



CITY OF SACRAMENTO

12

CITY PLANNING DEPARTMENT

927 TENTH STREET
SUITE 300

SACRAMENTO, CA 95814
TELEPHONE (916) 449-5604

MARTY VAN DUYN
PLANNING DIRECTOR

APPROVED
BY THE CITY COUNCIL

DEC 3 1984

OFFICE OF THE
CITY CLERK

November 20, 1984

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: Conversion of a 4 unit apartment complex into condominiums (P84-045)

LOCATION: 300 25th Street

SUMMARY

This request involves a Tentative Map and Special Permit which are necessary for converting apartment units into condominiums. The applicant is also requesting a Variance to waive certain sections of the Condominium Conversion Ordinance. This is one of 26 condominium conversion projects being considered under the annual review of conversion applications for 1984. All 26 projects are located in the Central City Community Plan area where the vacancy rate was 5.2% at the time of application.

These 26 complexes represent 205 apartment units. The adopted Condominium Conversion Ordinance stipulates that the City shall not approve a Special Permit for conversion unless the vacancy rate for the affected area is greater than 5%. Based on the standards of Ordinance No. 4329 and concern over negative effects of converting all of these units on the rental housing stock in the Central City, staff and the Planning Commission are recommending denial of this request.

BACKGROUND INFORMATION

On July 26, 1984, the Planning Commission considered 26 condominium conversion applications with a total of 205 apartment units. At that time, staff recommended denial of all 26 projects due to concern over the effect of converting all of these units on the rental housing stock in the Central City and since the applications were incomplete in that the required pest control reports and sound studies were not provided for City review.

The hearing on these projects was continued to August 30, 1984, by the Commission to allow the applicant time to prepare a program to mitigate concerns expressed in the staff report. Prior to the August 30th hearing, the applicant submitted a program to staff which included the phasing of the 26 projects over a three-year period. The applicant also indicated that efforts were being made to secure replacement housing through the renovation of a residential hotel in the Central City or the rehabilitation of uninhabitable apartment units throughout the Central City. The applicant also requested that the Planning Commission consider allowing credit for the recently renovated Biltmore Hotel for which the owner of these complexes was responsible.

On August 30, 1984, staff recommended the Planning Commission approve in concept the conversion of 46 units. This recommendation was based on a 32 unit credit staff allowed for the renovation of the 32 room Biltmore Hotel and because the vacancy rate would allow for up to 14 units to be converted before the Central City vacancy rate dropped below the minimum level allowed of 5+ percent. The applicant was unable to provide detailed information on any additional replacement housing therefore staff did not consider this proposal.

Staff further recommended that selection of the 46 units be based upon review of each project under a set of criteria to determine which of the 26 projects would be most suitable for conversion. The criteria was designed to ensure that those projects recommended for conversion would contribute to the neighborhood stability, were not located in an area with traffic and parking problems, possessed amenities and features conducive to individual ownership and that the complex would not require major modifications or repairs that would disrupt the tenants.

In order to conduct a complete evaluation of these projects the applicant was requested to furnish a pest control report and sound study for the complexes which received the highest scores under the preliminary evaluation by staff.

On October 11, 1984, the Planning Commission recommended approval of 6 complexes totalling 46 units. The approval was based upon compliance with the established criteria. The remaining 20 projects were recommended for denial without prejudice based upon the attached evaluation. (See Exhibit A)

PROJECT EVALUATION

Applicant's Program

The applicant has requested a Variance to waive the special sales and lease provisions set forth in the Ordinance in lieu of an alternate program. The applicant's plan will utilize life time leases with a lease option plan, tenant discounts on the purchase price and a sales program for qualified tenants where the tenant can purchase a unit at a price for which the tenant is able to qualify for a loan. Under the applicant's special sales program the applicant will carry a second deed of trust for the difference between the sales price of the unit and the market price with interest and principle not due until the unit is sold or is transferred. This plan is similar to that required by the Ordinance and may prove more beneficial to tenants with lower incomes since the applicant's sales price is based upon the tenants income level.

Site Characteristics

1. Number of Units: 4
2. Size of Unit: two bedroom units
3. Proposed Sales Price: \$40,000 to \$50,000
4. Number of qualified low/moderate tenants:

The attached Exhibit A provides further detail on the specific characteristics of this complex. This exhibit lists the criteria established to determine which of the 26 projects would be most suitable for conversion. In reviewing this complex under the established criteria, this project was found to be deficient in many of the areas necessary to ensure owner occupancy of the unit which is a major consideration in allowing condominium conversion.

RECOMMENDATION

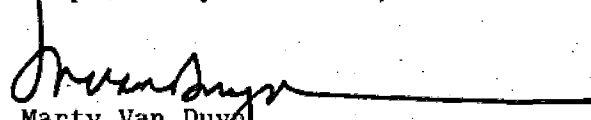
Staff and the Planning Commission recommend the following actions:

- A. Denial of the Tentative Map based on the following Findings of Fact.
- B. Denial of the Special Permit based upon the attached Findings of Fact.
- C. Denial of the Variance to waive the special sales and lease provisions, based upon attached Findings of Fact.
- D. Denial of the Variance to waive the required pest control report and sound study, based upon attached Findings of Fact.
- E. Denial of the Variance to waive 4 of 4 required parking spaces, based upon attached Findings of Fact.

Findings of Fact - Tentative Map

The proposed Tentative Map is not consistent with the General Plan Policy to prohibit the conversion of rental housing into condominiums where the annual multiple family housing vacancy rate is 5% or less unless mitigation measures have been proposed to address concerns over the loss of rental housing in the Community Plan area.

Respectfully submitted,


Marty Van Duyen
Planning Director

FOR CITY COUNCIL INFORMATION
WALTER J. SLIPE
CITY MANAGER

SC:lao
attachments
P84-045

December 3, 1984
District No. 4

MEETING DATE 10-11-84
 ITEM NO. 14A FILE # 84-045
 M _____

- GENERAL PLAN AMENDMENT
- COMMUNITY PLAN AMENDMENT
- REZONING
- SPECIAL PERMIT
- VARIANCE
- TENTATIVE MAP
- SUBDIVISION MODIFICATION
- LOT LINE ADJUSTMENT
- ENVIRONMENTAL DET.
- OTHER _____

Location: 300 25TH STREET

Recommendation:

- Favorable
- Unfavorable
- Petition
- Correspondence

PROPOSERS

NAME

ADDRESS

Grand Bidigan - 211 Q Street Sacramento, CA 95814

Barry Bidigan - 2300 Q Street #0 Sacramento, CA 95814

OPPONENTS

NAME

ADDRESS

MOTION

- TO APPROVE
- TO DENY
- TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT
- TO APPROVE/DENY BASED ON FINDINGS OF FACT IN STAFF REPORT
- INTENT TO APPROVE/DENY SUBJECT TO COND. & BASED ON FIND. OF FACT DUE
- TO RECOMMEND APPROVAL & FORWARD TO CITY COUNCIL *General*
- TO RECOMMEND APPROVAL SUBJECT TO COND. & FORWARD TO CITY COUNCIL
- TO RATIFY NEGATIVE DECLARATION
- TO CONTINUE TO _____ MEETING
- OTHER _____

MOTION NO. _____

	YES	NO	MOTION	SECOND
Augusta	✓			✓
Ferris	✓			
Fong	✓		✓	
Goodin	✓			
Hunter	<i>Withdrew</i>			
Ishmael	✓			
Ramirez	<i>Withdrew</i>			
Simpson	<i>Withdrew</i>			
Holloway	✓			

City Planning Commission
Sacramento, California

Members in Session:

Subject: Decision and Findings of Fact on P84-045

Location: 300 25th Street

Summary: On August 30, 1984 the Planning Commission considered a request to convert 26 apartment complexes into condominiums. The hearing was continued to September 27, 1984 to allow further review of the projects based upon criteria recommended by staff to determine which complexes were most suitable for conversion. The applicant was unable to provide the necessary information on the pest control reports and sound study in adequate time for the September 27th hearing and requested this item be continued to October 11, 1984.

