



CITY OF SACRAMENTO

CITY PLANNING DEPARTMENT
927 TENTH STREET SACRAMENTO, CA 95814
SUITE 300 TELEPHONE (916) 449-5604

MARTY VAN DUYN
PLANNING DIRECTOR

June 22, 1982

APPROVED
BY THE CITY COUNCIL

*intent to apply
CPC rev. based
on 8-10-82*

JUL 12 1982

OFFICE OF THE
CITY CLERK

City Council
Sacramento, California

Honorable Members in Session:

- SUBJECT:
1. Environmental Determination (Exempt 15101(k));
 2. Variance to allow the conversion of a structure constructed prior to 1952 UBC standards;
 3. Special Permit to convert a four-unit Victorian structure into condominiums; and
 4. Tentative Map (P82-020)

LOCATION: 1105 "F" Street

SUMMARY

The applicant is requesting the necessary entitlements to convert a vacant multi-family residential structure into condominiums. This structure contains four units and is located in the Central City Community Plan Area where the vacancy rate is 5.7%.

The Condominium Ordinance prohibits the conversion of structures built prior to 1952 Uniform Building Code Standards. Since this structure was constructed prior to these standards, the applicant is requesting a variance from this requirement.

The Planning Commission recommended approval of the request subject to amended conditions.

BACKGROUND INFORMATION

On May 4, 1982, the City Planning Commission recommended approval of this request to convert the four-unit apartment house into condominiums. There were concerns expressed by staff and neighbors over the unsound condition of this structure. It appears that the structure is unsound due to inadequate support in the bearing walls and the slope of floors and walls which lean to the north.

The Alkali PAC Committee has also expressed similar concerns over the redevelopment efforts on this property.

The structure was built prior to 1952 Uniform Building Code standards and as such is prohibited from conversion to condominiums. This provision was included in the conversion ordinance due to concern over the structural integrity of some older buildings and because building permit records were not kept prior to this date. Due to this provision the applicant is requesting a variance from this section of the ordinance.

The applicant has been unsuccessful in submitting plans which reflect the present condition of this structure and the work necessary to correct major deficiencies noted by the Building Division. In light of concerns expressed over the structural soundness of this building and since adequate plans for the project are not available for review, staff believes the requested variance to be unwarranted.

The Planning Commission recommended approval of this request since it was believed the deficiencies could be corrected through conditions on the map. They also indicated that there was a need to preserve and upgrade the housing stock in this area which this proposal may accomplish.

The Conditions, Covenants and Restrictions for this project were reviewed by experts in the field of condominium associations and management. The comments of these individuals are attached in Exhibit A-1.

VOTE OF PLANNING COMMISSION

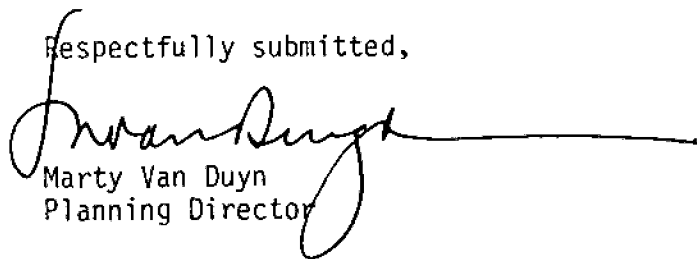
On May 4, 1982, by a unanimous vote, the Planning Commission recommended conditional approval of these requests.

STAFF RECOMMENDATION

If the Council concurs with staff recommendation, the proper action would be to deny the tentative map, Variance, and Special Permit based on findings of fact due on July 27, 1982.

If the Council concurs with the Planning Commission recommendation, the proper action would be to approve the project based on conditions and findings of fact due on July 27, 1982.

Respectfully submitted,



Marty Van Duyn
Planning Director

FOR CITY COUNCIL INFORMATION
WALTER J. SLIPE
CITY MANAGER

MVD:SC:cp
Attachments
P82-020

July 13, 1982
District No. 1

SACRAMENTO CITY PLANNING COMMISSION

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MEETING DATE May 4, 1982 GENERAL PLAN AMENDMENT TENTATIVE MAP
 ITEM NO. B-3 FILE NO. P-82-020 COMMUNITY PLAN AMENDMENT SUBDIVISION MODIFICATION
 M- REZONING ENVIRONMENTAL DET.
 SPECIAL PERMIT OTHER _____
 VARIANCE

Recommendation:

Favorable
 Unfavorable Petition Correspondence

LOCATION: 1105 F St.

PROPOSERS

NAME	ADDRESS
<u>Richard Rozumowicz</u>	<u>5710 GARFIELD AV SACTO, CA 95841</u>
<u>James L. Moore</u>	<u>925 L St. SACTO, CA</u>

OPPOSERS

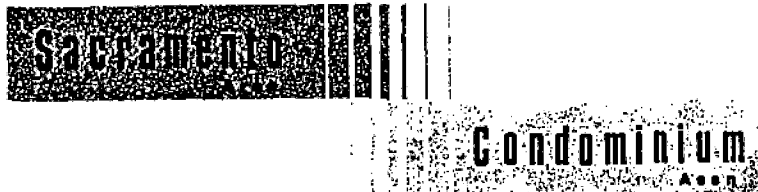
NAME	ADDRESS
<u>Bruce Boor</u>	<u>1021 F St</u>

MOTION NO. _____

MOTION:

	YES	NO	MOTION	2ND
<u>Augusta</u>	✓			
<u>Fong</u>	✓			
<u>Goodin</u>	✓			
<u>Holloway</u>	✓			✓
<u>Larson</u>	✓		✓	
<u>Muraki</u>	✓			
<u>Silva</u>	✓			
<u>Simpson</u>	✓			
<u>Hunter</u>	✓			

- TO APPROVE
- TO DENY
- TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT
- INTENT TO APPROVE SUBJ. TO COND. & BASED ON FINDINGS OF FACT DUE
- TO RECOMMEND APPROVAL Subject to conditions as amended & FORWARD TO CITY COUNCIL
- TO RATIFY NEGATIVE DECLARATION
- TO CONTINUE TO _____ MEETING
- OTHER _____



P.O. Box 160246

Sacramento

Ca 95816

24 May 82

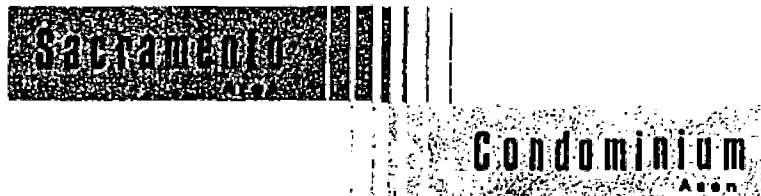
Ms. Sharon Caudle
Sacramento City Planning Department
927 10th St, Suite 300
Sacramento, Ca 95814

Dear Sharon:

The budgets of the eight condominiums were analyzed by Tony Bioni, CPM of Kiernan Management, a division of Kiernan Realtors and Bill Crawford, President of Creative Management Corporation. I analyzed the governing documents of the eight conversions which follow:

General Comments

1. As a group the CC&Rs and By Laws were better than those of the nine reviewed last year. There was none that was unworkable as one was last year.
2. Condominiums of 6 and 8 units are too small to be economically sound. Until you have at least 50 units, costs are too high to have professional management. If I were buying myself, I would want the complex to have at least a hundred units. The problem of finding capable officers who will serve over long periods of time in such small complexes is a major problem.
3. The addition of a provision of working capital equal to two months assessment is basically a sound idea. It was proposed five years ago by Doug Christison of the large regional in San Jose, but didn't go through. I liked the ending of the article in Rivergate Village saying after the last unit is sold the Board may eliminate the requirement for keeping the Working Capital Fund. The CC&Rs are too vague in all the documents on controls for misuse of the funds by the developer.
4. Some of the documents still have the Board of Directors turn over yearly with one year terms. This is unsound. Board members should serve two years, or possibly three at most, with a proportion elected each year at the Annual Meeting. This allows a much needed continuity in governing.
5. None have an appeals system of any kind. This is unsound.



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Brief Comments on Individual Condominium Conversions

1. College Greens

Article IV, Section 4.2 This is very confusing. It doesn't make sense. It isn't clear whether the term of office for Directors is one year or two.

2. Rivergate Village

Good documents. This is the one that allowed the Working Capital Fund to be eliminated after the last unit was sold.

3. Shirley Court

Eight units. Regular meetings are only twice a year. They should be not less than quarterly. It is undesirable to require that all Directors (3) be present at every meeting. Illness or vacations could make it difficult to get things done.

It sounded like the attorney was copying someone else's CC&Rs when he said a Directors seat could be called vacant if he missed three consecutive meetings. Terms of office were for one year and it would take a year and a half to have three meetings as the documents now read. They list four officers but have only 3 Directors. There should be a provision to combine Secretary and Treasurer.

4. Southwood Garden Townhouses

In the CC&Rs 5 (d) the Declarant exempts himself from assessments on unsold units for future maintenance reserves, but retains his voting rights to those same units. This is unfair and unsound financially.

The Architectural Review Committee is made of 5 members. In practice three is sufficient and works better. It is unfair that the Declarant could possibly have effective control of the Architectural Review Committee for a period of five (5) years. It should be not more than three.

In such a large complex it is unwise to have the whole board turn over annually. Two year terms with half changing each year allows continuity of governing by the Board.

5. Bell Condominiums

13.1 The Board may appoint a tribunal committee of 3 to conduct a hearing and power to impose a fine. This is not only impractical with only 8 units, but unsound for the right to fine be anywhere but in the Board of Directors. The complex is too small for 5 directors. On the long term you probably couldn't keep more than three interested and working on the Board.

Sacramento

Condominium

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Ca 95816

5. Bell Condominiums (concluded)

6.5 Architectural Control. Give homeowner one year to start an approved architectural change. That is much too long. At the condominium I live in the project must be finished within 60 days with one extra day for each day of inclement weather. If not, they must reapply, though the Board may waive the requirement. This eliminated a lot of problems we were having.

