50.110(g)(1)(E), the second-story addition does not maintain a proportional relationship with buildings on adjacent properties including roof ridge height and eave height.

The neighboring block face is defined as those single-family detached dwelling units situated on lots or parcels located within one hundred and fifty feet of the nearest property line of the subject site. Such lots or parcels shall include, but not be limited to, those lots or parcels that abut, face, or are located on the same street as the subject site. If a lot or parcel is vacant, undeveloped, or contains another use other than a single-family detached dwelling unit within the neighboring block face, the next closest lot with a single-family detached dwelling unit shall be deemed part of the neighboring block face. If any piece or portion of a lot or parcel is located within the neighboring block face, the entire parcel or lot shall be deemed to be in the neighboring block face.

PASSED AND ADOPTED this 3rd day of February 2021, by the following vote:

AYES: Chairperson Meeks, Commissioners Donohue, Gonzalez, Lutes, Manzo, and Nohr

NOES: None


ABSTAIN: None

ABSENT: Commissioner Griffin

THIS IS TO CERTIFY that the foregoing is a full, true, and correct copy of a Resolution of the Planning Commission of the City of Salinas, that said Resolution was passed and adopted by the affirmative and majority vote of said Planning Commission at a meeting held on February 3, 2021, and that said Resolution has not been modified, amended, or rescinded, and is now in full force and effect.

SALINAS PLANNING COMMISSION

Date: 2/3/2021



Courtney Grossman
Secretary