Background Information: On August 30, 1984 the Planning Commission reviewed requests for converting 26 apartment complexes into condominiums. All 26 complexes are located in the Central City and have been submitted by the same applicant and owner.

The staff report recommended conceptual approval of 46 of the 205 units represented in the 26 conversion applications. The selection of those complexes to be approved was based upon compliance with a set of criteria developed by staff to determine which projects would benefit the community and were most suitable for conversion. Staff's recommendation to approve only 46 of the 205 units proposed was based upon the vacancy rate threshold established by the conversion ordinance and concern over the effect of converting all of these units on the rental housing stock in the Central City. In recommending approval of the 46 units staff found that, based upon the current vacancy rate, it was possible to allow 14 units to convert before the rental vacancy rate dropped below the minimum level allowed of 5-%. The remaining 32 units have been recommended for approval since staff found the applicant's rehabilitation of the 32 unit Biltmore Hotel to be a satisfactory measure in mitigating concern over the loss of rental housing in this area.

Based upon the current vacancy rate and the mitigation measures offered by the applicant, the Planning Commission recommended approval of the staff report. The Commission directed staff to review the 26 projects based upon the criteria outlined in the staff report and to return back to the Commission with the results of this review.

Staff is submitting nine projects totalling 75 units for the Commission's consideration. Although the Commission's action was to recommend approval on 46 units, the additional units are being submitted in the event that one of the top ranking projects is eliminated from consideration due to public testimony or for other reasons. (See attached list of nine projects in order of preference by score.)

Those projects not being recommended for approval at this time are to be denied without prejudice and the one year restriction on submitting a new application is to be waived.

Based upon compliance with the review criteria (see attached Exhibit A) this complex was found deficient of many of the features determined to be essential for encouraging owner occupied housing. Staff is, therefore, recommending denial of this request.

Recommendation: Staff recommends the following actions:

- A. Denial of the Tentative Map;
- B. Denial of the Special Permit based upon findings of fact which follow;
- C. Denial of the Variance to waive the special sales and lease provisions, based upon findings of fact to follow;
- D. Denial of the Variance to waive the required pest control report and sound study, based upon findings of fact to follow;
- E. Denial of the Variance to waive four of four required parking spaces, based upon findings of fact to follow;

Findings of Fact - Special Permit

1. The proposed conversion application is not consistent with the Housing Element of the General Plan or the Zoning Ordinance in that the approval of this project will reduce the vacancy rate below the minimum allowed for conversion.

The applicant has not proposed any measures that will successfully mitigate the adverse effect on the rental housing stock and it is expected that tenant displacement and relocation problems will result with this conversion.

2. Adequate comparable replacement housing will not be available since this project, along with all the others proposed for conversion this year, represents a considerable number of the newer rentals in the Central City with comparable rents and housing type.
3. The project does not meet the required development standards for condominium conversion in that adequate parking is unavailable as it relates to the number of spaces provided and/or maneuvering space and the applicant is proposing this requirement be waived.
4. This project represents a unique and needed rental housing resource in the Central City considering the number of similar rental housing opportunities which have been approved for

conversion or are being proposed this year. It is, therefore, expected that tenant displacement problems will result with this proposed conversion.

Findings of Fact - Variance

1. As proposed, the variance would be injurious to the public welfare or other property owners in the area in that adequate parking will not be available on-site and this could create parking and traffic problems for future homeowners and other residents in the neighborhood since this project is located in a neighborhood with existing traffic and parking problems.
2. As proposed, the variance is contrary to the Zoning Code for condominium conversions which requires one parking space per dwelling unit.
3. The proposed variance to waive the required sound study and pest control report constitutes a special privilege extended to one property owner in that other property owners have complied with this requirement and there are no special circumstances to warrant approving this request.

Respectfully submitted,

Art Gee

Art Gee,
Principal Planner

SC:sg

CONDOMINIUM CONVERSION
PROJECT REVIEW CRITERIA - CENTRAL CITY
PHYSICAL FEATURES

9 Points

(Total of 20 points possible, 5 points maximum for each category)

- (5) 1. The conversion will contribute to neighborhood stability.
- a. Ownership is consistent with other residential uses in the neighborhood;
 - b. The surrounding area is predominantly residential;
 - c. The conversion is consistent with applicable community plan goals;
- (2.8) 2. The units contain amenities which encourages ownership:
- a. Useable balcony or patio;
 - b. Fireplace;
 - c. Laundry facilities;
 - d. Storage space or room;
 - e. Energy conservation items;
 - f. Custom architectural design (interior)
 - g. Central heat and air;
 - h. Dishwasher;
 - i. At least 75% of the complex contain units with 650 sq.ft. of living area or greater;
- (1.3) 3. The project site contains amenities which encourages ownership:
- a. Not located on a major street;
 - b. Covered or enclosed parking;
 - c. Common useable open space or recreational facilities;
 - d. Security features;
 - e. 1 to 1 parking;
 - f. On street parking available;
 - g. At least 30% of open common area is landscaped with living vegetation;

- h. Automatic irrigation;
 - i. Standard access and maneuvering space for parking;
 - j. Private entries;
 - k. Custom architectural design (exterior):
4. The condition of the units and site will result in minimal disturbance to the tenants during necessary repairs and upgrading and will additionally assist in providing more affordable units:
- a. Minimal modifications are necessary to meet noise transmission standards;
 - b. No major pest damage;
 - c. No evidence of neglect of routine maintenance on the project exterior;
 - d. No evidence of neglect or routine maintenance in the units;

	<u>Projects</u>		<u>Total Points</u>	<u>No. Units</u>
1.	P84-040 2617 'D' Street	17.7	17.7	14 units
2.	P84-041 2216 'T' Street	11.7	14.8	7 units
3.	P84-054 2326 'V' Street	11.1	16.6	7 units
4.	P84-046 615-23rd Street	11	14.7	4 units
5.	P84-052 2117-22nd Street	10.8	15.8	10 units
6.	P84-063 414-23rd Street	10.8	14.0	<u>4 units</u> 46 units
<u>Alternate Projects</u>				
7.	P84-050 2116 'D' Street	8.8	14.8	9 units
8.	P84-051 2712 'E' Street	8.6	14.6	16 units
9.	P84-047 515-18th Street	8.8	11.4	(delete)

