



Public Comment Received for:  
Item 1: 1201 Las Alturas Rd.  
(PLN2022-00073)

Name of Sender	Distributed prior to hearing	Distributed after the hearing
1. Janet K. McGinnis on behalf of the McDonoughs	x	
2. Laramie Green	x	

*Law Office of*  
Janet K. McGinnis

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June 3, 2022

Via Electronic Transmission Only  
[HLCSecretary@SantaBarbaraCA.gov](mailto:HLCSecretary@SantaBarbaraCA.gov)

Chair Anthony Grumbine and Commissioners  
Historic Landmarks Commission

Re: 1201 Las Alturas Road  
APN 019-113-024  
PLN2022-00073  
June 8, 2022 Agenda

Dear Chair Grumbine and Commissioners:

On behalf of the residents and owners of 1201 Las Alturas, the McDonoughs, I want to provide factual information responding to some comments submitted in opposition to this nomination.

Firstly, 1201 Las Alturas's boundaries have been surveyed repeatedly. The southerly boundary is shown on the approved city archival plans; *see* the approved plan with surveyed southern boundary on sheet 7 of the nomination application showing that the pagoda and tea garden are well *inside* the property's boundaries.

Secondly, some comments malign the McDonoughs' motive for seeking landmarking, contending that they want to prevent the downslope property owner's development of that property and neighboring properties' development. In fact, the McDonoughs would never want to obstruct any neighbor's development that complies with city standards and ordinances, including for compatible design and neighborhood and hillside preservation and safety.

The adjacent downslope neighbor is 1191 Las Alturas. After they purchased 1201 Las Alturas in 1996, the McDonoughs *continued* their predecessors' long established neighborly practices with 1191 to keep their southerly views cleared of weed trees and hedge overgrowth; they continued sharing gardeners to maintain a privacy hedge for 1191 and safety and views for 1201. However, an ownership change brought an absentee owner and neighborly cooperation broke down.

By February, 2021, after *years* of unsuccessful cajoling, *as a last resort*, the McDonoughs sued the owner of 1191 under the city's View Restoration Dispute Ordinance to restore their views and to abate the slope fire hazard nuisance; *see* Santa Barbara Superior Court Case 21CV00619.

The same week they filed their complaint, however, 1191 Las Alturas was sold to a new out-of-state owner. As soon as they could, the McDonoughs met with the new owner, who agreed to reinstate neighborly cooperation for landscaping and slope maintenance and to allow their view restoration. He assured them that he would not block their views when he remodeled the existing 1960s single story house. This new owner asked the McDonoughs to dismiss their lawsuit to allow cooperation to resume. They did as he requested and have not refiled anything.

Despite their dismissal of their view restoration lawsuit, the new owner prevented restoration and only cut trees for his development purposes; nothing the McDonoughs wanted removed was removed. They do not know which tree N. Martin complains was removed with a loss of her privacy; the new owner cut what he wanted cut on 1191 and never asked for their permission.

Moreover, the new owner applied to demolish the existing one story house to build a two story house. The Single Family Design Board "continued indefinitely" the project's preliminary design review in December, 2021, but instead of addressing the Board's concerns and while still living out of state, this developer sold 1191 Las Alturas on April 1, 2022.

The new owners have returned to their home in Pennsylvania and say they will return in November. When they are able to meet these new owners personally, the McDonoughs will ask for their cooperation for view restoration and landscaping maintenance.

Since making 1201 Las Alturas their home in 1996, the McDonoughs have known that they are fortunate to enjoy and care for it; they have studied, collected, and archived its history. They hope that their children and grandchildren will succeed them. The entire family treasures this glorious and historic perch above Santa Barbara, and their commitment to preservation and landmarking of their home only contributes to Santa Barbara's historical legacy.

Thank you for considering my comments. I will attend the June 8<sup>th</sup> hearing and be available to respond to your questions and address any new comments.

Very truly yours,



Janet K. McGinnis  
Attorney at Law

cc: Mr. and Mrs. R. Emmett McDonough  
Ms. Fermina Murray

## Public Comment #2

**From:** [Larame Greene](#)  
**To:** [Community Development HLCsecretary](#)  
**Cc:** [NHernandex@santabarbaraca.gov](mailto:NHernandex@santabarbaraca.gov)  
**Subject:** 1201 Las Alturas Road Application Number : PLN2022-00073  
**Date:** Tuesday, June 07, 2022 3:44:08 PM

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EXTERNAL

Dear HLC Commission:

In response to the information provided in the prior meeting, as follows is a list of concerns & comments regarding the designation request for 1201 Las Alturas Road:

- Is there a set of original architectural drawings or plans? If not, there is little to no proof that the structure as it stands now is true to the original form. I cannot imagine the commission would grant any historical status to a structure unless irrefutable proof is presented as to the fact the subject structure is true to its original construction & design.
- There have been recent construction/additions to the subject property. There needs to be proof of when those projects were permitted & completed, including final inspections. Those projects were mentioned but not dated. Were they permitted properly? Have they altered the claimed historic nature of the property? In no way shall the subject property be eligible for designation status if the house has been altered without regard to the claimed historical features nor permitting process. As stated in the application:
  - "Few alterations and additions have occurred to the house since its construction in 1919. These changes, such as the infill of the former garage and the recent remodel of the kitchen are located at the rear north elevation. In addition, the house has had a few alterations. The ocean facing gable on the south end had the windows widened and an arbor installed over it and the open porch off that wing was enclosed in 1955 by architect Peter Edwards to make a Library. In 1960 there were minor additions on the north elevation." I would imagine the commission would like to see drawings of the before & after for each of the above listed alterations in order to be able to make an informed decision of how impactful the mentioned alterations have been to the subject property.
- The fact that the subject property is 100% outside of the public's view makes me question the purpose of granting any status. The granting of any status does not benefit the community. The Historic Resource Design Guideline states that modifications can be made to the facades of the structure which are not visible from the street or public vantage points. That is this entire property. It seems as if this property's privacy would exclude it from designation status.
- There was no evidence of, nor detailed drawings of, any specific elements which were presented as historic. There is a beautifully written story of the subject property, but literally zero proof that what was said about the property is true. If there are no specifics as to what makes this property significantly historic, how can the commission consider this property?

We strongly urge the Santa Barbara city council to DENY this application; the subject property fails many of the benchmarks that would make it a historic designation. The property owners are asking this Commission to grant them a special designation which they are not

entitled to and would be detrimental to the surrounding neighborhood, other property owners, and public policy that promotes progress and equitable communities.

Sincerely,

Nikki & Larame Greene  
1301 Las Alturas Road