CITY OF SACRAMENTO

19

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 7 unit apartment complex into condominiums (P84-056)

LOCATION: 2710 E 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 condusive 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 setforth 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: 7
2. Size of Unit: two and three bedroom units
3. Proposed Sales Price: $60,000 to $70,000
4. Number of qualified low/moderate tenants: 0
5. Tenant or neighborhood objections: See attached letters (Exhibit C).

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 2 of 7 required parking spaces, based upon attached Findings of Fact.

F. Denial of the Variance to reduce required maneuvering space from 26' to 20', 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 Duyn
Planning Director

FOR CITY COUNCIL INFORMATION
WALTER J. SLIPE
CITY MANAGER

SC:lao
attachments
P84-056

December 3, 1984
District No. 1

MEETING DATE *October 11, 1984*

ITEM NO. *25A* FILE P *84-056*

M ______

- [ ] GENERAL PLAN AMENDMENT
- [ ] COMMUNITY PLAN AMENDMENT
- [ ] REZONING
- [ ] SPECIAL PERMIT
- [ ] VARIANCE
- TENTATIVE MAP
- SUBDIVISION MODIF
- LOT LINE ADJUSTME
- ENVIRONMENTAL DET
- OTHER ______

Location: *2710 E. Street*

Recommendation:
- [ ] Favorable
- [x] Unfavorable

- [ ] Petition
- [ ] Correspondence

PROPONENTS

NAME	ADDRESS
[illegible] – 811 Q Street Sacramento, CA 95814	
[illegible] – [illegible] Street, Sacramento, CA 958[illegible]	

OPPONENTS

NAME	ADDRESS

MOTION
- [ ] TO APPROVE
- [ ] TO DENY
- [ ] TO APPROVE SUBJECT TO COND. & BA FINDINGS OF FACT IN STAFF REPO
- [ ] TO APPROVE/DENY BASED ON FINDING FACT IN STAFF REPORT
- [ ] INTENT TO APPROVE/DENY SUBJECT T & BASED ON FIND. OF FACT DUE
- [x] TO RECOMMEND ~~APPROVAL~~ *denial* & FORWARD COUNCIL
- [ ] TO RECOMMEND APPROVAL SUBJECT TO FORWARD TO CITY COUNCIL
- [ ] TO RATIFY NEGATIVE DECLARATION
- [ ] TO CONTINUE TO ______
- [ ] OTHER ______

MOTION NO. ______

	YES	NO	MOTION	SECOND
Augusta	✓			✓
Ferris	✓			
Fong	✓		✓	
Goodin	✓			
Hunter	*[illegible]*			
Ishmael	✓			
Ramirez	*absent*			
Simpson	*[illegible]*			
Holloway	✓			

City Planning Commission
Sacramento, California

Members in Session:

Subject: Decision and Findings of Fact on P84-056

Location: 2710 E 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 two of seven required parking spaces, based upon findings of fact to follow;

F. Denial of the Variance to reduce required maneuvering space from 26' to 20', 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

2710 E Street
P84-056
7 Units

Exhibit A

9 Points

CONDOMINIUM CONVERSION
PROJECT REVIEW CRITERIA - CENTRAL CITY
PHYSICAL FEATURES

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

(3.3) 1. The conversion will contribute to neighborhood stabililty.

( ) a. Ownership is consistent with other residential uses in the neighborhood;

(X) b. The surrounding area is predominantly residential;

(X) c. The conversion is consistent with applicable community plan goals;

(3.9) 2. The units contain amenities which encourages ownership:

(X) a. Useable balcony or patio;

(X) b. Fireplace;

(X) c. Laundry facilities;

( ) d. Storage space or room;

( ) e. Energy conservation items;

(X) f. Custom architectural design (interior)

(X) g. Central heat and air;

(X) h. Dishwasher;

(X) i. At least 75% of the complex contain units with 650 sq.ft. of living area or greater;

(1.8) 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;

(X) d. Security features;

( ) e. 1 to 1 parking;

( ) f. On street parking available;

(X) g. At least 50% of open common area is landscaped with living vegetation;

( ) h. Automatic irrigation;

(X) i. Standard access and maneuvering space for parking;

(X) 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;

EXHIBIT B

	Projects		Total Points	No. Units
1.	P84-040 2617 'D' Street	12.11	17.7	14 units
2.	P84-041 2216 'T' Street	11.1	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	4 units
				46 units
	Alternate Projects			
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)

PLANNING

EX. C

P84-056

May 31, 1984

City Planning Department
City of Sacramento
927 Tenth Street
Sacramento, California

Re: Proposed Project No. P84-056
Property located at 2710 E Street
Date of Hearing: May 31, 1984, 5:30 P.M.