STAFF REPORT AMENDED 7-10-84
CITY PLANNING COMMISSION

927 - 10th Street, Suite 300 - SACRAMENTO, CALIFORNIA 95814

APPLICANT	JTS Engineering Inc., 811 J Street, Sacramento, CA 95814		
OWNER	Crystal Apartments, 2050 Pioneer Court, #204, San Mateo, CA 94403		
PLANS BY	Applicant		
FILING DATE	1/31/1984	50 DAY CPC ACTION DATE	5/31/1984
		REPORT BY:	GM
NEGATIVE DEC	15301(k)	EIR	ASSESSOR'S PCL NO. 003-092-09

- APPLICATION:**
1. Tentative Map to divide a 0.074± acre site, developed with four apartment units, into one common lot for fourairspace condominium units in the Single Family (R-1B) zone;
 2. Special Permit to convert four apartment units into condominiums;
 3. Variance to waive the special sales and lease provisions (Section 28-C-5(a));
 4. Variance to waive the required pest control report and sound study (Section 28-C-1(c));
 5. Variance to waive four of four required parking spaces (Section 28-C-3(a));

LOCATION: 300 25th Street

SUMMARY: The subject apartment consists of a four unit apartment complex located in the Central City. The applicant is proposing to convert these units into individual ownership. The vacancy rate in the Central City is presently 5.2 percent, which is above the required minimum for allowing the conversion of rental housing into condominiums, however, these complexes represent 2.8% of rental housing stock in the Central City and if all the units were converted the vacancy would be reduced below that allowed.

PROJECT INFORMATION:

1974 General Plan Designation: Residential
1980 Central City Community
Plan Designation: Low Density Residential
Existing Zoning of Site: R-1B
Existing Land Use of Site: Apartment Complex (four units)

Surrounding Land Use and Zoning:

North: Apartments; R-1B
South: Apartments; R-1B
East: Apartments; R-1B
West: Apartments; R-1B

Parking Required: Four spaces
Parking Provided: 0 spaces
Property Dimensions: 40' x 80'
Property Area: 0.074 acres
Density of Development: 54 units per acre
Square Footage of Units: 845 sq. ft.
Height of Structure: Two story; 19 ft.
Significant Features of Site: Existing apartment
Topography: Flat
Street Improvements/Utilities: Existing
Exterior Building Colors: Biege
Exterior Building Materials: Wood shingle and stucco

PHYSICAL CHARACTERISTICS

	2400 G ST.	2706 V ST.	2817 D ST.	2218 T ST.	2608 Q ST.	1630 P ST.	2116 13th ST.	200 23rd ST.	215 23rd ST.	215 18th ST.	418 19th ST.	2116 V ST.	2712 E ST.	2117 22nd ST.	2418 V ST.	2326 V ST.	2508 Q ST.	2710 E ST.	2031 27th ST.	2212 19th ST.	2408 F ST.	2423 L ST.	1831 H ST.	200 20th ST.	214 23rd ST.	
1. No. of units	27	15	14	7	7	4	4	4	4	4	16	15	10	5	7	7	7	4	4	4	4	4	4	4	4	4
2. Parking provided	21	12	10	4	5	0	3	0	3	3	15	5	11	7	5	4	5	6	3	0	0	0	0	0	0	2
3. Type of construction (hour rating)	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4. Date of construction	56	75	70	69	70	70	72	72	73	71	73	65	73	71	67	72	71	71	66	72	68	67	72	73	71	71
5. Type of structure(s) 1, 2, 3 story	3	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
6. Number of buildings	1	2	2	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
7. Number of laundry facilities	5/4	4/2	2/2	2/2	2/2	1/1	1/1	1/1	1/1	1/1	1/1	1/1	1/1	1/1	1/1	1/1	1/1	1/1	1/1	1/1	1/1	1/1	1/1	1/1	1/1	1/1
8. Hotwater supply:																										
Common		X	X	X	X					X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Individual	X	X			X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
9. Estimated monthly association fee	64	55	61	80	80	64	62	62	64	64	100	79	66	78	60	80	80	82	64	64	64	64	64	64	64	64
10. Condition of Common Area:																										
Good																										
Fair	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Poor			X																							
11. Amenities:																										
Pool	X	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fireplace (#)	0	0	14	7	7	0	4	4	4	4	4	0	0	6	0	3	7	0	7	0	4	4	4	4	4	4
Private Patio (#)	9	0	15	7	7	4	4	4	4	4	0	0	8	0	0	0	0	7	0	4	4	4	4	4	4	4
SOCIAL CHARACTERISTICS																										
1. Number of tenants	27	15	14	7	7	4	4	4	4	4	16	15	10	5	7	7	7	4	4	4	4	4	4	4	4	
2. No. of qualified low/mod. tenants	9	2	2	0	0	0	1	0	1	0	0	0	3	3	1	0	3	0	0	1	0	1	0	1	0	0
3. No. of elderly	5	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	1	0	0	0	0	0	0	0	0	1
4. No. of single parents or f/w childrn	1	0	4	0	0	1	0	1	0	1	0	6	2	0	0	2	1	2	1	0	1	1	0	0	2	1
5. No. of Section B assisted units	2	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
6. No. of eligible tenants as of 5/7/84	22	17	8	5	7	4	2	2	4	4	3	7	9	13	5	6	4	5	5	4	4	3	4	2	1	0
7. No. of tenants who wish to purchase	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8. No. of handicap tenants	3	0	0	0	0	0	0	1	0	0	0	2	2	0	0	1	0	0	0	0	0	0	0	0	0	1
9. Rent Range of Units	235	75	53	53	53	45	51	51	51	51	51	51	51	51	51	51	51	51	51	51	51	51	51	51	51	51
10. Sales Price of Units in (\$,000)	75	53	53	70	53	60	53	53	53	53	53	53	53	53	53	53	53	53	53	53	53	53	53	53	53	53

	2400 G ST.	2706 V ST.	2817 D ST.	2218 T ST.	2608 Q ST.	1630 P ST.	2116 13th ST.	200 23rd ST.	215 23rd ST.	215 18th ST.	418 19th ST.	2116 V ST.	2712 E ST.	2117 22nd ST.	2418 V ST.	2326 V ST.	2508 Q ST.	2710 E ST.	2031 27th ST.	2212 19th ST.	2408 F ST.	2423 L ST.	1831 H ST.	200 20th ST.	214 23rd ST.	
Studio	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sq. Footage of Units	550																									
Price/Sq. Ft.	91																									
One Bedroom	18	18	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3
Sq. Footage of Units	840	495				650	650	650	650	650	650	650	650	650	650	650	650	650	650	650	650	650	650	650	650	650
Price/Sq. Foot	77	90				58	58	58	58	58	58	58	58	58	58	58	58	58	58	58	58	58	58	58	58	58
Two Bedroom	3	2	12	6	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	1
Sq. Footage of Units	935	880	802	808	808	845	845	845	845	845	845	845	845	845	845	845	845	845	845	845	845	845	845	845	845	845
Price/Sq. Foot	75	64	55	57	51	63	50	50	50	50	50	50	50	50	50	50	50	50	50	50	50	50	50	50	50	50
Three Bedroom	0	0	2	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sq. Footage of Unit																										
Price/Sq. foot																										

* Fireplace
No Fireplace

SUBDIVISION REVIEW COMMITTEE RECOMMENDATION: On April 18, 1984, by a vote of five ayes, three absent, and one abstention, the Subdivision Review Committee recommended approval of this map, subject to the conditions attached in Exhibit A.

