



CITY OF SACRAMENTO

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CITY PLANNING DEPARTMENT  
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MARTY VAN DUYN  
PLANNING DIRECTOR

June 21, 1983

APPROVED  
BY THE CITY COUNCIL

JUN 28 1983

OFFICE OF THE  
CITY CLERK

City Council  
Sacramento, California

Honorable Members in Session:

SUBJECT: Findings of Fact and conditions relating to the special permit and tentative map approval for the conversion of Villa De La Pe Apartments into condominiums (P83-038)

LOCATION: Southwest corner of 13th Street and South Land Park Drive

SUMMARY

This item was considered by the City Council on June 14, 1983. At that time, the Council voted to approve the conversion of Villa De La Pe apartments into condominium subject to conditions and based upon Findings of Fact due June 28, 1983.

Attached are the tentative map resolution with conditions, findings of fact, and special permit conditions.

RECOMMENDATION

The staff recommends that the City Council:

1. Approve and adopt the attached tentative map resolution with amended conditions; and
2. Approve and adopt the attached findings of fact with conditions for the special permit.

Respectfully submitted,

*Marty Van Duyn*  
Marty Van Duyn  
Planning Director

FOR CITY COUNCIL INFORMATION  
WALTER J. SLIPE  
CITY MANAGER

MVD:SC:cp  
Attachments  
P83-038

June 28, 1983  
District No. 8

**RESOLUTION No. 83-494**

**Adopted by The Sacramento City Council on date of**

RESOLUTION ADOPTING FINDINGS OF FACT, APPROVING A  
REQUEST FOR A TENTATIVE MAP FOR VILLA DE LA PE CONDO-  
MINIUMS (APN: 029-470-08)(P83-038) **APPROVED**  
BY THE CITY COUNCIL

JUN 28 1983

OFFICE OF THE  
CITY CLERK

WHEREAS, the Planning Commission has submitted to the City Council its report and recommendations concerning the request for a Tentative Map for Villa De La Pe located at the southwest corner of 13th Street and South Land Park Drive (hereinafter referred to as the proposed subdivision).

WHEREAS, the Council of the City of Sacramento, based on testimony submitted at public hearing(s) conducted on hereby finds and determines as follows:

- A. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City General Plan and the Pocket Community Plan in that both plans designate the subject site for residential uses. Also, any required improvements are to be designed and constructed within the provisions of the Subdivision Regulations which, by Section 40.102 of said regulations, is designated as a Specific Plan of the City of Sacramento.
- B. The site is physically suitable for the type and proposed density of development in that the subject site is flat with no significant erosional, soil expansion, or other similar problems.
- C. The design of the subdivision or proposed improvements are not likely to cause substantial environmental damage and will not substantially and avoidably injure fish, wildlife, or their habitat. The proposed project has been reviewed and assessed by the Environmental Coordinator, who has determined that the proposed project will not cause individual or cumulative adverse effects on the natural and social-physical environment or substantially and avoidably injure fish, wildlife, or their habitat, pursuant to CEQA, Section 15101k.
- D. The design of the subdivision or the type of improvements are not likely to cause serious public health problems in that community water and sewer systems exist at the site. The site is not within an established floodplain or over a known seismic fault.

- E. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public for access through, or use of, the property within the proposed subdivision, in that there are no access easements for use by the public at large on the subject site.
- F. The discharge of waste from the proposed subdivision into the community sewer system servicing the proposed subdivision will not result in or add to a violation of the waste discharge requirements applicable to said sewer system which were prescribed by the California Regional Water Quality Control Board, Central Valley Region, in that the existing City of Sacramento treatment plants have a design capacity of 75 mgd and that actual treated discharge averages 56 mgd. The discharge from the proposed project will not create a condition exceeding the design capacity.
- G. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the proposed subdivision, taking into consideration the local climate, the contour and configuration of the parcel to be divided, and such other design and improvement requirements applicable to the proposed subdivision.
- H. The proposed subdivision of existing multiple family dwellings into condominiums is within the Pocket Community Plan area and the average annual vacancy rate for this area at the time of approval is less than five percent but the applicant has proposed measures that will effectively mitigate concern over tenant displacement or any adverse effect on the rental housing stock.
- I. An adequate relocation plan providing for relocation of tenants in the proposed conversion of this multiple family residential building(s) into condominiums has been provided in accordance with the Comprehensive Zoning Ordinance.
- J. The proposed conversion of this multiple family residential project to condominiums makes available ownership or long term lease opportunities to qualified and eligible tenants of low and moderate income.
- K. The proposed conversion of this multiple family residential project does or will be required by condition to comply with all applicable development and building standards contained in the Comprehensive Zoning Ordinance and the City Building Code.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Sacramento as follows:

The Tentative Map be approved subject to the following conditions:

1. The condominium units shall comply with Chapter 9, Article 12 of the City Code which stipulates the implementation of various energy conservation improvements for existing structures upon sale.
2. The applicant shall have an energy audit performed by SMUD and/or PG&E on the subject property. Any additional measures recommended by these utilities and acceptable to the Planning Director shall be provided by the applicant. A report of these findings shall be submitted to the Planning Director prior to final map approval.
3. The applicant shall provide replacement housing options in the form of lease, ownership, or comparable replacement housing opportunities to existing tenants, as specified in the special permit for this project. Assurances of compliance with such conditions shall be provided prior to final map approval.
4. The applicant shall provide two hour fire separations between the dwelling unit walls and floor-ceiling assemblies or provide for an approved fire sprinkler system.
5. Each unit shall be provided with its own approved smoke detector.
6. A study shall be submitted which substantiates that insulation with an R value of 19 is within the walls and ceilings of the units.
7. The water service shall comply with Section 28-C-3(ii) of the Zoning Ordinance.
8. The sewer service shall comply with Section 28-C-3(i) of the Zoning Ordinance.
9. Separate hot water shutoffs shall be provided for each building.
10. Cathodic protection of the underground water system shall be provided to meet 20 year life expectancy as noted in Engineering study or provide soil study, by an experienced engineer trained in this field, to determine corrosive effect on existing water system and comply with recommendation for protecting a future useful life of 20 years.
11. Provide for GFCI receptacles for each unit.
12. Outdoor receptacles shall be provided for each unit.
13. Outside patio and balcony lights shall be provided for each unit.
14. Dedicate easements along all street boundaries for planting and maintaining trees, electroliers, traffic control devices, water and gas pipes, and for underground wires and conduits for electric and telephone services together with any and all appurtenances pertaining thereto, on, over, under, and across strips of land 12.5 feet in width.

15. Dedicate right-of-way and easements for the installation and maintenance of water, gas, sewer and drainage pipes and for poles and overhead and underground wires and conduits for electrical and telephone service together with any and all appurtenances thereto, over, under and across common lot shown hereon, excepting therefrom the existing building site.
16. The applicant shall obtain permit and reconstruct the driveway on South Land Park Drive to commercial standards.
17. All open parking lots and carports shall be provided with a minimum one foot candle of light as measured at the parking surface, from one half-hour before sunset until one-half hour after sunrise. All lighting devices shall be equipped with weather and vandal resistant covers.
18. Aisles, passageways and recesses related to and within the complex shall be illuminated with an intensity of at least twenty-five one-hundredths (.25) maintained minimum of light as measured at ground level during the hours of darkness. These lighting devices shall be protected by weather and vandal resistant covers.
19. All building numbers and street addresses shall be clearly visible from all public or private accesses. The street and building numbers shall be no less than four inches in height and of a contrasting color to their background.
20. Where multiple dwellings are accessible by private streets, driveways, alleyways, parking lots or court yards, the addresses and building numbers shall be posted in such a manner as to be visible from those access points.
21. There shall be posted at each entrance to the complex a diagrammatic representation of the complex, showing the location of the viewer and the unit designations within the complex.
22. Parking spaces shall be numbered in such a manner that the space numbers do not correspond to the address or unit numbers of residences.
23. All single swing entry doors shall be of the solid core type and be equipped with a single cylinder deadbolt lock meeting the following minimum standards:
  - a. The bolt shall have a throw of at least one inch and be constructed so as to repel cutting tool attack.
  - b. The cylinder of the deadbolt shall be equipped with a guard designed to repel attack by prying or wrenching.
  - c. The deadbolt shall be of the pin tumbler type with a minimum of five pins.
24. All door hinges shall be secured with a minimum of three (3) number eight screws which must penetrate at least two (2) inches into solid backing beyond the frame to which the hinge is attached.

25. The strike plates designed to receive the deadbolt locks shall be constructed of a minimum 16 U.S. Gauge steel, bronze or brass, and shall be secured to a wood jamb with not less than four number eight screws which must penetrate at least 2 inches into solid backing beyond the surface to which the strike is attached. Strike plates attached to metal jambs shall be secured with a minimum of 4 number eight machine screws.

26. Sliding door assemblies shall be so designed that the door cannot be lifted from the track when the door is in the closed position, except where the door is not accessible from the ground level.

Sliding door assemblies shall have an auxiliary locking device permanently mounted on the interior and which is not accessible from the exterior.