Gentlemen:

Regarding the proposal to convert the seven apartments at the above location into condominium units I have the following comments:

We are property owners residing within the 300 feet limit of the proposed conversation and are objecting as follows:

As to the variance to waive two of the required parking spaces, the area on 27th Street between E and F has a present critical parking problem and receives the overflow from a density of apartments on E and F. The area on 27th Street between E and F has 25 apartments and/or single family dwellings making street parking highly inadequate. Usually the alley behind 2710 E Street has one to six cars parked there sometime during the day. Mr. Ewing is required to use a wheel chair at times and if the parking space in front of our residence is taken, it is difficult and sometimes impossible for him to use it.

As to the other variances requested, I am sure these requirements were made after careful consideration by the city to protect innocent buyers and I can see no reason why they should be waived.

As to the actual conversation from apartments, I have no reason to object if all of the requirements of the city as presently set forth are met and none of the variances granted.

Very truly yours,

Evelyn Ewing

Evelyn Ewing
520 27th St
Sacramento, California

P84-05

May 30, 1984

Planning Director
City Planning Department
927 Tenth Street, Suite 300
Sacramento CA 95814

Re: P84-051 2712 E Street, Sacto. APN: 003-152-23
P84-056 2710 E Street, Sacto. APN 003-152-05

Sir:

We hereby voice concern re proposed change of above apartments to condominiums for the following reasons:

1. There never has been sufficient parking for the above apartments. Alley is an obstacle course for a fire truck.

2. Waste disposal situation at 2710 E Street has never been resolved. Dumpster takes up some of parking area and causes damage to adjacent building.

3. Cutting parking maneuvering space by 6' will create more congestion and frayed tempers.

4. Re 2712 E Street, who is to guarantee buyers of said condominiums will drive compact cars?

What is surprising about all this is that adjacent property owners were not notified of waivers of needed parking when these units were first built. In fact, there never was a notification re the building of same. --

Yours truly,

William H. Martin Wynne Martin

William H. & Wynne Martin
7315 Ridge Road
Newcastle, CA 95658
(Owners of adjacent Parcel facing 27th Street)

wm

EX C

P 84-056

May 30, 1984

The City of Sacramento
Utility Services
915 I Street, Room 104
Sacramento, CA

Re: Damage to building abutting Foxton Apartments
(Parcel 003-152-0500 City of Sacramento)

The Foxton Apartments abut the rear of ourproperty which runs paralell with the alley between E and F Streets in Sacramento; said alley connects 27th and 28th Streets.

Despite numerous contacts with your waste disposal department and a meeting at the site with your supervisor, the dumpster for the Foxton Apartments is backed up to our building and the lid has damaged the asphalt shingles. This is a constant problem and grows worse as time passes. At one point the dumpster was moved to the other side of the parking area but was almost immediately moved back against our building because of insufficient parking.

This is to advise that because asphalt shingles are impossible to find to patch our building we will have no alternative but to replace that entire side of the building with siding at considerable cost to the Waste Disposal Department of the City of Sacramento.

We urge immediate and final resolution to this problem because the owners of Foxton Apartments are seeking to make these apartments into condominiums; a condition which we consider will only compound the problems of*waste disposal and *parking.