APPLICANTS' ALTERNATIVE RELOCATION AND SALES AND LEASE PLAN

RELOCATION PLAN

- Required** 1. A public hearing, as required by City Ordinance, shall be held at a convenient location so the owners and tenants may fully discuss all aspects of this project.
Sec.28-2(B)
- Not Required** 2. Each tenant should be given the opportunity to personally consult with the owner or their agent as to all aspects of the project and how they apply specifically to that particular tenant.
- Not Required** 3. Upon approval of the condominium conversion permit and commencement of sale of the units, the owners or their representatives shall be available to the tenants on a continuing basis until all have been properly relocated, have purchased their units, or executed long-term leases. The owners shall remain involved with the project through to its satisfactory conclusion for all concerned.
- Not Required** 4. If the conversion permit is approved, the owners agree to report any written grievances they receive from any tenant to the City Planning Commission during the initial conversion process. The owners will also report any actions taken regarding these grievances, any necessary action taken to prevent recurrence of similar problems.
- Required** 5. Each eligible tenant has the right to receive relocation assistance and relocation allowances from the applicant. Any tenant that holds a lifeterm lease in effect, is justly evicted, or terminates tenancy on his or her own accord is ineligible for all relocation assistance and allowances.
Sec.28-C-5(b)

Relocation assistance and allowances will include the following:

- A. Rental housing availability reports of comparable units within the area.
- B. Transportation, if necessary, will be provided at the expense of the owner to any of the comparable units listed in the report.
- C. A relocation allowance of \$600 or the payment of all moving expenses, unless the tenant moves more than 50 miles away from the subject property. A move of more than 50 miles makes the tenant ineligible for relocation allowances.

The ordinance requires that the applicant pay a relocation fee of \$600 or \$500 if the unit is furnished, or the actual moving costs for all eligible tenants who wish to relocate. The tenants who are moving outside of the SMSA (Sacramento Metropolitan Statistical Area) are to be provided the relocation fee of \$500 or \$600 only.

D. Low income, elderly, handicapped and single parents with a minor child at home will be provided with the following:

1. payment of the last month's rent in the new unit;
2. transfer of all deposits, minus damages to the new unit, at the option of the tenant;
3. payment of any rental difference of up to \$100 per month for a period of one year.

**Not
Required:**

6. Unless it places an unreasonable economic burden on the owner, they shall make units within the project available and affordable to eligible low and moderate income tenants in the same ratio as they now exist (as of January 31, 1984) in the complex.

**Required
Sec.28-C-5(f)**

7. No tenant will be unjustly evicted and no tenant's rent will be increased (1) more frequently than once every six months or (2) in an amount greater than the increase in fair market rents as established by HUD for assisted units on an annualized basis. This does not apply, however, if a tenant's existing lease already calls for a rent increase or if his or her relocation has not been completed by January 31, 1986.

**Required
Sec.28-C-5(d)**

8. Leases for special eligible tenants will be unconditionally offered to each eligible tenant who is elderly, or handicapped, and to each qualified low and moderate income tenant who does not purchase a unit under the sales program, a written lease for a term of three (3) years on the unit in which the tenant resides at the time the special permit is approved or a comparable unit within the project. Each such lease shall provide that the tenant shall have four (4) successive options to renew the lease upon the terms and conditions of each original lease. The rental paid for the first year of the original lease shall be the rental paid by the tenant on the date that the notice of intent to convert was filed. Thereafter, the rental may be increased annually on the anniversary date of the lease, commencing with the first anniversary date; provided, however, that the annual percentage increase in rent shall not exceed 7%.

**Not
Required**

9. All tenants who are tenants at the time the special permit is approved are eligible for a lifetime lease. The holder of this lifetime lease is not entitled to receive any relocation assistance or benefits or execute the three (3) year lease for special eligible tenants, detailed in #4 above. This lifeterm lease includes a lease-option plan, and rent control provisions.

The maximum rent outlined in the rental agreement submitted by the applicant will be no more frequent than every six months nor in an amount to exceed the consumer price index for the same period.

APPLICANTS' PURCHASE INCENTIVES FOR LOW AND MODERATE INCOME TENANTS

In addition to a higher level of maintenance and repair, residents of the condominiums will receive the equity build-up, appreciation, and substantial tax advantage inherent in home ownership. For many of the tenants in this project, the conversion may be a meaningful opportunity to purchase a home.

**Not
Required**

1. All current tenants, at the time the units are offered for sale, will be given special purchase incentives that will help make the purchase of a home affordable. The following discounts will be offered to all tenants:
 - A. A minimum 4% discount from the initial selling price of the unit to the general public;
 - B. A minimum 7% discount from the initial selling price of the unit to general public purchasers will be given to all tenants 62 years of age or older, handicapped or disabled;
 - C. A \$1,000 to \$1,500 additional discount off of the purchase price to all buyers who purchase a unit in an "as is" condition, excluding any City required renovations.

**Not
Required**

2. The following lease-option purchase plan will be available to all tenants who hold a lifetime lease:
 - A. The tenant is granted the option of selling back the lifetime lease to the owners for 25% of all rent paid from the date of execution of the lease. The value will not be less than 25% of ten (10) months rent, or more than 25% of eighteen (18) months rent. This sum will be credited exclusively towards the cash downpayment when the tenant has completed contract to purchase a unit. The owner is obligated to buy the lifetime lease at the time the tenant has completed contract to purchase a unit. The contract purchase shall be at the market rate minus discounts. If tenant has not executed a contract to purchase within 30 days from notification of the commencement date of unit sales, then the owner is no longer obligated to purchase the lifetime lease.

**Not
Required**

3. The owner shall offer for sale to all qualified low and moderate income tenants the unit in which they live at the time the special permit for the conversion project is approved, or a comparable

unit within the project, at terms that are affordable to the tenant. The applicant will use FHA single family purchase programs or any other programs available.

The terms shall be at which the tenant can qualify for financing, through an established financial institution, for the unit for a minimum of thirty (30) years and for which the total monthly housing costs would not exceed 35% of the tenant's monthly income.

Whenever a unit is sold to a qualified tenant, the unit shall be encumbered by a second deed of trust securing an obligation in an amount equal to the difference between the amount of the note secured by the first deed of trust plus the downpayment and the sale price. The beneficiary under the second deed of trust shall be the owner.

The second deed of trust shall provide for the following:

- A. Simple interest on the amount secured shall accrue at a rate not exceeding 5% per annum;
- B. Neither principal nor interest shall be payable until the obligation secured by the second deed of trust has matured. The obligation shall mature when the unit is conveyed, transferred, leased, rented or otherwise alienated by the tenant.

If, at the time the offer for sale at affordable terms is made the assets of the qualified tenant are not sufficient to cover the downpayment and closing costs on the unit required by the financing on the unit, the owner shall pay all or a portion of the amount secured by the second deed of trust on the unit.

The qualified tenant shall have 90 days from the date the offer is made to accept the offer of sale.

STAFF EVALUATION: Staff has the following comments regarding this request:

1. Currently the multiple family rental housing vacancy rate in the Central City is 5.2%. This vacancy rate was determined from a survey of 7,227 units located in the Central City. This project is one of 26 proposed condominium conversion applications within the Central City this year. These 26 applications represent 205 units or 2.8% of the rental housing stock within the Central City. If all of these projects were to be approved for conversion to condominiums, the rental vacancy rate would be reduced to 2.4% which is below the minimum vacancy rate allowed for conversion of 5% or greater. It is, therefore, only possible to approve, at the very most, 14 of these units or 0.19% of the housing stock before the vacancy rate will be reduced below the allowable level for conversion.
2. In addition to these 26 proposed projects, the City Council approved two condominium conversion projects within the Central City in 1983. The two projects approved for conversion in 1983 represented 47 units or 0.6% of the rental housing stock. These units have not yet converted, however, when they do convert it is expected that the vacancy rate will further decline.