6.9 Board not liable if acted in good faith. I'm not an attorney but wonder if it is legal. It requires anyone objecting would have to prove bad faith. It's to protect the Declarant and not the Board after he leaves.

6. Westlake

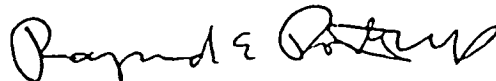
Article VII Has good protection against "Time Sharing." Article 8 has the Working Capital fund. The funds thus collected should be accounted for. Documents are good. (288 units)

7. Johnston Park Victorian (4 units)

They are going to have trouble over the one unassigned parking place. Has protection against time sharing -- good. Architectural Control. Committee has authority to order abatement of any construction. Should be ordered by Board as the Committee has no protection with Errors and Omissions Insurance, and in a dispute could get into Court.

5.13 This has the "acting in good faith clause" cited above. It's not fair to the homeowners. The Declarant is just trying to make it impossible for anyone to sue. Again, I wonder if the clause would hold up in Court. 14.02 CC&Rs can be amended with 51% of vote. Two could change the CC&Rs. In such a small complex it should take 3 out of the 4.

Very truly yours,



Raymond E. Porter, M.D.
Executive Director
California Condominium Council

Executive Director
Sacramento Area Condominium Assn

KIERNAN MANAGEMENT

DIVISION OF KIERNAN REALTORS

3001 "P" St., Sacramento, CA 95816, Ph. (916) 453-8633

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March 23, 1982

Raymond Porter, M.D.
Sacramento Area Condominium Association
P.O. Box 160246
Sacramento, CA 95816

Re: Budget Analysis Condo Conversions

Dear Dr. Porter:

In response to your request for assistance in analyzing the budgets for four proposed condo conversions we offer the following:

1105 F Street

It appears that consideration has been given to all necessary financial requirements of the condominium association. However, the costs of common area repairs and management appear to be understated. The items appear to be budgeted approximately 50% and 10% respectively, of realistic anticipated requirements.

Westlake Apartments

This budget was made in six phases to obviously correspond to the six phases of conversion. As so often is the case the first phase, if not receiving developer financial aid, is penalized in having to carry the entire operating costs for the association. This conversion budget appears to take an even further detrimental step for the initial phases, as converted phases will pay all operating costs for some budget items including the cost for unconverted phases, which are to remain as rentals. If this is the case, this most assuredly would create an enormous pass-through of conversion expenses from the developer to the association. For example, the budget for the first phase of 24 converted units shows the total monthly cost of the pool and spa being borne by the association. In actuality most of this cost should be paid by the rental units if the rental units are to share in the use of such amenity. A questionable figure for this budget is the cost for management, especially for the first phase. Without being able to evaluate the scope of proposed management agreement, we can only state that the proposed fees appear too high.

Windbridge Village

This budget was prepared in similar phase-by-phase fashion as Westlake Apartments and the same questionable items and figures appear. Although the dollar amounts are different, the same cost allocations to the association



without financial participation by remaining rental units is evident. Also the management fees again appear high in relation to industry standards for the management of such an association.

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1331 G Street

Analysis of certain items including reserves was hampered - being that worksheets were not included with proposal. However most items appear accurate with the exception of landscaping which has not been budgeted though there appears to be need for such. And also, legal and accounting, which appear low.

Dr. Porter, we hope that these analyses will be of help. Please be aware that these were based on the information available and are to be used as guidelines.

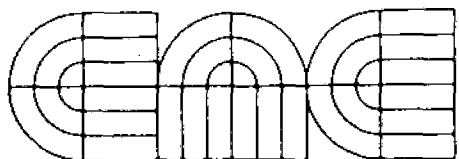
If we can be of further assistance please don't hesitate to call.

Very truly yours,



Tony Biondi, CPM
General Manager

TB:mc



CREATIVE MANAGEMENT
CORPORATION

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May 21, 1982

Attention: Dr. Raymond Porter

SUBJECT: CONDOMINIUM CONVERSION OF COLLEGE GREENS

The DRE 20% Clause is into effect in this Association. Also, 51% approval is needed for anything over the 20% allowable increase. The Board is allowed to levy a Special Assessment not in excess of 5%, standard clause.

Reference on the statement of contributions for deferred maintenance. The Developer is stating that the only deferred maintenance in the entire project is exterior paint. Again, there seems to be no reference taken into consideration for expired lives of the common area component.

Occupancy on this unit went into effect approximately around July 1973. A major note is re-enforcing our review of flat roofs. In 1978 approximately five years after the project was completed, a roof replacement on buildings one, three and four were done. This showed only a five year life of these buildings and in addition, in 1981 approximately three years later, a roof replacement on building number two.

A thorough review of the Budget in total shows no breakout whatsoever of understanding of the figures that were arrived at; replacement reserves, operating expenses. The standard form for Budget preparation would be needed to do a more thorough indepth review of this operating Budget. Therefore, we cannot comment on to the adequacy or inadequacy of this Budget. Based on a review of the Association, the monthly dues are based upon a per square foot figure of .1163, which averages out to approximately \$91.75 for the 54 units. Of course the smaller A,B, & C units, the A and B units, would be paying a considerably less in the dues than the C and D units because of the size differential and the dwelling area of each unit. But only \$14.29 is being selected out of the total operating Budget to go to the reserve for replacement area. Just looking at the situation and considering the age of the property, the replacements that have already been made on the roof structures, we feel that would be inadequate. Again, though, we would need to see square footage references as far as roof area, exterior painting and other components that the Association will be responsible for.

Sincerely,

William L. Crawford
William L. Crawford

WLC;jo



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May 21, 1982

Attention: Dr. Raymond Porter

SUBJECT: CONDOMINIUM CONVERSION OF RIVERGATE VILLAGE

On considering the roof's normal life by Michael Mc Dermmit, Roofing Contractor, states that with minor repairs, that basically it is possible it can be handled in the operating Budget. There is a minimum life of fifteen years and I feel that this is a very, very, conservative and that with the proper maintenance, it can probably get a few more years than that stated.

End construction of this project is approximately March 1981, therefore, the reserve factor is not going to be a major priority because you have only one year of expended life on this building.

Budget Summary: Budget is based upon Phase 1. The Developer of this property did a very comprehensive Budget review. All the cost seem to be in line with the Assessor's Gudie book.

Conversion of 5% of the reserve Budget has been set aside. The Developer on this, seems to have done a thorough work in preparing the documentation and putting out a true monthly dues structure, which we feel should be adequate to start the property off with.

Again, the allowable 20% increase is in the CC&R's. The Board may assess on the annual bases, based upon Budget review, and it takes a vote of the membership for anything over the 20%.

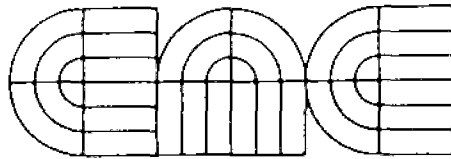
Ray, this is the best presentation of a conversion that has, at this time, come through our office.

Sincerely,

A handwritten signature in cursive script that reads 'William L. Crawford'.

William L. Crawford
WLC:jo

cc



CREATIVE MANAGEMENT
CORPORATION

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May 19, 1982

SUBJECT: CONDOMINIUM CONVERSION REVIEW OF SHIRLEY COURT

Page B. 2-5. The maximum annual assessment may be increased each year not more than 20% of the maximum assessment for the previous year without the vote of the membership. This is a good requirement for the Association. It is allowed to be written above 20% by written assent or vote of 51% of each class of member. Another positive factor in the CC&R's is a 51% Special Assessment for Capital Improvements by written assent or vote of the membership.

Provisions for a late charge or late fee of \$5.00 to \$10.00 should be established in the CC&R's to allow for the Board to collect or to penalize delinquencies. They are only allowing a rate of 12% per anum and this will not be a strong enough incentive for the people to pay on time.

Note Page F-1. It states that it is anticipated that the Department of Real Estate will not require the applicant to provide capital contributions to the Association for deferred maintenance of the Common Area.

This project was completed in construction in 1964. It makes reference that within the last three years that new roofs have been applied. This indicates that the roofs have already at least incurred and in the area of three years of expended life, yet ~~the Developers~~ make no form of contributions to fund the portion of the reserves for the already expired life of these roofs. This means that when the roofs fail and if the Association uses the Budget supplied by the Developer, that more than likely they would need a Special Assessment to take care of major capital improvements.

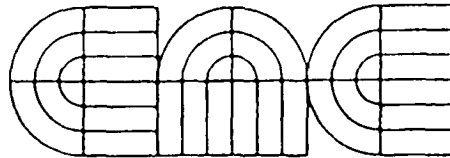
Further review of this Association shows that the Association is not responsible for any form of exterior maintenance of roofs. In our opinion, if the people realize that there will be no true color continuity because of allowing the project to be painted the same color at basically the same time, that painting the property at the same time, due to weather fading and other elements, it would be impossible to maintain total architectural continuity.

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Our experience in Management has proven that in Associations where the exterior is not the responsibility of the Association, as far as painting is concerned or other areas, that they tend to loose the continuity when it's the owner's responsibility and even though the Architectural Control Committee has final say, that the qualities of paints, qualities of roofing or other areas seem to vary from each owner's desires.

This is our report on Shirley Court. We feel that more review on setting up a true Association or not forming the Association at all , would be reasonable in this case.



CREATIVE MANAGEMENT
CORPORATION

May 19, 1982

SUBJECT: CONDOMINIUM CONVERSION REVIEW OF SOUTHWOOD GARDEN
TOWNHOUSES

The Association has 20% clause which is in conformity with recommended operations to increase dues up to 20% without vote of the membership. There is also a 5% allowable clause for Capital Improvements without the membership vote. Southwood is comprised of 98 units. In the building history, a statement is made by the Developer that there has been no major renovations exceeding \$1,000.00 made to the project. The projects effective life of components would begin in July 1980. Therefore, approximately two years of life has expired on all Common Area components that the Association will be responsible for.