Very truly yours,

William H. Martin/Wynne A Martin
7315 Ridge Road
Newcastle, CA 95658

Wm

* When these apartments were built apparently there never was sufficient provision made for adequate waste disposal and parking.

cc: City Planning Commission

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STAFF REPORT AMENDED 7-10-84

CITY PLANNING COMMISSION

927 10TH STREET, SUITE 300 - SACRAMENTO, CALIFORNIA 95814

APPLICANT JTS Engineering, 811 'J' Street, Sacramento, CA 95814
OWNER Foxton Apartments, 2050 Pioneer Court, #204, San Mateo, CA 94403
PLANS BY JTS Engineering, 811 'J' Street, Sacramento, CA 95814
FILING DATE 1-31-84 50 DAY CPC ACTION DATE REPORT BY: JP
NEGATIVE DEC Ex. 15301(k) EIR ASSESSOR'S PCL. NO. 003-152-05

APPLICATION:
1. Tentative Map to divide a 0.15± acre site, developed with seven apartment units, into one common lot for seven airspace condominium units in the Single Family (R-1B) zone;
2. Special Permit to convert seven apartment units into condominium ;
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 two of seven required parking spaces Section 28-C-3(a);
6. Variance to reduce the required parking maneuvering space from 26' to 20' (Section 6-C-1(a).

LOCATION: 2710 E Street

SUMMARY: The Foxton Apartments consist of a seven 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 (seven units)

Surrounding Land Use and Zoning:
North: Single & multi-family residential; R-1B
South: Single & multi-family residential; R-1B
East: Single & multi-family residential; R-1B
West: Single & multi-family residential; R-1B

Parking Required:	Seven spaces
Parking Provided:	Two spaces
Property Dimensions:	40±' x 160±'
Property Area:	0.15± acres
Density of Development:	47 units per acre
Square Footage of Units:	880± sq. ft. - 1,100± sq. ft.
Height of Structure:	Two story; 19 ft.
Significant Features of Site:	Existing apartment
Topography:	Flat

APPLC. NO. P 84-056 MEETING DATE May 31, 1984 CPC ITEM NO. 20

PHYSICAL CHARACTERISTICS	2400 G St.	2206 V St.	2617 O St.	2216 T St.	2808 O St.	1630 P St.	2116 13th St.	1200 25th St.	515 23rd St.	515 18th St.	715 19th St.	419-431 V St.	2116 O St.	2712 E St.	2117 22nd St.	2418 V St.	2326 V St.	2508 O St.	2710 E St.	2031 27th St.	2212 19th St.	2408 F St.	2425 L St.	1831 H St.	200 26th St.	414 23rd St.
1. No. of units	27	18	14	7	7	4	4	4	4	4	4	16	5	16	10	8	7	7	5	4	5	4	4	4	4
2. Parking provided	21	13	10	4	5	0	3	0	3	3	3	16	5	11	7	4	5	4	5	0	3	0	0	0	2
3. Type of construction (hour rating)	1	1	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	66	75	70	69	70	70	72	72	73	71	71	66	74	71	67	77	71	71	71	69	72	69	67	72	73	71
5. Type of structure(s) 1, 2, 3 story	3	2	2	2	2	2	2	2	2	2	2	1	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	4	1	1	1	1	1	1	1	1	1	1	1	1	1	1
7. Number of laundry facilities	0/1	0/1	0/1	0/1	0/1	0/1	0/1	0/1	0/1	0/1	0/1	0/1	0/1	0/1	0/1	0/1	0/1	0/1	0/1	0/1	0/1	0/1	0/1	0/1	0/1	1/1
8. Hotwater supply:																										
Common		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
9. Estimated monthly association fee	65	55	81	80	80	64	64	64	64	64	64	100	79	66	78	60	80	80	80	82	64	68	64		65	65
10. Condition of Common Area:																										
Good																X										
Fair	X	X	X		X	X	X	X	X	X	X		X	X	X		X		X		X	X	X	X		
Poor				X								X								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 (s)	0	0	14	7	7	0	4	4	4	4	4	0	0	86	0	4	7	0	7	0	4	4	4	4	4	4
Private Patio (s)	9	0	16	7	7	4	4	4	4	4	4	0	0	8	0	0	0	0	7	0	4	4	4	4	4	4
SOCIAL CHARACTERISTICS																										
1. Number of tenants	27	18	14	7	7	4	4	4	4	4	4	16	9	14	10	8	7	7	6	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	2	0	1	0	0
3. No. of elderly	5	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	1	0	0	0	0	0	0	0	1
4. No. of single parents or F/H children	1	0	4	0	0	1	0	1	0	1	0	6	3	0	0	2	1	2	1	0	1	1	0	2	1	1
5. No. of Section 8 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	1	0	0
6. No. of eligible tenants as of 5/2/84	22	17	8	5	7	4	2	2	4	4	3	7	8	13	5	6	4	6	5	4	4	3	4	2	1	
7. No. of tenants who wish to purchase	5	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1	0	0	0	0	0	0
8. No. of Handicap tenants	3	0	0	0	0	0	0	0	1	0	0	0	2	2	0	0	1	0	0	0	0	0	0	0	0	1
9. Rent Range of Units	235-275	335-395	345-395		315		315	315	315		275-325	275-325	245-285	315-375	275-325	305-355	215-255									
	275-325	295-345	345-395	345-395	345-395	345-395	345-395	345-395	345-395	345-395	325-375	325-375	285-335	325-375	325-375	355-405	255-295	295-345	345-395	345-395	345-395	345-395	345-395	345-395	345-395	345-395
10. Sales Price of Units in ($,000)	59-75	43-63	56-70	43-55	50-60	36-45		35-45	36-45	36-45	40-50	35-43	35-43	35-50	50-60	56-70	50-70	50-60	45-65	38-63						38-42