3. The 26 applications being considered for conversion this year have been submitted by the same applicant and group of owners. These same individuals represented the two projects approved in the Central City last year. Most of these projects were constructed within the last 10-15 years and provide similar housing opportunities and rents with very few exceptions. Since these projects alone consist of 3% of the total rental housing stock in the Central City and they represent a large portion of the newer rental housing, it is expected that adequate comparable rental housing will not be available if all these projects are approved.
4. In submitting these 26 applications the applicant requested that the City waive the required pest control reports and sound studies which are used in evaluating condominium conversion projects. These reports are valuable in determining the suitability of a project for conversion purposes by providing information on the physical condition of the structure and the measures that will be necessary to meet required code if possible. Due to the large number of applications received this year, the information provided by these studies would have proved valuable in deciding which project, or projects, should be approved since it is not possible to approve all of the requests in light of the concern over the vacancy rate.
5. The applicant has also requested a variance to waive the special sales and lease provisions outlined in the ordinance in lieu of an alternative program. The applicant is, however, proposing to offer the relocation assistance required by the ordinance. In addition, the applicant is offering a lifetime lease to all eligible tenants. Staff has reviewed the lease to be used and has no objections to this proposal especially since the long term lease outlined in the ordinance is also available at the option of the tenant. The most significant feature of the applicant's alternative sales and lease program is the use of a lease option plan which will allow a portion of the tenants' monthly rent to be applied to the downpayment on the unit if the tenant elects to purchase. The applicant's special sales program for qualified low and moderate income tenants is similar to that required by the ordinance in that the applicant will offer the unit to the tenant at an affordable price and carry a second deed of trust for the difference between the sales price and the market price. The main difference between the applicant's plan and the ordinance is that the applicant will be offering the unit to the qualified tenant at a price for which the tenant is able to secure a loan instead of the apartment market price as set forth in the ordinance. This provision will aid in providing ownership opportunities for tenants with lower incomes since the purchase price of the unit is determined by the tenants' income and ability to pay for the unit. Staff, therefore, supports the applicant's request to use an alternative program for the special sales and lease provisions.
6. In reviewing the rental history of these projects, staff noted concern over the number and percentage of rent increases in recent months. Some units have had rental increases of up to 20% in the last year. These excessive rent increases may have forced a number of the tenants out of the complex prior to application and subsequently reduced the number of eligible tenants who could possibly benefit from the tenant

provisions offered by the applicant. Of the 205 households residing in the 26 projects proposed for conversion, only 135 tenants are considered eligible since the remainder have moved into the complex subsequent to the applicant's notice of intent to convert.

7. At the present time, none of the 26 projects being considered for conversion to condominium comply with the required development standards. None of the complexes provide the parking required by the ordinance. The required two hour fire separation is not provided and it will be necessary to construct a two hour fire wall or provide approved fire sprinklers in the units. Since a sound study was not performed on these projects, it is impossible to determine what modifications will be necessary to meet the minimum sound impact and transmission levels required by the ordinance. In addition to these deficiencies, the City Building Inspections Division indicated a number of code violations which were present in these projects. The Building Division found numerous mechanical, electrical and building code deficiencies.
8. The subject project consists of four units (two on the ground floor and two on the second floor) developed on a 40' x 80' lot. The project was developed with no off-street parking spaces.

The ground floor units contain an enclosed patio area and the second floor units provide small balconies. No on-site recreational facilities, such as a swimming pool, spa, recreation room, or useable open space, are provided due to the limited size of the lot.

The project provides no off-street parking spaces and would create problems for future homeowners who would be forced to park on-street.

Most significantly, approval of this project would reduce the availability of basically sound rental housing stock in the Central City and lower the rental housing vacancy rate below the minimum 5% vacancy criteria of the Condominium Conversion Ordinance.

Based upon these considerations, staff must recommend denial of this particular condominium conversion request.

ENVIRONMENTAL DETERMINATION: The proposed project is exempt from environmental review, pursuant to State CEQA Guidelines (Sec. 15301(k)).

STAFF RECOMMENDATION:

1. Denial of the Tentative Map;
2. Denial of the Special Permit based upon findings of fact which follow;
3. Denial of the Variance to waive the special sales and lease provisions based upon findings of fact to follow;
4. Denial of the Variance to waive the required pest control report and sound study, based upon findings of fact to follow;

5. Denial of the Variance to waive four of four required parking spaces based upon findings of fact to follow;

Findings of Fact - Special Permit

- A. The proposed conversion application is not consistent with the Housing Element of the General Plan or the Zoning Ordinance in that approval of this project will reduce the vacancy rate below the minimum allowed for conversion.

The applicant has not proposed any measures that will successfully mitigate the adverse effect on the rental housing stock and it is expected that tenant displacement and relocation problems will result with this conversion.

- B. Adequate comparable replacement housing will not be available since this project, along with all the others proposed for conversion this year, represent a considerable number of the newer rentals in the Central City with comparable rents and housing type.
- C. The project does not meet the required development standards for condominium conversion in that adequate parking is unavailable as it relates to the number of spaces provided and/or maneuvering space and the applicant is proposing this requirement be waived.
- D. This project represents a unique and needed rental housing resource in the Central City considering the number of similar rental housing opportunities which have been approved for conversion or are being proposed this year. It is, therefore, expected that tenant displacement problems will result with this proposed conversion.

Findings of Fact - Variance

- A. As proposed, the variance would be injurious to the public welfare or other property owners in the area in that adequate parking will not be available on-site and this could create parking and traffic problems for future homeowners and other residents in the neighborhood.
- B. As proposed, the variance is contrary to the Zoning Code for condominium conversions which requires one parking space per dwelling unit.
- C. The proposed variance to waive the required sound study and pest control report constitutes a special privilege extended to one property owner in that other property owners have complied with this requirement and there are no special circumstances to warrant approving this request.

TENTATIVE MAP CONDITIONS (P84-045)

The applicant shall satisfy each of the following conditions prior to filing the final map unless a different time for compliance is established through an approved subdivision improvement agreement.

1. If street lights do not currently exist then the applicant/owner shall enter into an agreement with the City to participate in any future assessment district to provide street lights when they are installed in the neighborhood.
2. If on-site parking is provided from an unimproved alley then the applicant/owner shall improve the alley to City standards from the closest public street through the entire length of the subject property to the satisfaction of the Public Works Department.
3. Separate water and sewer services are required for each lot. The existing water and sewer services shall be located and main extensions or reconstruction may be required to meet City code. This will be provided to the satisfaction of the Public Works Department prior to final map approval.
4. Water and sewer service shall comply with Sec. 28-C-3-b (i) & (ii) of the Zoning Ordinance.
5. Sound transmission and sound impact levels shall meet the minimum standards set forth in Sec. 28-C-3 (c) of the Zoning Ordinance. A sound study shall be submitted to County Health for review and approval prior to filing a final map.
6. Each unit shall meet the minimum fire safety standards set forth in Sec. 28-C-3 (d) of the Zoning Ordinance.
7. All existing assessments shall be paid.
8. The following safety and crime prevention measures shall be provided where applicable:
 - a. 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.
 - b. 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:
 - 1) the bolt shall have a throw of at least one inch and be constructed so as to repel cutting tool attack;
 - 2) the cylinder of the deadbolt shall be equipped with a guard designed to repel attack by prying or wrenching;
 - 3) the deadbolt shall be of the pin tumbler type with a minimum of five pins.
 - c. All door hinges shall be secured with a minimum of two (2) number eight screws which must penetrate at least two (2) inches into solid backing beyond the frame to which the hinge is attached.