Budget Review of Association: Auditing and Accounting at 67¢ a unit at \$784.00 annually will probably be insufficient to take care of an annual Audit. Annual Audits are running in the areas between \$900.00 and \$1,200.00. There is no note of any capital contributions that I could find in the history even though it was sited as one of the items of discussion in the index. The owner evidently has no consideration of funding any of the expanded lives on the Common Areas. The Budget bases basically on the ultra conservative side of landscaping. Phase 76 will probably not be adequate to meet the fertilizer needs, pre-emergent controls, minor tree and plant replacement that will be needed on an annual ongoing basis.

Exterior painting is considered on a seven year life. It has been our bases of Association reserves in Sacramento, due to high sun concentrations, that five years is generally the maximum time for exterior painting. All component items are based upon the project being new, therefore not taking into consideration again the two years expired lives on the Association, with the exception of the following:

Considering Various Asphaltting: Streets and Drives: There is 51,877 square footage of paved surfaces and they are using a unit cost of 3¢ per square foot. There is nowhere in Sacramento that I know of that you can get sealing of asphalt done with slurry of quality slurry seal for 3¢. The average cost of a good slurry seal will run you no less than eight to ten cents per square foot. Again they are showing one year life left and seems to be funding again out of the Association's Budget. This should be changed. I feel the projection is relatively low and it is only taking into consideration

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CONDOMINIUM CONVERSION REVIEW OF SOUTHWOOD GARDEN TOWNHOUSES
PAGE TWO

sealing. There is no figures whatsoever in case there is any patching or overlay work or any digouts to be done.

I do not understand what the tennis court notation of \$650.00 replacement cost is for. Tennis Court sealing should be done within approximately seven years. New surface coating and everything should be considered.

Patio fencing, 2,450 linear feet of fencing. Again, it is not understandable at one year remaining life at \$612.50, I don't know, patio fence replacement remaining life of one year of 25¢ a linear foot of cost of fencing. Again, I do not know where this figure comes from. Seven to eight dollars cost of minimum of linear foot for total replacement.

These items should be reviewed and considered. I do not know if they are talking about repairs, but this Budget should reflect the actual replacement cost of the fences, the slurry seal of the asphalt, pool resurfacing. Reserves are an area that should be of concern and a major priority when considering a Budget.

Our review of the reserve area of this subject Association would seem to be quite inadequate in being able to meet the future demands for capital improvements of the Association.

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CITY PLANNING COMMISSION

915 "I" STREET - SACRAMENTO, CALIFORNIA 95814

APPLICANT	Speath Engineering, 5710 Garfield Avenue #B, Sacramento, Ca. 95841		
OWNER	MJC Partnership, 925 L Street #850, Sacramento, Ca. 95814		
PLANS BY	Pacific Developments, 2550 Valley Rd. #7 Sacramento		
FILING DATE	1-30-82	50 DAY CPC ACTION DATE	5-4-82
		REPORT BY:	SC:mm
NEGATIVE DEC.	Exempt	EIR	ASSESSOR'S PCL. NO. 002-115-16

- APPLICATION:
- a. Tentative Map to divide a .17± acre parcel into 4 airspace condominium lots and 1 common lot in the R-4-A zone.
 - b. Special Permit to convert a vacant multi-family residential structure into 4 condominium units
 - c. Variance on age of structure to comply with Sec. 28-C-3(i) of the Zoning Ordinance

LOCATION: 1105 F Street

SUMMARY: Johnson Park Victorian is a vacant multi-family structure that was constructed in 1902. The applicant is in the process of substantially rehabilitating this structure and is requesting to convert these units into condominiums. According to the Zoning Ordinance no structure constructed prior to standards established by the 1952 Uniform Building Code will be permitted to convert to condominium ownership. In light of this provision the applicant is requesting a variance to allow this conversion. Due to concerns expressed by the Building Division, significant structural deficiencies exist in this building and because of these deficiencies, a variance of this provision would not be advisable.

On March 31, 1982 the Subdivision Review Committee recommended this subdivision be approved subject to the attached conditions (see Exhibit A).

PROJECT INFORMATION:

1974 General Plan Designation:	Residential
Central City Community	
Plan Designation:	Medium Density Multi-Family
Existing Zoning of Site:	R-4-A
Existing Land Use of Site:	Vacant Apartment Structure
Surrounding Land Use and Zoning:	
North:	R-4-A Multi-Family Residential
South:	R-4-A,C-2 Multi-Family Residential/Commercial
East:	R-4-A, Multi-Family Residential
West:	R-4-A, Multi-Family and Park
Parking Required:	4 Spaces
Parking Ratio:	Parking Provided: 4 Spaces
Property Dimensions:	1/1
Property Area:	63 x 120
Density of Development:	7,560 sq.ft.
Square Footage of Building:	23 units per ac.
Significant Features of Site:	3,204 sq.ft.
	Topography: Flat
	Street Improvements: Existing
	Utilities: Existing

APPLIC. NO. P82-020

MEETING DATE May 4, 1982

CPC ITEM NO. 3

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BACKGROUND INFORMATION: Johnston Park Victorian is located in the Alkali Flat Project Area in the 1100 block of "F" Street. The building is currently a shell building with rehabilitation work in progress. This building was originally constructed in 1902 and has been placed on the Official Register of Historically or Architecturally significant structures. Plans for the exterior rehabilitation were approved in 1981. The interior space has been designed to accommodate four separate living units which the applicant is proposing to convert to condominium ownership. The four units will range in size from 768 square feet to 892 square feet. Each of these units contain two bedrooms and one bath. There will be four on-site parking spaces provided for the residents. The rehabilitation plans submitted as part of this application have been approved by the Building Division as meeting the required codes and standards for apartment development but they do not meet the required standards for condominiums. The Building Division expressed concern over the renovation work now in progress and their report indicated that numerous structural deficiencies were not being properly corrected. (See attached Exhibit B).

Unlike other condominium conversion projects, this apartment structure has no tenant displacement or relocation problems due to the fact that it has been vacant since 1977. Because tenant concerns are not an issue in this proposal staff review will be confined to the structural characteristics of this project.

STAFF EVALUATION:

1. This structure does not conform to the requirements of the condominium conversion Ordinance because of its age. The Ordinance prohibits the conversion of apartment buildings into condominiums unless they were constructed under the provisions of the 1952 Uniform Building Code or subsequent building codes. (Sec. 28C-3(h)). This provision was made due to concerns expressed over the structural integrity of some older buildings. No record of building permits were kept prior to this time and because of this it would be difficult to determine the construction techniques used or the structural soundness of these buildings. This provision would prohibit the conversion of these units into condominium and the applicant is therefore requesting a variance from the provision. Based on the Building Divisions evaluation of this project and the numerous structural deficiencies noticed during their inspection, it appears as though the concern for age of a building as it relates to structural soundness is warranted in this proposed project. In addition to other deficiencies the structure was found to be leaning toward the north, the floor was sloping and wall studs were broken or cut through leaving insufficient support in this structure.
2. Since this project is being substantially renovated, the new construction and all renovation work must meet current codes and standards in effect at the time of construction. Because the applicant is proposing to convert these units into condominiums, standards and codes for this type of development must

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met. At this time, the applicant has not received approval on plans submitted to the Building Division for this type of development. As a condominium development, separate water and sewer service will be required along with two-hour fire walls and adequate sound insulation.

3. The vacancy rate in the central city is 5.7 percent. This figure is above the required level for allowing the conversion of rental units into condominiums. Because of the vacancy rate and since this structure is not occupied tenant relocation problems are not a concern with this application.

STAFF RECOMMENDATION

Staff recommends the following action:

1. Deny the tentative map to create four airspace lots and one common lot in the R-4A zone.
2. Deny the Special Permit to convert four apartment units into four condominium units based on findings of fact to follow;
3. Deny the variance that would allow the conversion of a structure constructed prior to the 1952 Uniform Building Code Standards based on findings of fact to follow;

FINDINGS OF FACT - SPECIAL PERMIT

1. The proposed conversion request is not consistent with the zoning ordinance which prohibits the conversion of residential structures into condominiums if the structures were constructed prior to 1952 Uniform Building Code Standards. This project was constructed in 1902.

FINDINGS OF FACT - VARIANCE

1. This variance would constitute a disservice to the public in that it would allow dwelling units of questionable structural soundness to be sold as a condominium.
2. This variance is adverse to the General Plan in that the request is not in harmony with the specific criteria outlined in the zoning ordinance regarding the conversion of residential structures constructed prior to 1952 Uniform Building Code Standards (Section 28-C-3 (h)).

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JOHNSTON PARK VICTORIAN P-82-020

Tentative Map Conditions

- A. "The following conditions or improvements, to the extent related to a particular unit, shall be completed prior to the close of escrow on such unit:" (for unit specific improvements)
1. The project shall be retrofitted with the following measures to promote energy conservation:
 2. All accessible attic space over conditioned spaces shall be insulated to a minimum thermal resistance value of R-19 or whatever value is required at time of sale.
 3. Existing ceiling insulation meets or exceeds R-11 throughout at least 90 percent of the existing ceiling area.
 4. All swinging doors which separate conditioned from unconditioned spaces shall be fully weather stripped or gasketed in such a manner as to effectively and reliably limit air infiltration. Adhesive foam-type weather stripping will not constitute compliance.
 5. All domestic water heaters shall be fitted with external insulation blankets rated at a minimum thermal resistance value of R-12 as installed.
 6. All uninsulated transverse ducts, plenums, fitting joints of all heating and cooling equipment in unconditioned areas such as attics, crawl spaces, garages and basements shall be sealed with pressure sensitive tape or mastic to prevent air loss and shall be insulated to a thermal resistance of R-5.6.
 7. The first five feet of hot water piping leading from electrical resistance, natural gas, or other fossil fuel fire domestic water heaters shall be insulated to a minimum resistance value of R-4.
 8. There shall be no broken window or hole in the building envelope where the light or air may be detected passing from an unconditioned space to a conditioned space.
 9. All shower fixtures shall be fitted with flow restrictions or low-flow shower heads such that the maximum flow rate of the fixture does not exceed three gallons per minute maximum flow.
 10. All electrical wall outlet and wall switch plates which are located between conditioned and unconditioned space shall be fitted with gaskets to reduce air infiltration.