	2400 G St.	2206 V St.	2617 O St.	2216 T St.	2808 O St.	1630 P St.	2116 13th St.	1200 25th St.	515 23rd St.	515 18th St.	715 19th St.	419-431 V St.	2116 O St.	2712 E St.	2117 22nd St.	2418 V St.	2326 V St.	2508 O St.	2710 E St.	2031 27th St.	2212 19th St.	2408 F St.	2425 L St.	1831 H St.	200 26th St.	414 23rd St.
Studio	6	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	16	0	0	0	0	1	0	1	1	1	0	8	8	2	0	0	0	0	0	1	0	0	0	0	3
Sq. Footage of Units	840	495					650		650	650	650		495	700	676					650					650	
Price/Sq. Foot	77	90					58		58	58	58		71	50	52					58					59	
Two Bedroom	3	2	12	6	6	4	3	4	3	3	3	16	1	2	8		6	6	6	2	3	4	4	4	4	1
Sq. Footage of Units		935	880	880	880	845	845	845	845	845	845	840	935	950	806	600	880	880	880	750	845	845	845	845	845	845
Price/Sq. Foot	75	64	55	57	51	65	50	50	50	50	50	54	45	47	56		57	57	57	60	50	50	50	50	50	50
Three Bedroom	0	0	2	1	1	0	0	0	0	0	0	0	0	6	0	0	1	1	1	2	0	0	0	0	0	0
Sq. Footage of Unit																										
Price/Sq. Foot			50	63	50									42			64	64	64	59						

* Fireplace
No Fireplace

Street Improvements/Utilities: Existing
Exterior Building Colors: Dark red and brown
Exterior Building Materials: Brick, stucco, cedar shake, plywood

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 Sec.28-2(B) 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.

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 Sec.28-C-5(b) 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.

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 appliant 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 tentants 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 various electrical and structural building code deficiencies in this complex.

8. The subject complex consists of one structure containing seven townhouse apartment units ranging in size from six 880± square foot, two bedroom units to one 1,100± square foot three bedroom unit. Each unit has a fireplace and a private patio. In addition, the three bedroom unit has a private balcony.

   Common areas include the central mail box unit at the north entrance, the landscaped walkway along the western property line and the laundry room located at the southern end of the structure. Several mature trees line the western walkway, enhancing the appearance of the site. No enclosed trash area is provided on the site; the trash is collected in a dumpster located in the parking area.

   There are five parking spaces located at the rear of the subject site with access from the alley. Currently, these parking spaces are not striped and one space is occupied by the trash dumpster. The provided parking does not meet the parking requirement of one space per each unit for condominium conversions.