(P84-045)

- d. The strike plates designed to receive the deadbolt locks shall be constructed of a minimum 16 U.A. Gauge steel, bronze or brass, and shall be secured to a wood jam with not less than 2 No. 8 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 jams shall be secured with a minimum of 4 number 8 machine screws.
 - e. Sliding door and window assemblies shall be so designed that the door/window cannot be lifted from the track when the door or window is in the closed position on the first floor only.
 - f. All primary egress doors shall be so equipped as to provide the occupant with a clear view of that area immediately outside the door when the door is closed. This view may be provided by a one-way door viewer designed to provide at a minimum 180° yield of view.
 - g. 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.
9. Ground fault circuit interrupters shall be provided in all bathroom receptacles.
 10. All units shall comply with Article XXII of Chapter 9 of the City Code for energy conservation requirements.
 11. Trash enclosures for dumpsters shall not be located nearer than 10 feet to combustible material nor beneath a window when adjacent to non-combustible structures. The trash enclosure or dumpster shall not be located in the required off-street parking spaces.
 12. The portion of all lower dwelling unit water heater flues, which extend through the upper dwelling unit water heater compartment, shall be enclosed to avoid personal contact with or damage to the flue.
 13. Each dwelling unit shall be provided with an approved smoke detector.
 14. The broken socket on the bathroom light fixture in Apartment No. 1 shall be repaired or replaced.
 15. A proper roofing system shall be installed over the rolled roofing material.
 16. All rainwater gutters shall be provided with downspouts.
 17. The non-code complying patio roof structure at the rear of Apartment No. 1 shall be removed.
 18. 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 conditions for this project. Assurances of compliance with such conditions or City approved alternatives, meeting the intent of the City Zoning Ordinance, shall be provided prior to final map approval.

(P84-045)

19. All tub and shower wall penetrations shall be properly sealed.
 20. Properly support all roof mounted fuel gas piping and condensate drains.
 21. Provide smoke detectors for all dwelling units.
-

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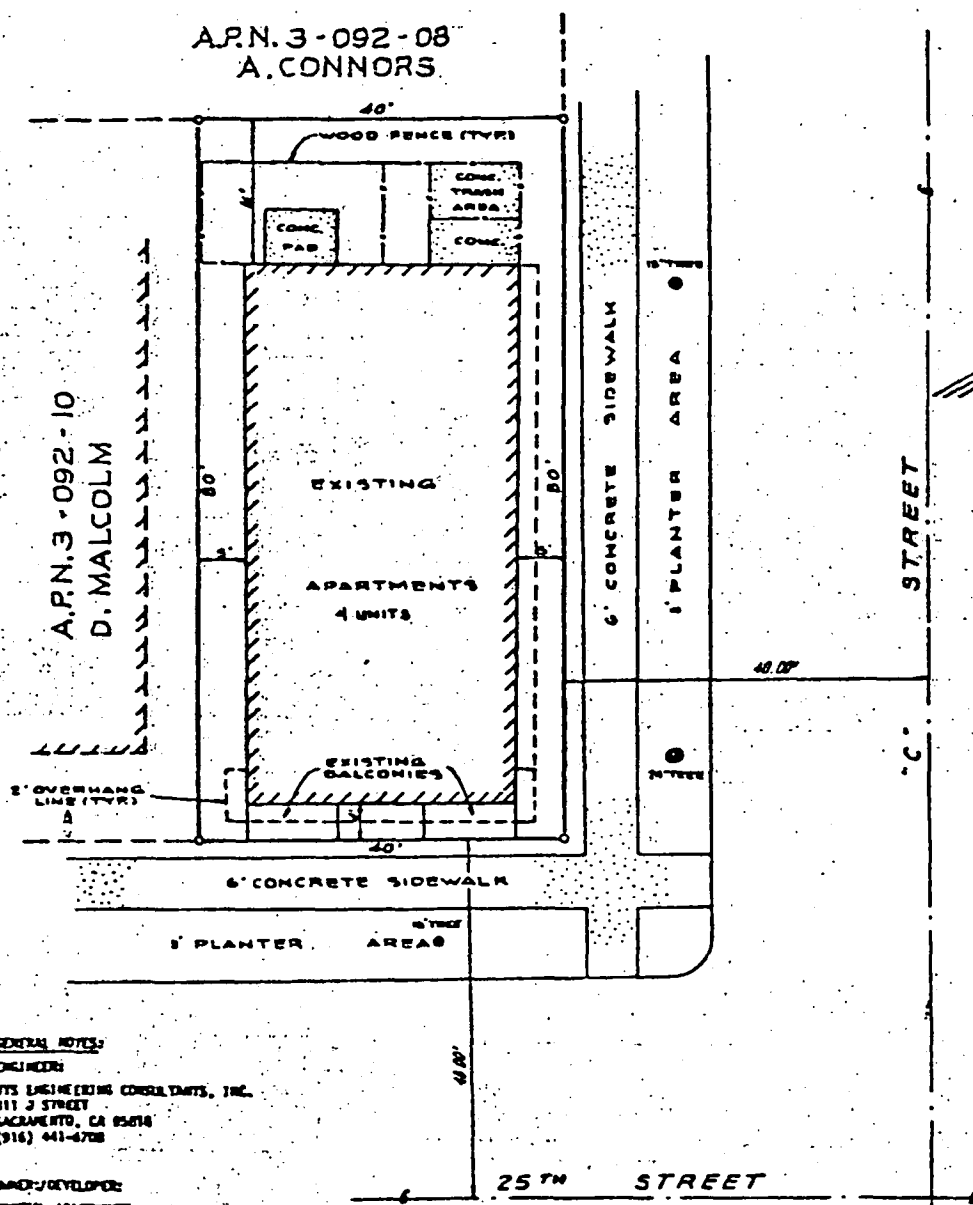
A CONDOMINIUM SUBDIVISION OF A PORTION OF LOT 4 OF THE BLOCK BOUNDED BY 25TH, D, 24TH AND C STREETS

CITY OF SACRAMENTO

CALIFORNIA

JANUARY 1984

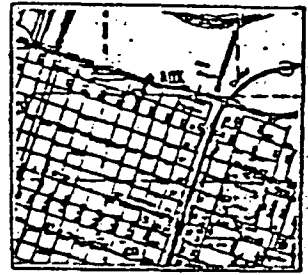
JTS ENGINEERING
CONSULTANTS, INC



A.P.N. 3-092-08
A. CONNORS

A.P.N. 3-092-10
D. MALCOLM

SCALE 1/4" = 10'