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11. A two-hour fire separation shall be provided on its floors and each wall common to itself and an adjacent unit or an approved fire sprinkler system.
12. Utility box shall be enclosed in a design consistent with the structure.
13. All main entry doors shall be of the solid core type, and be furnished with single-cylinder deadbolt locks meeting the following minimum requirements:
 - a. bolt shall have a throw of at least one inch, and be constructed so as to repel cutting tools; and
 - b. have a cylinder guard designed and constructed to repel attacks by wrenching or prying.
14. All main entry doors shall be equipped with either a viewer or window which will provide at least a one hundred and eighty degree view of the area immediately outside.
15. All common walls shall meet requirements of Title 24 of State Code relating to sound insulation;
16. Recommend an acoustical consultant review the project prior to completion.
17. The following plumbing and mechanical items shall be corrected to meet the approval of the Building Division:
 - a. All drainage piping penetrations through two-hour walls or ceilings shall be of cast iron or galvanized steel.
 - b. Duct work shall be provided with approved fire dampers.
 - c. Details and routes of plumbing and mechanical systems shall be submitted for approval to the Building Division prior to installation.
18. All electrical shall meet current code at time of construction.
19. 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 on, over, under and across common lot shown hereon, excepting therefrom the existing building sites.

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B. "The following conditions or improvements shall be completed prior to the expiration date for vesting the condominium conversion special permit or any extension of such permit:"
(for common benefit conditions)

1. Building numbers and addresses shall be visible from all access streets both during the day and night.
2. Position at each entrance an illuminated directory or address system.
3. Provide a minimum maintained one footcandle of light on the parking surface, from one-half hour before sunset to one-half hour after sunrise. Lighting devices to be covered by weather and vandalism resistant covers.
4. Parking space numbering shall not correspond to unit numbers.
5. The C.C. & R's shall incorporate language to allow the home owners association to tow vehicles from private property.
6. All exterior lighting sources shall be covered with weather and vandalism resistant covers.
7. Separate water shutoffs shall be provided for each unit. Each unit shall be billed separately on a flat rate basis.
8. It shall be required that a licensed architect or engineer make a thorough inspection of the structure and make detailed recommendations on how to repair or alter the structure to alleviate the following deficiencies:
 - a. Correct lean of the building toward the north.
 - b. Correct slope in floor due to settling of building.
 - c. Replace or repair top plates which are damaged.
 - d. Provide adequate support for all beams or joists which lack a surface to bear upon.
 - e. Provide required wall bracing.
 - f. Reinforce 1" x 6" roof bracing by doubling or with strong-back.
 - g. All studs between floor and ceiling shall be continuous.
 - h. All beams must be strapped with framing clips or ties.

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- i. All strong-backs for over spanned second story ceiling joists shall be tied or supported.
- j. All party walls shall meet a sound (STC) of 50. A field test will be required after construction to verify effectiveness of sound walls and floors. Samples of floor coverings shall be submitted to the Building Division for approval prior to installation.

** Added condition: k. Applicant shall provide certification by Sacramento Housing and Redevelopment Agency that the owner participation agreement has been satisfied.



CITY OF SACRAMENTO

CITY PLANNING COMMISSION

MAR 23 1982

RECEIVED

17
①

DIVISION OF BUILDING INSPECTIONS
927-10TH STREET SACRAMENTO, CALIFORNIA 95814
ROOM 100 449-5716

EXHIBIT B

March 18, 1982

Mr. Paul Hill
7045 - Cromwell Way
Sacramento, CA 95822

Subject: 1105 - F Street

Dear Mr. Hill:

An inspection of the subject property was made by Mr. Pecci, Mr. Haworth, Mr. Larsen and myself on March 15, 1982. There are numerous deficiencies in this building that will need to be corrected prior to our receiving a request for a frame, rough plumbing, and mechanical inspection.

We will require that the responsible architect or engineer make a thorough inspection of the structure and make detailed recommendations on how to repair or alter the structure to alleviate the deficiencies. The structural items we are particularly concerned with are as follows:

1. The building leans toward the north - added shear bracing should be provided.
2. The east wall has settled which causes a slope in the floor.
3. The single top plates have been cut through many times. Splices should be designed to repair these plates.
4. There are numerous occasions where beams or joists do not have surfaces to bear upon or have an insufficient bearing surface.
5. Wall bracing has been cut or is non-existent.
6. 1' x 6' roof bracing should be strengthened by doubling or strong-back.
7. Areas where studs are not continuous between floor and ceiling should be removed and replaced with continuous studs.
8. Beams must be strapped with framing clips or ties.
9. Strong-backs for over spanned second story ceiling joists are not tied or supported.

Mr. Paul Hill
RE: 1105-F Street
Page 2

10. Party walls to meet a sound rating (STC) of 50. Resilient channels at 16" o.c. between layers of 5/8" gyp board would improve the rating. A field test will be required after construction to verify effectiveness of sound walls and floors. Attention must be directed to the types of floor covering used over living areas. Carpeting and cushion vinyl floor covering must be used to obtain an IIC of 50. Submit a sample to the Building Division for approval prior to installation.

The preceding is a general list of structural items. An engineer or architect should make a more thorough inspection and list in detail items and their location and their method of repair.

The plumbing and mechanical items which need to be corrected are as follows:

1. Drainage piping penetrations through 2 hour walls or ceilings shall be of cast iron or galvanized steel. Ductwork shall be provided with approved fire dampers. Details and routes of plumbing and mechanical systems should be submitted for approval prior to further installations. (The existing plumbing and mechanical systems will penetrate the two hour shafts, ceilings or walls.)
2. Our on site evaluation of the plumbing-mechanical system was a cursory review of the major deficiencies now in existence. We made no attempt, nor was it requested, that we assess the installation in terms of a formal rough plumbing or mechanical inspection. Therefore, the items specified in this letter shall not preclude or prevent this division from requiring corrections in deficiencies that may now exist or may be created as a result of attempted corrective measures.

If you have questions regarding this project, please do not hesitate to call us.

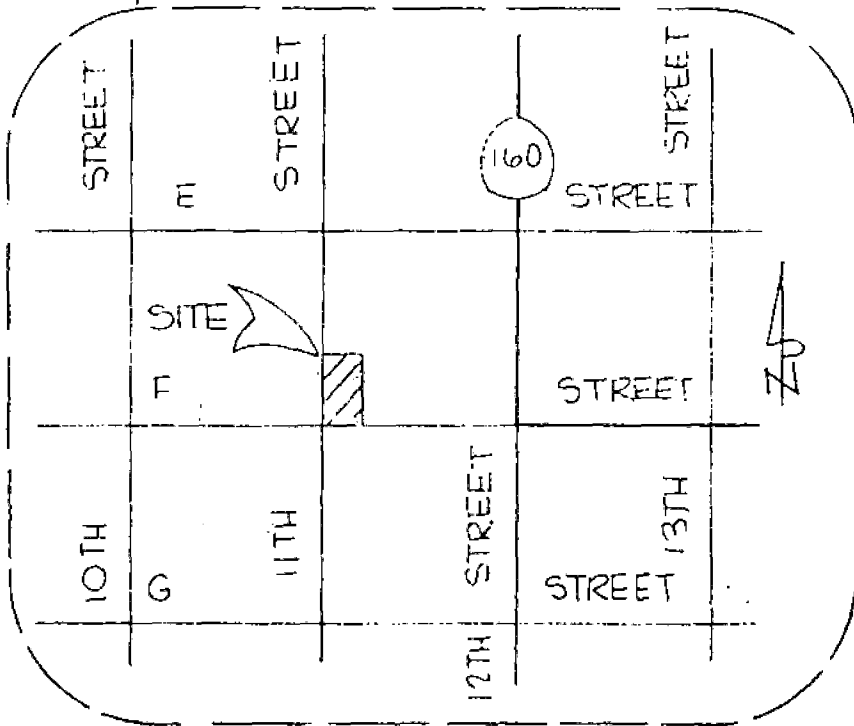
Sincerely,



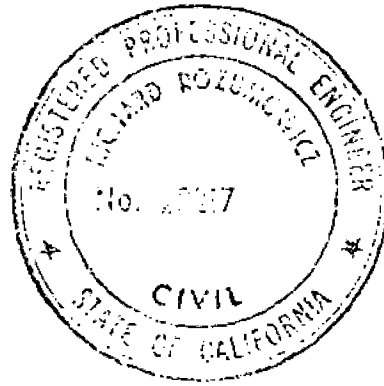
Tim Sullivan
Superintendent, Building Inspections Div.