   In addition, the only maneuvering area provided for vehicles using the parking spaces is the adjacent 20 foot wide alley. This alley does not provide the minimum 26 foot wide maneuvering area required by the Zoning Ordinance.

   Regarding the exterior appearance of the complex, Planning and Building Division staff have noted that the exterior plywood on the structure is in need of maintenance and repair.

In conclusion, this seven unit complex does not meet minimum development standards and building code requirements relating to condominium conversion projects. In addition, potential problems would be created for homeowners who would have to compete for available

on-site parking. This portion of E Street is heavily traveled and a number of multiple family units are located in the area, making on-street parking severly limited. If this project was approved along with the other apartment complexes proposed for conversion, the vacancy rate in the Central City would be reduced to 2.4%, below the minimum 5+% vacancy rate allowed for conversions. This structure is not sutitable for conversion to condominiums; staff, therefore, recommends denial of the project.

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

STAFF RECOMMENDATION: STaff recommends the following actions:

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 findngs 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 two of seven required parking spaces based upon findings of fact to follow;

6. Denial of the Variance to waive required maneuvering space from 26' to 20' 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 (P84-056)

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 open parking lots and carports shall be provided with a minimum maintained one footcandle of light as measured at the parking surface from one-half hour before sunset until one-half hour after sunrise. All lighting devices shall be equipped with weather and vandal resistant covers.

   b. Aisles, passageways and recesses related to and within the complex shall be illuminated with an intensity of at least twenty-five one-hundredths (.25) maintained minimum of light as measured at ground level during the hours of darkness. These lighting devices shall be protected by weather and vandal resistant covers.

   c. 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.

   d. Parking spaces shall be numbered in such a manner that the space numbers do not correspond to the addresses or unit numbers of residences.

e. 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.

f. 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.

g. 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 jambs shall be secured with a minimum of 4 number 8 machine screws.

h. 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.

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

j. 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.

k. The declaration of conditions, convenant and restrictions shall give the officers of the home owners' association strong and specific powers to have towed away all unauthorized parked vehicles from non-dedicated streets, alleys and parking lots.

l. 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. All roof-mounted fuel gas piping, sheet metal ducts and condensate drains shall be properly supported.

13. Each dwelling unit shall be provided with an approved smoke detector.

14. The house panel in the electric service room shall be provided with an approved cover.

15. The exterior plywood shall be repaired and refinished.

16. 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.

EXHIBIT B

RESIDENT SURVEY

For Resident(s) of 2710 E Street

1. How long have you been a resident of this complex? ____ years ____ months
   1 - over 1 year; 1 - less than 1 year.
2. Why did you move into this complex? Check most important reasons(s).

   a. 2 close to work b. 1 close to services (shopping, church, etc.)

   c. ___ good management d. 1 amenities e. ___ like rent rates

   f. ___ other

3. How long do you plan on living at this complex? 2 unknown or ___ year(s).
   Under What conditions? _____

4. If this project is offered for sale within the price range estimated (price ranges will be disclosed to you by the owner) for the project, are you interested in purchasing the unit in which you are now living, or another in the complex? ___ yes 2 no ___undecided

5. If you are unable to purchase a unit, will you be able to locate a comparable unit to rent within this vicinity? ___ yes ___ no 2 uncertain.