GENERAL NOTES:
ENGINEER:
JTS ENGINEERING CONSULTANTS, INC.
811 J STREET
SACRAMENTO, CA 95816
(916) 441-4708

OWNER/DEVELOPER:
CRYSTAL APARTMENTS
7050 PIONEER COURT
SACRAMENTO, CA 95840

GROSS AREA:
0.074 AC (3200 SQUARE FEET)

PRESIDENT USE:
APARTMENTS

PROPOSED USE:
CONDOMINIUMS

EXISTING ZONING:
R2

PROPOSED ZONING:
R2

SOURCE DISTRICT:
SACRAMENTO CITY UNIFIED

UTILITIES:

GAS:	P.C.A.C.	320-4141
ELECTRICITY:	S.R.B.A.	452-3271
TELEPHONE:	PACIFIC BELL	482-3228
WATER:	CITY OF SACRAMENTO	649-5273
SEWER:	CITY OF SACRAMENTO	649-5273

14

SACRAMENTO CITY PLANNING DEPARTMENT

Application Information

Application taken by/date: SD 1/31/84

Project Location 300-25th Street

P 84-045

Assessor Parcel No. 003-092-09

Owners Crystal Apartments

Phone No. _____

Address 2050 Pioneer Court, #204, San Mateo, CA 94403

Applicant JTS Engineering, Inc.

Phone No. _____

Address 811 'J' Street, Sacramento, CA 95814

Signature _____

C.P.C. Mtg. Date 10/11/84

REQUESTED ENTITLEMENTS

- Environ. Determination Exempt 15301(k)
- General Plan Amend _____
- Community Plan Amend _____
() _____
- Rezone _____
- Tentative Map to divide 0.074± ac. developed with four apartment units into one common lot for four airspace condominium units in R-1B zone
- Special Permit to convert four apartment units into condominiums
- Variances to waive special sales and lease provisions; Variance to waive required pest control and sound study
- ~~Plan Review~~ Variance to waive four of four required parking spaces
- PUD _____
- Other _____

ACTION ON ENTITLEMENTS

Commission date	Council date	Filing Fees
10-11-84		\$ _____
	Res. _____	\$ _____
	Res. _____	\$ _____
	Ord. _____	\$ _____
RD	Res. _____	\$ _____
RDF		\$ _____
RDF		\$ _____
RDF		\$ _____
		\$ _____
		\$ _____

Sent to Applicant: _____ Date _____

By: _____ Sec. to Planning Commission

FEE TOTAL \$ _____
RECEIPT NO. 2040
By/date SC 2/1/84

Key to Entitlement Actions

- | | | |
|------------------------------------|---|--|
| R - Ratified | D - Denied | IAF - Intent to Approve based on Findings of Fact |
| Cd - Continued | RD - Recommend Denial | AFF - Approved based on Findings of Fact |
| A - Approved | RA - Recommend Approval | RPC - Return to Planning Commission |
| AC - Approved W/conditions | RAC - Recommend Approval W/conditions | CSR - Condition Indicated on attached Staff Report |
| AA - Approved W/amended conditions | RMC - Recommend Approval W/amended conditions | |

NOTE: There is a thirty (30) consecutive day appeal period from date of approval. Action authorized by this document shall not be conducted in such a manner as to constitute a public nuisance. Violation of any of the foregoing conditions will constitute grounds for revocation of this permit. Building permits are required in the event any building construction is planned. The County Assessor is notified of actions taken on rezonings, special permits and variances.

Gold - applicant receipt White - applicant permit Green - expiration book Yellow - department file Pink - permit book

P 84-045

SACRAMENTO CITY PLANNING COMMISSION

MEETING DATE 10-11-84
 ITEM NO. 14A FILE # 84-045
 M _____

- GENERAL PLAN AMENDMENT TENTATIVE MAP
- COMMUNITY PLAN AMENDMENT SUBDIVISION MODIFICATION
- REZONING LOT LINE ADJUSTMENT
- SPECIAL PERMIT ENVIRONMENTAL DET.
- VARIANCE OTHER _____

Location: 300 25TH STREET

Recommendation:

- Favorable
- Unfavorable
- Petition
- Correspondence

<u>PROPONENTS</u>	
<u>NAME</u>	<u>ADDRESS</u>
<i>Javed Riddiqui</i>	<i>- 811 Q Street, Sacramento, CA 95814</i>
<i>Darryl Martin</i>	<i>= 2300 G Street #7, Sacramento, CA 95811.</i>

<u>OPPONENTS</u>	
<u>NAME</u>	<u>ADDRESS</u>

MOTION NO. _____

	YES	NO	MOTION	SECOND
Augusta	✓			✓
Ferris	✓			
Fong	✓		✓	
Goodin	✓			
Hunter	<i>Abstain</i>			
Ishmael	✓			
Ramirez	<i>Abstain</i>			
Simpson	<i>Abstain</i>			
Holloway	✓			

- MOTION**
- TO APPROVE
 - TO DENY
 - TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT
 - TO APPROVE/DENY BASED ON FINDINGS OF FACT IN STAFF REPORT
 - INTENT TO APPROVE/DENY SUBJECT TO COND. & BASED ON FIND. OF FACT DUE _____
 - TO RECOMMEND APPROVAL & FORWARD TO CITY COUNCIL *Consul*
 - TO RECOMMEND APPROVAL SUBJECT TO COND. & FORWARD TO CITY COUNCIL
 - TO RATIFY NEGATIVE DECLARATION
 - TO CONTINUE TO _____ MEETING
 - OTHER _____

SACRAMENTO CITY PLANNING COMMISSION

MEETING DATE 10-11-84
 ITEM NO. 14A FILE P 84-045
 M _____

- GENERAL PLAN AMENDMENT TENTATIVE MAP
- COMMUNITY PLAN AMENDMENT SUBDIVISION MODIFICATION
- REZONING LOT LINE ADJUSTMENT
- SPECIAL PERMIT ENVIRONMENTAL DET.
- VARIANCE OTHER _____

Location: 300 25TH STREET

Recommendation:

- Favorable
- Unfavorable *WJFF*
- Petition
- Correspondence

<u>PROPOSERS</u>	
<u>NAME</u>	<u>ADDRESS</u>

<u>OPPOSERS</u>	
<u>NAME</u>	<u>ADDRESS</u>

MOTION NO. _____

	YES	NO	MOTION	SECOND
Augusta	✓			✓
Ferris	✓			
Fong	✓		✓	
Goodin	✓			
Hunter	<i>absent</i>			
Ishmael	✓			
Ramirez	<i>absent</i>			
Simpson	<i>absent</i>			
Holloway	✓			

- MOTION**
- TO APPROVE
 - TO DENY
 - TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT
 - TO APPROVE/DENY BASED ON FINDINGS OF FACT IN STAFF REPORT
 - INTENT TO APPROVE/DENY SUBJECT TO COND. & BASED ON FIND. OF FACT DUE _____
 - TO RECOMMEND APPROVAL & FORWARD TO CITY COUNCIL
 - TO RECOMMEND APPROVAL SUBJECT TO COND. & FORWARD TO CITY COUNCIL
 - TO RATIFY NEGATIVE DECLARATION
 - TO CONTINUE TO _____ MEETING
 - OTHER _____