TS:js

cc: ✓ Sharon Caudle



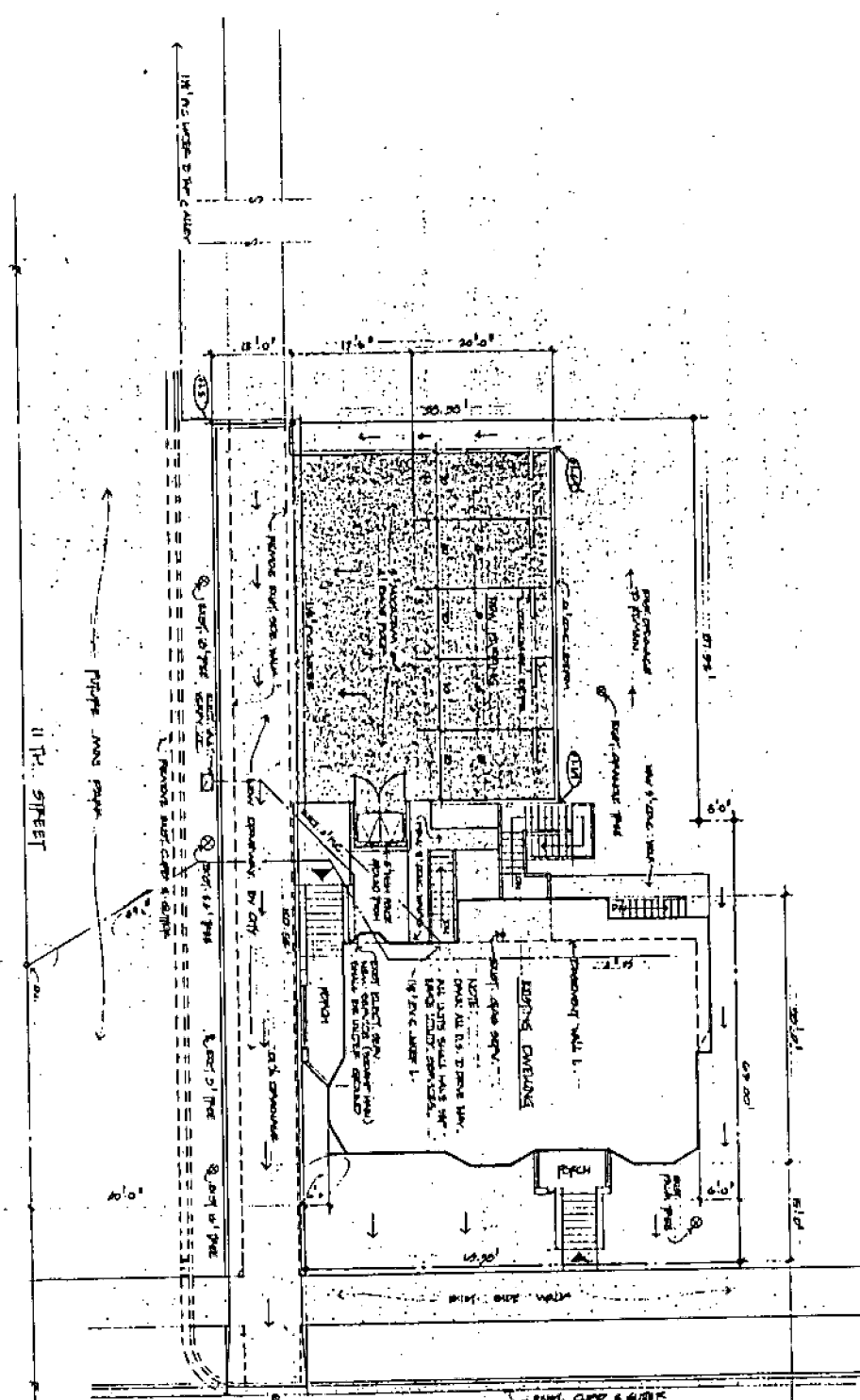
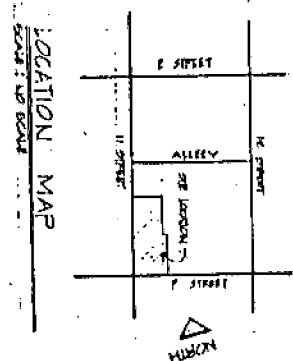
VICINITY MAP
NO SCALE



[Signature]
RICHARD ROZUMOWICZ RCE 28217 JAN 1982

82-03

P-82-020



SITE PLAN

DESCRIPTION:

Project No. 82-020-1105-1105
 1105 F STREET CITY OF SACRAMENTO, CA.

LAND USES:

LOT AREA: 1,795 SQ. FT.
 DWELLING: 1,795 SQ. FT.
 RESIDENTIAL: 1,795 SQ. FT.
 PARKING: 1,795 SQ. FT.
 WAREHOUSING: 1,795 SQ. FT.

The modification of this building for its present use as a dwelling is a use which is not specifically approved by Planning Commission and City Council prior to the date of a building permit.



ISSUED
 JAN 11 1982
 SACRAMENTO
 OFFICE OF THE CITY ENGINEER

RECEIVED
 JAN 11 1982
 SACRAMENTO
 OFFICE OF THE CITY ENGINEER

BUILDING PERMIT APPROVAL ONLY
 DOES NOT APPROVE:
 DUMB OATS or DIMERS
 Sewer or Water Connections
 Street Line Removal
 Any Permanent Construction
 on Public Property. Approved for construction of the building as shown on the plans. Issued by the City Engineer, Sacramento, California.

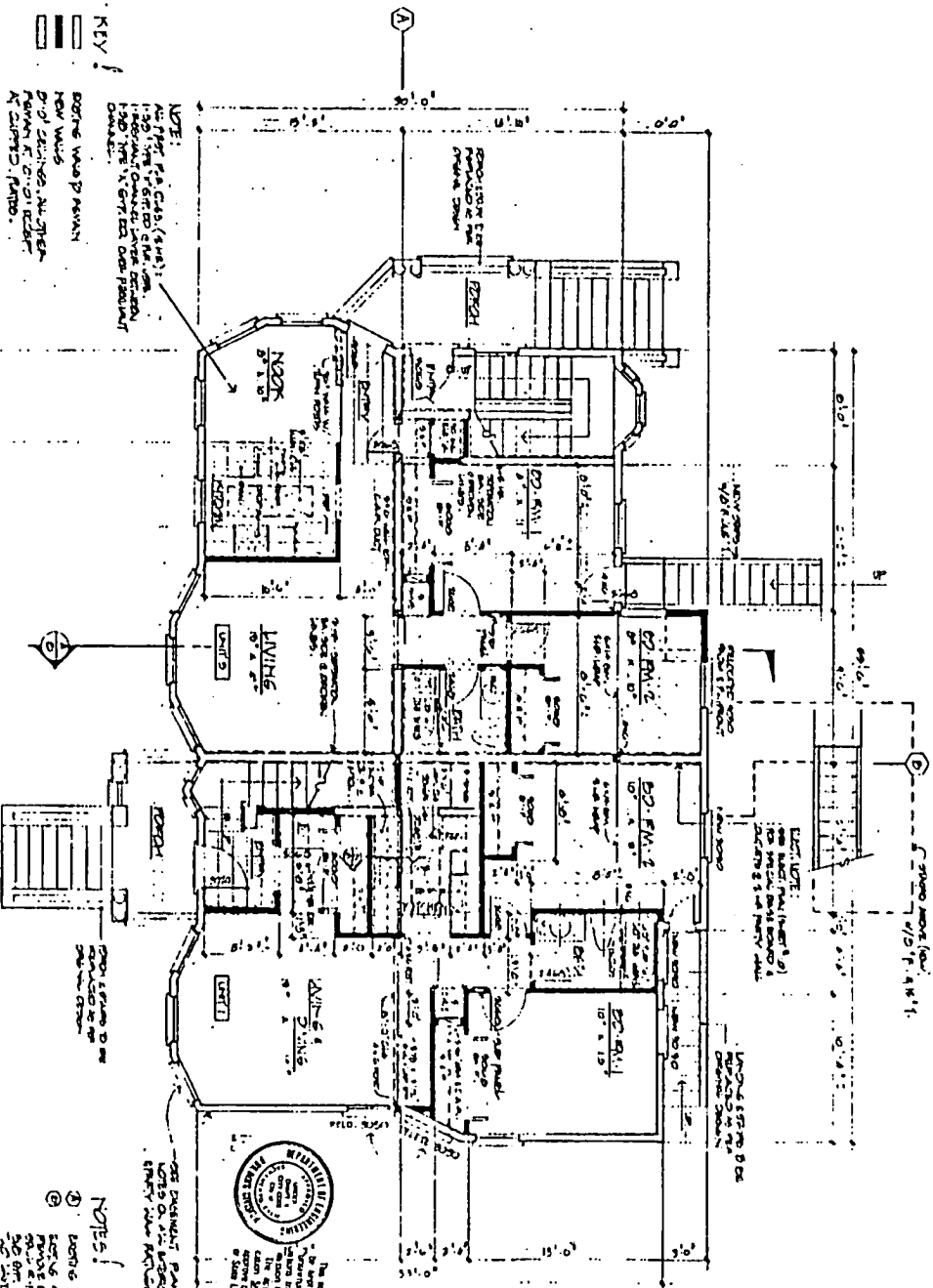
RE-ESTABLISH ROOFING MATERIAL REQUIRED
 ALL WOOD DIAPHRAGM
 NAILING AND REINFORCING
 STEEL MUST BE RESPECTED
 PRIOR TO COVERING.
 ALL PLYWOOD DIAPHRAGMS
 MUST BE FABRICATED WITH
 EXTERIOR GRADE

PACIFIC DEVELOPMENTS
 2880 VALLEY ROAD, SUITE 7
 SACRAMENTO 95821

REHABILITATION of
1105 F ST DWELLING
 CITY OF SACRAMENTO, CA

17

P-82-020



NOTE:
 ALL NEW WALLS & CEILING SHALL HAVE 5/8" GYP BOARD JOINTS (HERRING BONE JOINTS) AT ALL CORNERS & INTERSECTIONS. ALL NEW WALLS SHALL HAVE FIRE RATED DOORS AS SHOWN ON THIS PLAN.

KEY:
 ■ NEW WALLS
 ■ EXISTING WALLS TO REMAIN
 ■ EXISTING WALLS TO BE REFINISHED

FIRST FLOOR PLAN
 SCALE: 1/8" = 1'-0"
 DATE: 11/11/81

NO. 1	500	500
NO. 2	100	100
NO. 3	50	50
NO. 4	50	50
TOTAL	700	700

ISSUED
 11/11/81

ONE HOUR FIRE RESISTANT CONSTRUCTION REQUIRED THROUGHOUT

NOTES:
 1. EXISTING WALLS TO REMAIN SHALL BE REFINISHED WITH 1/2" GYP BOARD.
 2. ALL NEW WALLS SHALL HAVE 5/8" GYP BOARD.
 3. ALL NEW CEILING SHALL HAVE 5/8" GYP BOARD.
 4. ALL NEW FLOORS SHALL HAVE 1/2" GYP BOARD.
 5. ALL NEW DOORS SHALL BE 1-1/2" SOLID CORE.
 6. ALL NEW WINDOWS SHALL BE 1-1/2" SOLID CORE.
 7. ALL NEW LIGHT FIXTURES SHALL BE 1-1/2" SOLID CORE.
 8. ALL NEW ELECTRICAL SHALL BE 1-1/2" SOLID CORE.
 9. ALL NEW PLUMBING SHALL BE 1-1/2" SOLID CORE.
 10. ALL NEW PAINT SHALL BE 1-1/2" SOLID CORE.