27. All primary egress doors shall be so equipped as to provide the occupant with a clear view of that area immediately outside the door. This view may be provided by a one-way door viewer designed to provide a 180 degree field of view.

28. The declaration of conditions, covenants and restrictions shall give the officers of the homeowners association strong and specific powers to have towed away all unauthorized parked vehicles from parking areas designated as occupant parking.

29. Nothing in the declaration of conditions, covenants and restrictions shall prohibit a resident from placing Home Alert (Neighborhood Watch) decals, Operation Identification decals and intrusion alarm warning decals in their windows in a reasonable manner.

30. Because of the isolated nature of the parking area on the south side of the complex, the lighting level there shall be a minimum of two foot candles minimum maintained at ground level.

31. The building address shall be visible from South Land Park Drive.

32. The applicant shall provide the following sound attenuation measures as described in the engineering study performed on this property:

- a. An additional 1/2 inch gypsum wall shall be attached with screws to the existing ceiling.
- b. The perimeter of all walls and floor joints shall be sealed with resilient caulk.

- c. All hard floor areas shall be provided with an indoor/outdoor carpet with a rubber pad.

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MAYOR

ATTEST:

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CITY CLERK

SC :cp:7n b/u  
P83-038

In the matter of the decision of the City Council on application for a special permit to convert a 36 unit apartment complex into condominiums in the R-3 zone located at the southwest corner of 13th Street and South Land Park Drive (P83-038)

NOTICE OF DECISION AND FINDINGS OF FACT

On June 14, 1983, the City Council held a public hearing on the above-referenced item. Predicated on documentary and oral evidence submitted at the public hearing, the City Council approved the special permit subject to the following conditions and based upon findings of fact to follow.

Conditions - Special Permit

- 1. No eligible tenant shall be given notice to vacant until the Pocket Community Plan Area rental vacancy rate, as specified by HUD or documented by data supplied by the applicant and to the satisfaction of the Planning Director, increases to a rate greater than 5%.
2. The applicant shall offer a 15% discount off the public sales price to eligible tenants residing in this complex who wish to purchase their unit. The offer will be made at the time the unit is offered for sale.
3. The tenants in this complex shall receive a 90 day first right of refusal to purchase their unit at a price the units will be offered to the general public or a more favorable price.
4. No eligible tenant shall be asked to relocate until they have been given the 90 day first right of refusal to purchase their unit.
5. Non 'eligible' tenants shall be given a minimum 60 day notice to vacate their unit.
6. Tenants who are eligible for long term leases or who have indicated an interest in purchasing a unit will be provided moving assistance and temporary housing if it is necessary to relocate these tenants during the upgrading and renovation process. The applicant shall contact the Planning Director prior to temporary relocation of these tenants. The program to be used for temporary relocation shall be subject to the review and approval of the Planning Director. The program shall include such measures as the payment of utility transfer fees or deposits; moving allowance or assistance; the payment of the difference in the rental rate of the temporary unit and any other deposits required on the temporary unit.
7. The applicant shall provide these tenants with a letter that outlines the protection and benefits available to them due to the conversion. The letter shall be written in a clear and concise manner and shall be subject to the review and approval of the Planning Director prior to use for these tenants.

APPROVED BY THE CITY COUNCIL JUN 28 1983 OFFICE OF THE CITY CLERK



- 8. The applicant shall attempt to secure favorable financing for purchases of these units. A report on the financing used in marketing these units shall be submitted to the Planning Department for the file on this project.
- 9. The owner will meet with these tenants at least once every four months to inform them of the status of the project and to address any questions or concerns raised by the tenants. A copy of the notices for these meetings along with a list of the tenants who were provided the notice shall be submitted to the Planning Department for the file record on this project.
- 10. The applicant shall comply with all tenant benefits and protection outlined in Section 28-C-5(a)(b)(d) and (e) of the Comprehensive Zoning Ordinance.

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MAYOR

ATTEST:

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CITY CLERK

June 29, 1983

Dr. Sigrid V. Lenert  
2628 El Camino Avenue No. B7  
Sacramento, CA 94821

Dear Dr. Lenert:

On June 28, 1983, the Sacramento City Council took the following action(s) for property located at the Southwest corner of 13th Street and South Land Park Drive (P-83038):

Adopted a Resolution adopting Findings of Fact granting special permit and approving a Tentative Map to divide a 1.8± acre parcel into one common lot and 36 airspace lots in R-3 zone.

Enclosed, for your records, is a fully certified copy of above referenced resolution.

Sincerely,

Lorraine Magana  
City Clerk

LM/km/21  
Enclosure

cc: Planning Department