SACRAMENTO CITY PLANNING COMMISSION

MEETING DATE 10-11-84
 ITEM NO. 14c FILE P 84-045
 M _____

- GENERAL PLAN AMENDMENT TENTATIVE MAP
- COMMUNITY PLAN AMENDMENT SUBDIVISION MODIFICATION
- REZONING LOT LINE ADJUSTMENT
- SPECIAL PERMIT ENVIRONMENTAL DET.
- VARIANCE OTHER _____

Location: 300 25TH STREET

Recommendation:

- Favorable
- Unfavorable *WTF*
- Petition
- Correspondence

<u>PROPOSERS</u>	
<u>NAME</u>	<u>ADDRESS</u>

<u>OPPOSERS</u>	
<u>NAME</u>	<u>ADDRESS</u>

MOTION NO. _____

	YES	NO	MOTION	SECOND
Augusta	✓			✓
Ferris	✓			
Fong	✓		✓	
Goodin	✓			
Hunter	✓			
Ishmael	✓			
Ramirez	✓			
Simpson	✓			
Holloway	✓			

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 - TO RECOMMEND APPROVAL & FORWARD TO CITY COUNCIL
 - TO RECOMMEND APPROVAL SUBJECT TO COND. & FORWARD TO CITY COUNCIL
 - TO RATIFY NEGATIVE DECLARATION
 - TO CONTINUE TO _____ MEETING
 - OTHER _____

SACRAMENTO CITY PLANNING COMMISSION

MEETING DATE 10-11-84
 ITEM NO. 140 FILE P. P84-045
 M _____

- GENERAL PLAN AMENDMENT TENTATIVE MAP
 COMMUNITY PLAN AMENDMENT SUBDIVISION MODIFICATION
 REZONING LOT LINE ADJUSTMENT
 SPECIAL PERMIT ENVIRONMENTAL DET.
 VARIANCE OTHER _____

Location: 300 25TH STREET

Recommendation:

- Favorable
 Unfavorable *WTF* Petition Correspondence

PROPOSERS	
NAME	ADDRESS

OPPOSERS	
NAME	ADDRESS

MOTION NO. _____

	YES	NO	MOTION	SECOND
Aucusta	✓			✓
Ferris	✓			
Fong	✓		✓	
Goodin	✓			
Hunter	<i>absent</i>			
Ishmael	✓			
Ramirez	<i>absent</i>			
Simpson	<i>absent</i>			
Holloway	✓			

- MOTION
- TO APPROVE
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 - TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT
 - TO APPROVE/DENY BASED ON FINDINGS OF FACT IN STAFF REPORT
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 - TO RECOMMEND APPROVAL & FORWARD TO CITY COUNCIL
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 - TO RATIFY NEGATIVE DECLARATION
 - TO CONTINUE TO _____ MEETING
 - OTHER _____

SACRAMENTO CITY PLANNING COMMISSION

MEETING DATE 10-11-84
 ITEM NO. 14E FILE # 84-045
 M _____

- GENERAL PLAN AMENDMENT
- COMMUNITY PLAN AMENDMENT
- REZONING
- SPECIAL PERMIT
- VARIANCE
- TENTATIVE MAP
- SUBDIVISION MODIFICATION
- LOT LINE ADJUSTMENT
- ENVIRONMENTAL DET.
- OTHER _____

Location: 300 25TH STREET

Recommendation:

- Favorable
- Unfavorable *WTF*
- Petition
- Correspondence

<u>PROPOSERS</u>	
<u>NAME</u>	<u>ADDRESS</u>

<u>OPPOSERS</u>	
<u>NAME</u>	<u>ADDRESS</u>

MOTION NO. _____

	YES	NO	MOTION	SECOND
Augusta	✓			✓
Ferris	✓			
Fong	✓		✓	
Goodin	✓			
Hunter	<i>Abstain</i>			
Ishmael	✓			
Ramirez	<i>Abstain</i>			
Simpson	<i>Abstain</i>			
Holloway	✓			

- MOTION
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 - TO DENY
 - TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT
 - TO APPROVE/DENY BASED ON FINDINGS OF FACT IN STAFF REPORT
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 - TO RECOMMEND APPROVAL & FORWARD TO CITY COUNCIL
 - TO RECOMMEND APPROVAL SUBJECT TO COND. & FORWARD TO CITY COUNCIL
 - TO RATIFY NEGATIVE DECLARATION
 - TO CONTINUE TO _____ MEETING
 - OTHER _____

December 10, 1984

JTS Engineering
811 J Street
Sacramento, CA 95814

Dear Gentlemen:

On December 3, 1984, the City Council adopted Findings of Fact denying the condominium conversion for the following matter:

Request for a Special Permit to convert an apartment to condominium, Variances to waive provisions of the Condominium Conversion Ordinance and a Variance to waive required parking for property located at 300 25th Street.
(P84-045)

Enclosed, for your records, is a certified copy of said Findings of Fact.

Sincerely,

Anne Mason
Assistant City Clerk

LM/dbp/12

Enclosure: **Findings of Fact**

cc: Planning Department

Crystal Apartments
2050 Pioneer Court, #204
San Mateo, CA 94403

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Request by JTS Engineering for a Special Permit)
to convert an apartment to condominium, Variances)
to waive provisions of the Condominium Conversion)
Ordinance and a Variance to waive required parking)
for property located at 300 25th Street (P84-045)

NOTICE OF DECISION
AND
FINDINGS OF FACT

At its Special Meeting of December 3, 1984, the City Council heard and considered evidence in the above entitled matter. Based on oral and documentary evidence at said hearing, the Council denied the request based on the following findings:

Findings of Fact - Tentative Map

The proposed Tentative Map is not consistent with the General Plan Policy to prohibit the conversion of rental housing into condominiums where the annual multiple family housing vacancy rate is 5% or less unless mitigation measures have been proposed to address concerns over the loss of rental housing in the Community Plan area.

Findings of Fact - Special Permit

1. The proposed conversion application is not consistent with the Housing Element of the General Plan or the Zoning Ordinance in that the approval of this project will reduce the vacancy rate below the minimum allowed for conversion.

The applicant has not proposed any measures that will successfully mitigate the adverse effect on the rental housing stock and it is expected that tenant displacement and relocation problems will result with this conversion.

2. Adequate comparable replacement housing will not be available since this project, along with all the others proposed for conversion this year, represents a considerable number of the newer rentals in the Central City with comparable rents and housing type.
3. The project does not meet the required development standards for condominium conversion in that adequate parking is unavailable as it relates to the number of spaces provided and/or maneuvering space and the applicant is proposing this requirement be waived.

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- 4. This project represents a unique and needed rental housing resource in the Central City considering the number of similar rental housing opportunities which have been approved for conversion or are being proposed this year. It is, therefore, expected that tenant displacement problems will result with this proposed conversion.

Findings of Fact - Variance

- 1. As proposed, the variance would be injurious to the public welfare or other property owners in the area in that adequate parking will not be available on-site and this could create parking and traffic problems for future homeowners and other residents in the neighborhood since this project is located in a neighborhood with existing traffic and parking problems.
- 2. As proposed, the variance is contrary to the Zoning Code for condominium conversions which requires one parking space per dwelling unit.
- 3. The proposed variance to waive the required sound study and pest control report constitutes a special privilege extended to one property owner in that other property owners have complied with this requirement and there are no special circumstances to warrant approving this request.

Anne Reider

 MAYOR

ATTEST:

Anne J. Mason

 Assistant CITY CLERK

P84-045