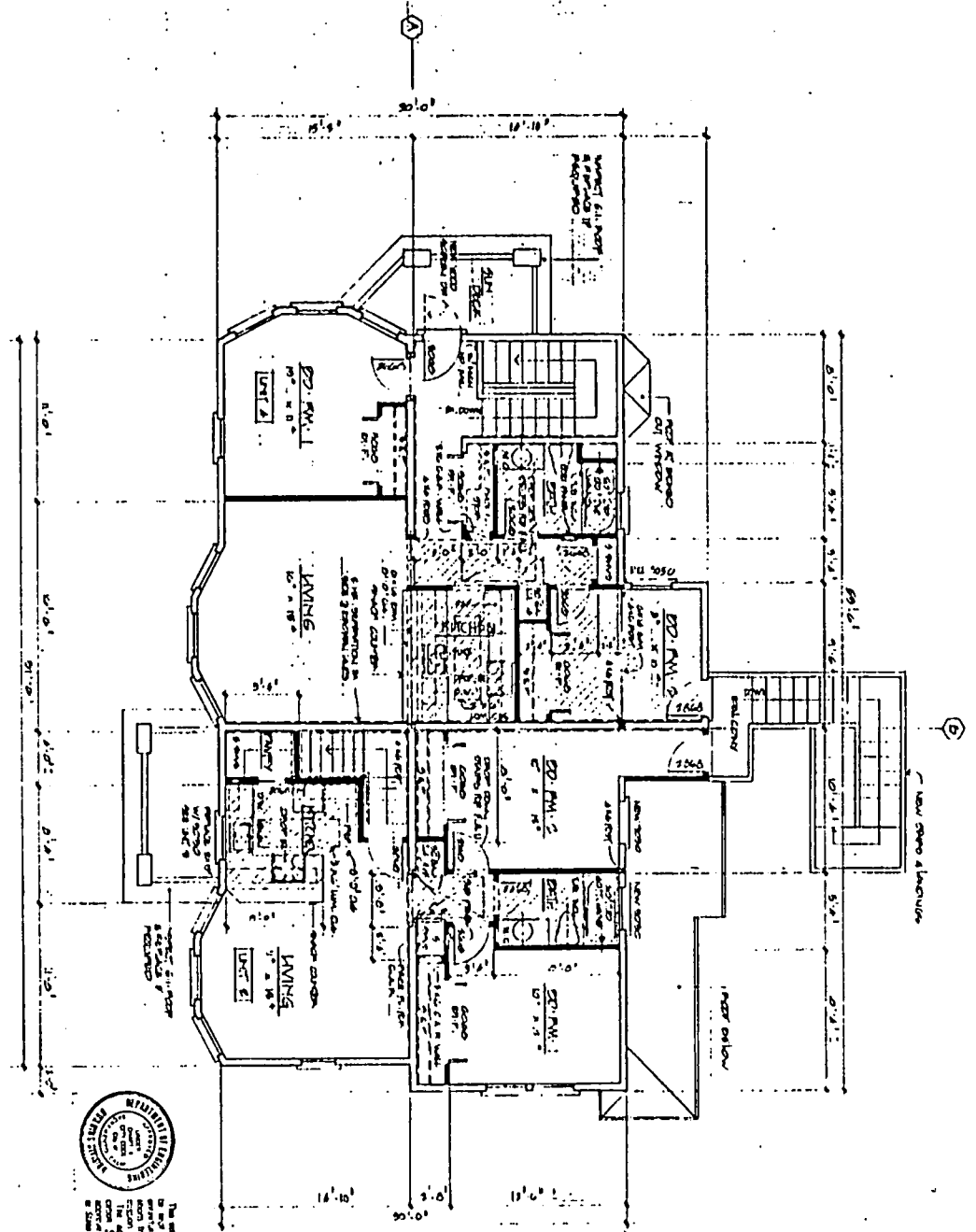


PACIFIC DEVELOPMENTS
 2850 VALLEY ROAD, SUITE 7
 SACRAMENTO 95821

REHABILITATION of
 1105 F ST DWELLING
 CITY OF SACRAMENTO, CALIF.

NO.	DATE	DESCRIPTION
1	11/11/81	ISSUED

17



SECOND FLOOR PLAN

DATE: 04-11-01
 ONE SCALE: 1/8" = 1'-0"

ISSUED
 APR 11 2001
 SACRAMENTO
 CALIFORNIA



The seal of the State of California is hereby certified to be a true and correct copy of the original seal of the State of California as shown on the file of the State of California. This seal is valid for the purpose of the State of California. The seal is valid for the purpose of the State of California.

NOTE:

- 1. REMOVE EXISTING PART OF WALL AND RECONSTRUCT WITH NEW PARTITION WALL.
- 2. REMOVE EXISTING PART OF WALL AND RECONSTRUCT WITH NEW PARTITION WALL.
- 3. REMOVE EXISTING PART OF WALL AND RECONSTRUCT WITH NEW PARTITION WALL.
- 4. REMOVE EXISTING PART OF WALL AND RECONSTRUCT WITH NEW PARTITION WALL.
- 5. REMOVE EXISTING PART OF WALL AND RECONSTRUCT WITH NEW PARTITION WALL.

RECEIVED
 APR 11 2001

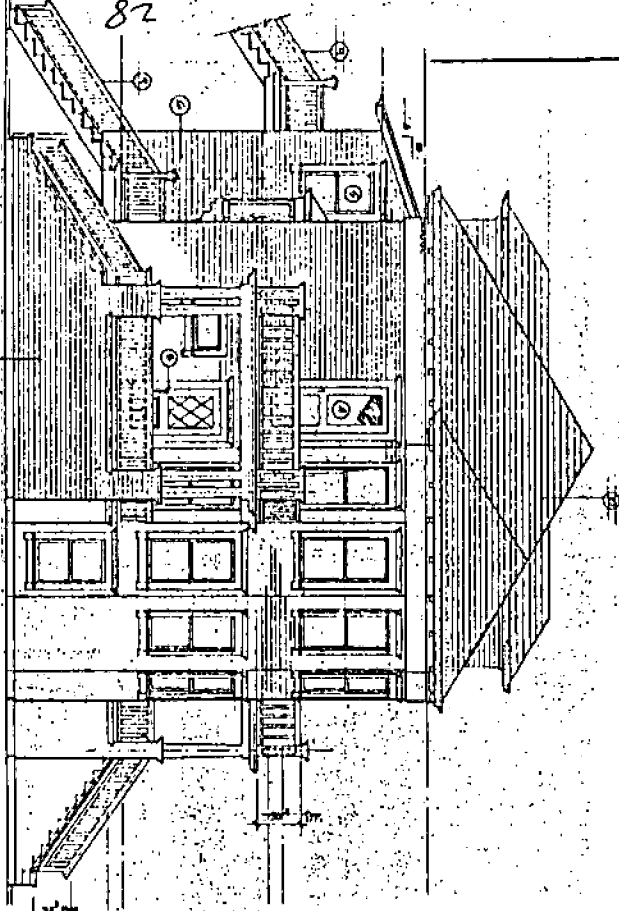


PACIFIC DEVELOPMENTS
 2550 VALLEY ROAD, SUITE 7
 SACRAMENTO, CA 95833

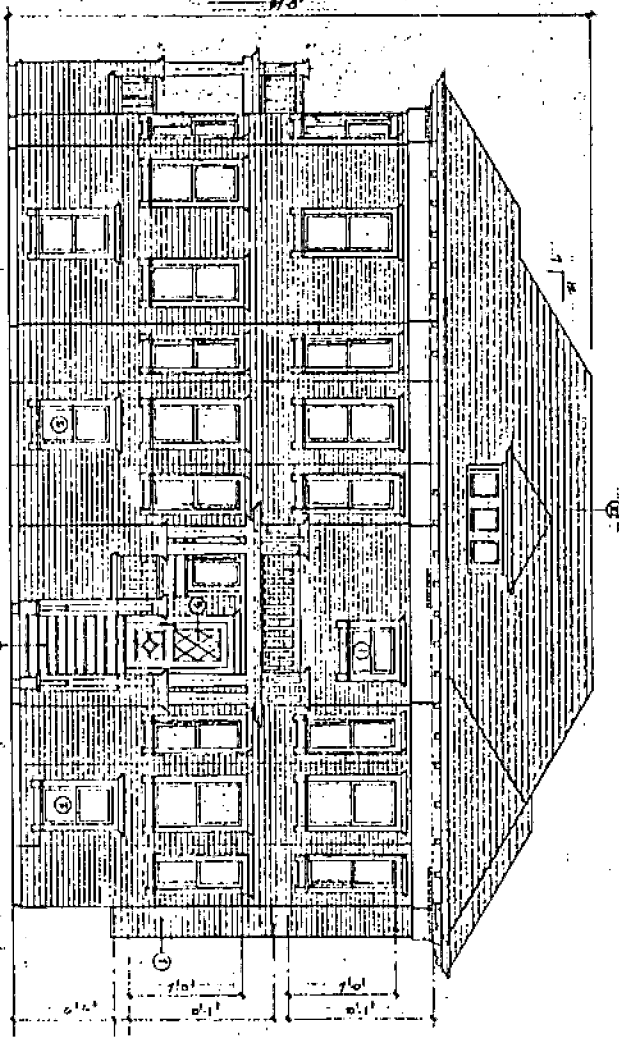
REHABILITATION of
 1105 F ST DWELLING
 CITY OF SACRAMENTO, CALIF.

NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		

P-82 020



WEST ELEVATION



SOUTH ELEVATION

KEY

- 1 NEW 6/20 WINDOW W/PROP. FOR WINDOW #100 & 101
- 2 REMOVE DOOR, SETTING A NEW DOOR W/ 6/20 WINDOW
- 3 REPAIR NEW 6/20 WINDOW, FINISH FRAMED DOOR-CHORD LINE
- 4 REPAIR NEW 6/20 WINDOW & LAMP GLASS, SETTING FR.
- 5 REPAIR WINDOW FROM 1
- 6 REPAIR NEW FLOOR AND S/WALLS
- 7 FINISH NEW FLOOR AND S/WALLS
- 8 REPAIR WINDOW # 100
- 9 REPAIR WINDOW # 101
- 10 REMOVE DOOR, SETTING A NEW DOOR W/ 6/20 WINDOW
- 11 REPAIR NEW FLOOR AND S/WALLS
- 12 REMOVE DOOR, SETTING A NEW DOOR W/ 6/20 WINDOW
- 13 REPAIR NEW FLOOR AND S/WALLS
- 14 REMOVE DOOR, SETTING A NEW DOOR W/ 6/20 WINDOW
- 15 REPAIR NEW FLOOR AND S/WALLS
- 16 REPAIR NEW WINDOW
- 17 REMOVE DOOR, SETTING A NEW DOOR W/ 6/20 WINDOW
- 18 REPAIR NEW FLOOR AND S/WALLS
- 19 REPAIR NEW DOOR



The art of design and construction shall be done in the best of the interests of the public and shall conform to the requirements of the Building Code of the City of Sacramento. The architect shall be held responsible for the design and construction of the building in accordance with the Building Code of the City of Sacramento.

ONE HOUR FIRE RESISTANT CONSTRUCTION REQUIRED THRU OUT



ISSUED
JAN 11 1982
ARCHITECT
MARTIN G. BROWN

PACIFIC DEVELOPMENTS
2050 VALLEY ROAD, SUITE 7
SACRAMENTO, 95825-9901

REHABILITATION OF
1125 P. ST. DWELLING
CITY OF SACRAMENTO, CALIF.

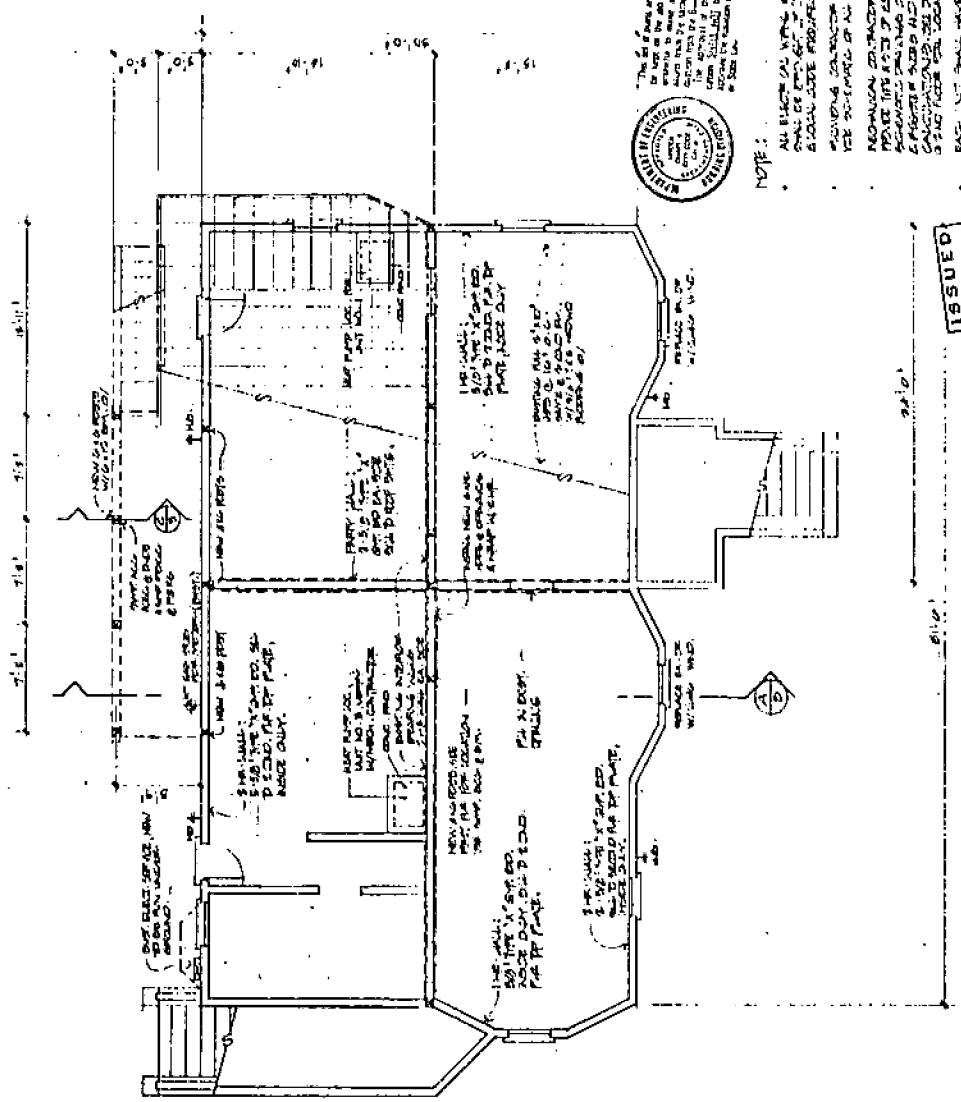
DATE	1/11/82
BY	JMB
NO.	6

17

P-82-020



DATE	NO. 21
DATE	NO. 22
DATE	NO. 23
DATE	NO. 24

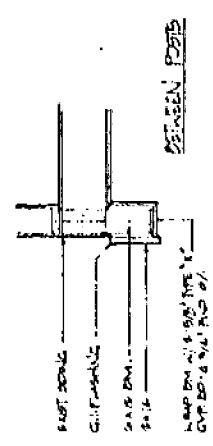
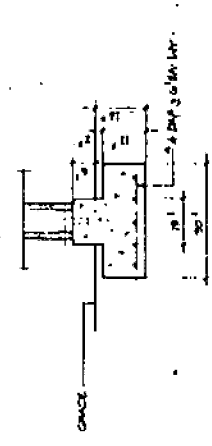
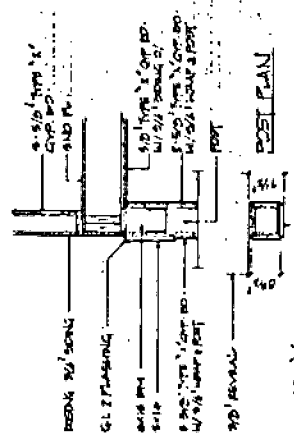


NOTE:
 ALL BLOCK WALLS IN PLANS SHALL BE 8\"/>

ONE HOUR FIRE RESISTANT CONSTRUCTION REQUIRED THRU OUT

ISSUED JAN 11 1982 SACRAMENTO ARCHITECTURE CENTER

BASEMENT PLAN



SECTION BETWEEN POSTS

P-82020

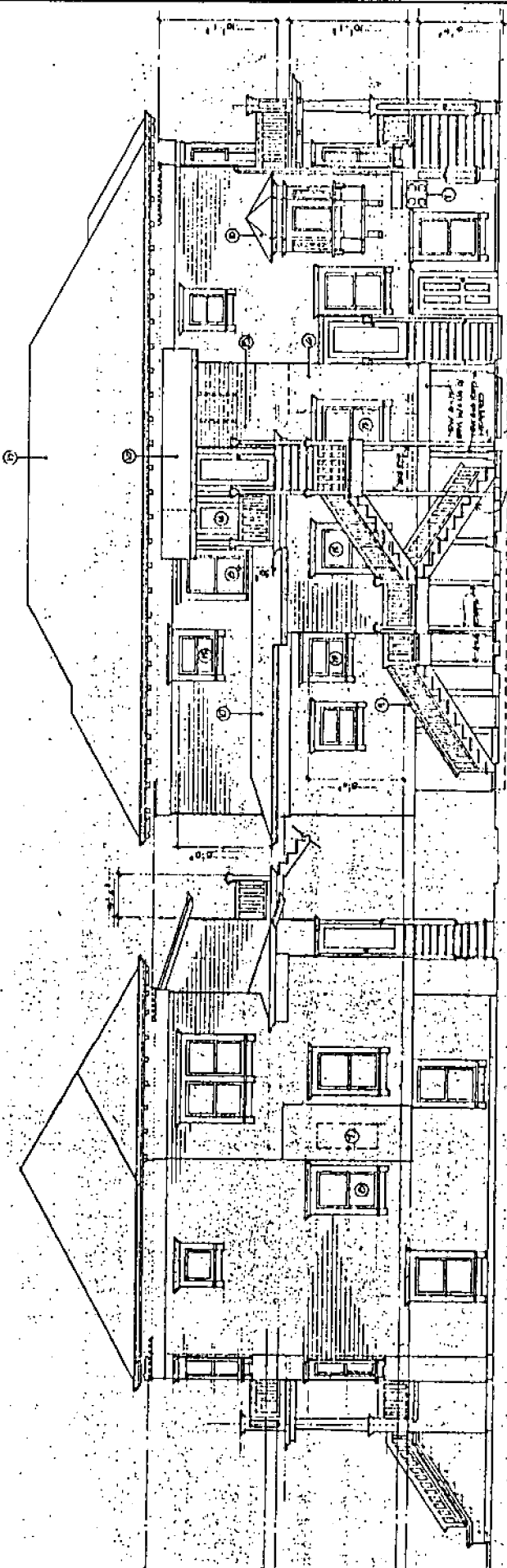
REHABILITATION & RENOVATION OF
105 W. ST. DWELLING

PACIFIC DEVELOPMENTS
8800 VALLEY ROAD, SUITE 7
SACRAMENTO 95831



DATE: 04/11/82
 DRAWN BY: J.S.
 CHECKED BY: J.S.
 PROJECT NO.: P-82020
 SHEET NO.: 1

17



NORTH ELEVATION

EAST ELEVATION

SCALE



The use of such seal and specifications (MCC) is required for all work on any project and is subject to the approval of the State of California. The contractor shall be responsible for the correct use of the seal and specifications. The seal shall be used in accordance with the provisions of the California Labor Code, Section 2020. The seal shall be used to indicate the compliance with the City Ordinance of State Law.

ALL WORK HAS
 RECEIVED
 04/11/82

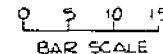
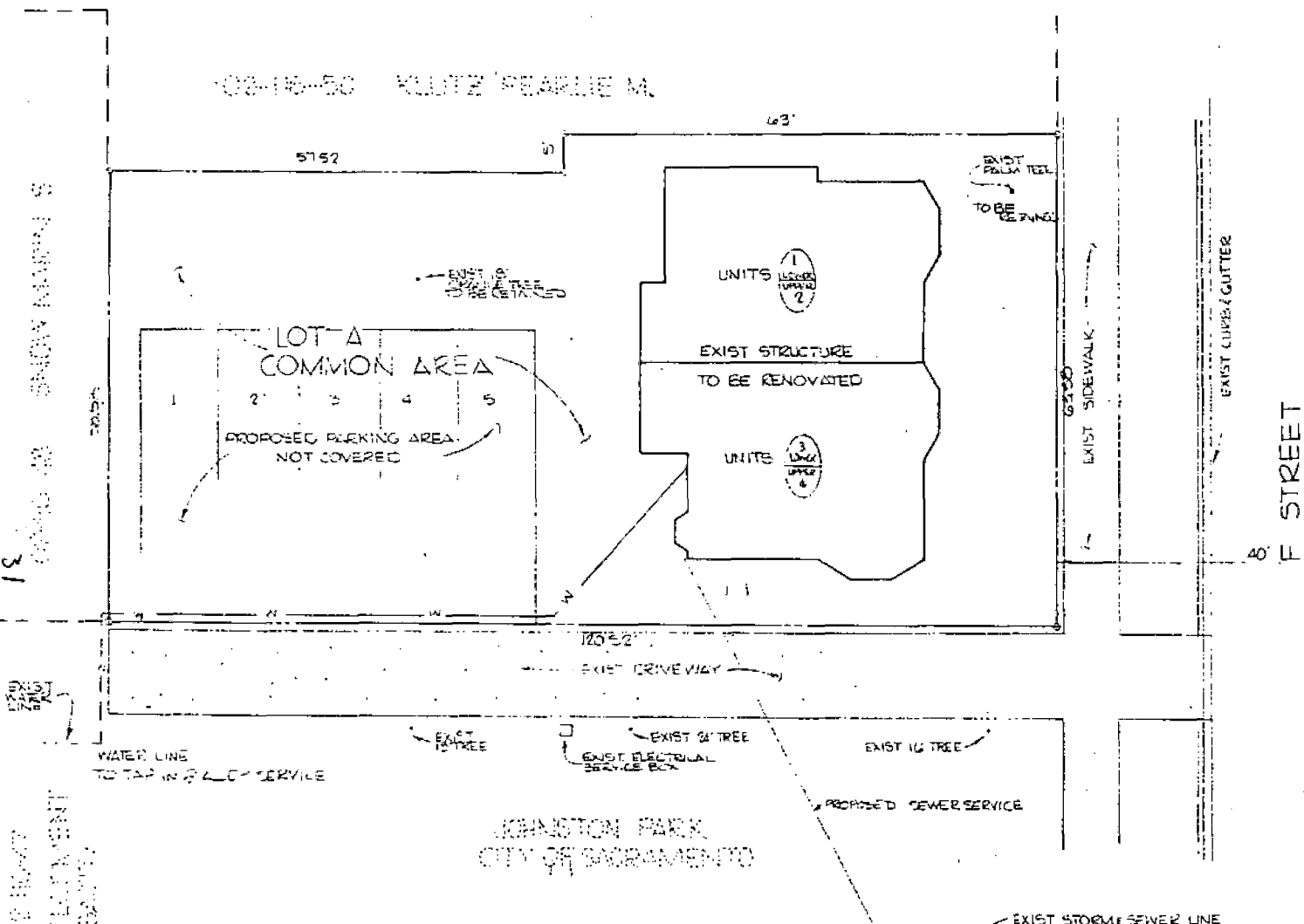
ISSUED
 04/11/82
 SACRAMENTO
 PACIFIC DEVELOPMENTS

ONE HOUR FIRE
 RESISTANT CONSTRUCTION
 REQUIRED THROUGH OUT

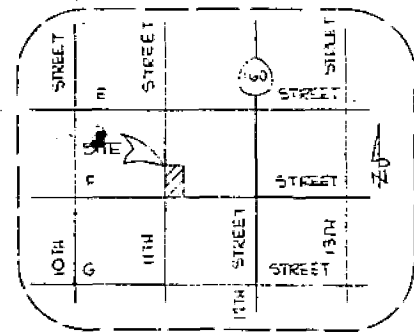
TENTATIVE SUBDIVISION MAP
FOR: JOHNSTON PARK VICTORIAN

P-82-020

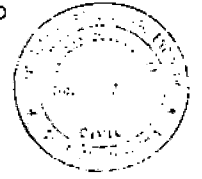
03-16-50 KLUTZ PEARLIE M.



SCALE 1"=10'
NORTH



VICINITY MAP
NO SCALE



ASSESSOR'S PARCEL NO.
2 116-16 (PORTION OF)

PRESENT OWNER
V.L. & PARTNER E.L.C.
125 L STREET SUITE 500
SACRAMENTO CA 95814 TELE (916) 441-3039

PRESENT USE & ZONING
VACANT (REHABILITATION), R4A

PROPOSED USE & ZONING
CONDOMINIUM, R4A

SIZE OF LOT
APPROX. 120' X 63'

SCHOOL DISTRICT
SACRAMENTO CITY

ENGINEER
EDWARD R. KRUMHOLZ, CIVIL ENGINEER
1540 S. JARVIS AVE SUITE 200
SACRAMENTO CA 95814 TEL (916) 334-3306

ACREAGE
0.175 ACRES

NO. OF LOTS & UNITS
1, 4

SOURCE OF WATER
CITY OF SACRAMENTO

SANITATION FACILITIES
CITY OF SACRAMENTO

EDWARD R. KRUMHOLZ, CIVIL ENGINEER

SACRAMENTO CITY PLANNING DEPARTMENT 17

Application Information

Application taken by/date: _____

Project Location 1105 "F" Street P N^o ~~8687~~ 82-020

Assessor Parcel No. 002-116-16

Owners MJC Partnership, 925 L Street, #850, Sacramento 95814 Phone No. 441-3089

Address _____

Applicant Speath Eng. Phone No. 334-8306

Address 5710 Garfield Ave., #B 95841

Signature _____ C.P.C. Mtg. Date 5-4-82

REQUESTED ENTITLEMENTS

ACTION ON ENTITLEMENTS

REQUESTED ENTITLEMENTS	Commission date	Council date	Filing Fees
<input checked="" type="checkbox"/> Environ. Determination _____	_____	_____	\$ _____
<input type="checkbox"/> General Plan Amend _____	_____	_____	\$ _____
_____	_____	Res. _____	_____
<input type="checkbox"/> Community Plan Amend _____	_____	_____	\$ _____
() _____	_____	Res. _____	_____
<input type="checkbox"/> Rezone _____	_____	_____	\$ _____
_____	_____	Ord. _____	_____
<input checked="" type="checkbox"/> Tentative Map to divide .17 ac. parcel into 4 airspace lots and 1 common lot in the R-4A zone.	RAC	_____	\$ _____
_____	_____	Res. _____	_____
<input checked="" type="checkbox"/> Special Permit to convert 4 existing vacant rental units into 4 condo units.	RAC	_____	\$ _____
_____	_____	_____	_____
<input checked="" type="checkbox"/> Variances to comply with Sec. 28-C-3(i) for conversion to condo regarding age of structure.	RAC	_____	\$ _____
_____	_____	_____	_____
<input type="checkbox"/> Plan Review _____	_____	_____	\$ _____
_____	_____	_____	_____
<input type="checkbox"/> PUD _____	_____	_____	\$ _____
_____	_____	_____	_____
<input type="checkbox"/> Other _____	_____	_____	\$ _____
_____	_____	_____	_____

FEE TOTAL \$ _____

Sent to Applicant: _____ Date _____

By: _____ Sec. to Planning Commission

RECEIPT NO. _____
By/date _____

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.

P N^o 9687

SACRAMENTO CITY PLANNING COMMISSION

17

MEETING DATE May 4, 1982 GENERAL PLAN AMENDMENT TENTATIVE MAP

ITEM NO. B-3 FILE NO. P-82-020 COMMUNITY PLAN AMENDMENT SUBDIVISION MODIFICATION

M- REZONING ENVIRONMENTAL DET.

SPECIAL PERMIT OTHER _____

VARIANCE _____

Recommendation: Favorable LOCATION: 1105 F St.

Unfavorable Petition Correspondence

PROPOSERS	
NAME	ADDRESS
<u>Richard Rozumowicz</u>	<u>5710 GARFIELD AV SACTO, CA 95841</u>
<u>James L. Moore</u>	<u>925 L St. SACTO, CA</u>

OPPOSERS	
NAME	ADDRESS
<u>Bruce Boor</u>	<u>1021 F St</u>

MOTION NO. _____

	YES	NO	MOTION	2ND
<u>Augusta</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
<u>Fong</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
<u>Goodin</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
<u>Holloway</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
<u>Larson</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<u>Muraki</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
<u>Silva</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
<u>Simpson</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
<u>Hunter</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		

MOTION:

TO APPROVE

TO DENY

TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT

INTENT TO APPROVE SUBJ. TO COND. & BASED ON FINDINGS OF FACT DUE _____

TO RECOMMEND APPROVAL Subject to conditions as amended & FORWARD TO CITY COUNCIL

TO RATIFY NEGATIVE DECLARATION

TO CONTINUE TO _____ MEETING

OTHER _____