6. Are you a special category tenant?: check space if applicable

   a. 63 years of age or older ___

   b. Handicapped or disabled ___

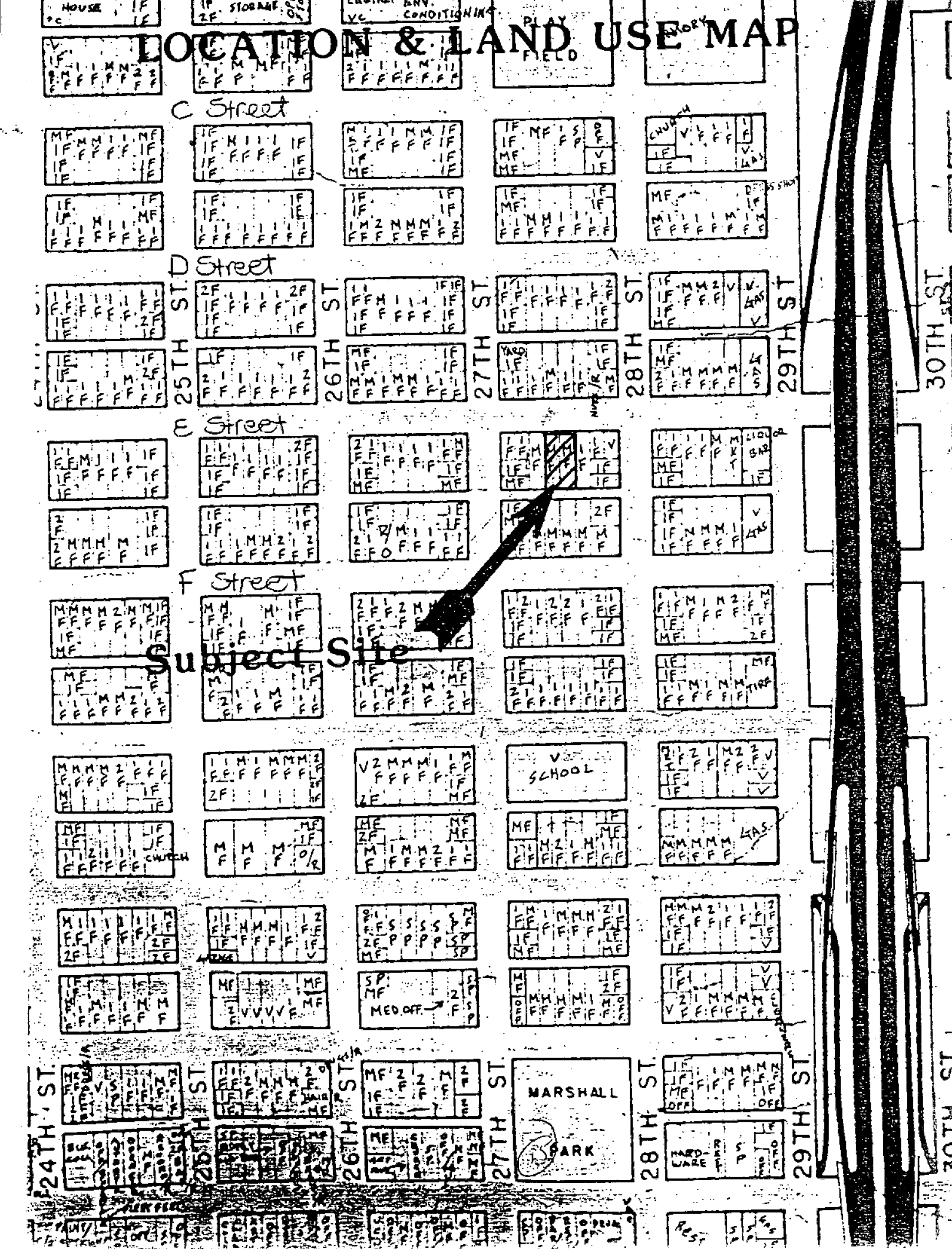
   c. Low or moderate income as defined by U.S. Department of Housing and Urban Development: Low ___ Mod. ___ (See attached table to determine income status.)

   d. Single head of household residing with one or more minor (under age 18) children ___.

7. Do you approve in principle of this proposed conversion to condominium housing? ___ yes ___ no 2 undecided Why or why not? _____
   1 response - doesn't feel that there is adequate rental housing downtown

8. Do you have any comments related to the owner's request? _____
   1 response - Front doors should be brought up to Building Code standards

LOCATION & LAND USE MAP



TENTATIVE MAP

2710 E STREET

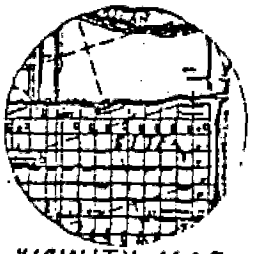
A CONDOMINIUM SUBDIVISION

OF A PORTION OF LOT 2 ON THE BLOCK
BOUNDED BY E, 28TH, F AND 27TH STREETS

CITY OF SACRAMENTO CALIFORNIA

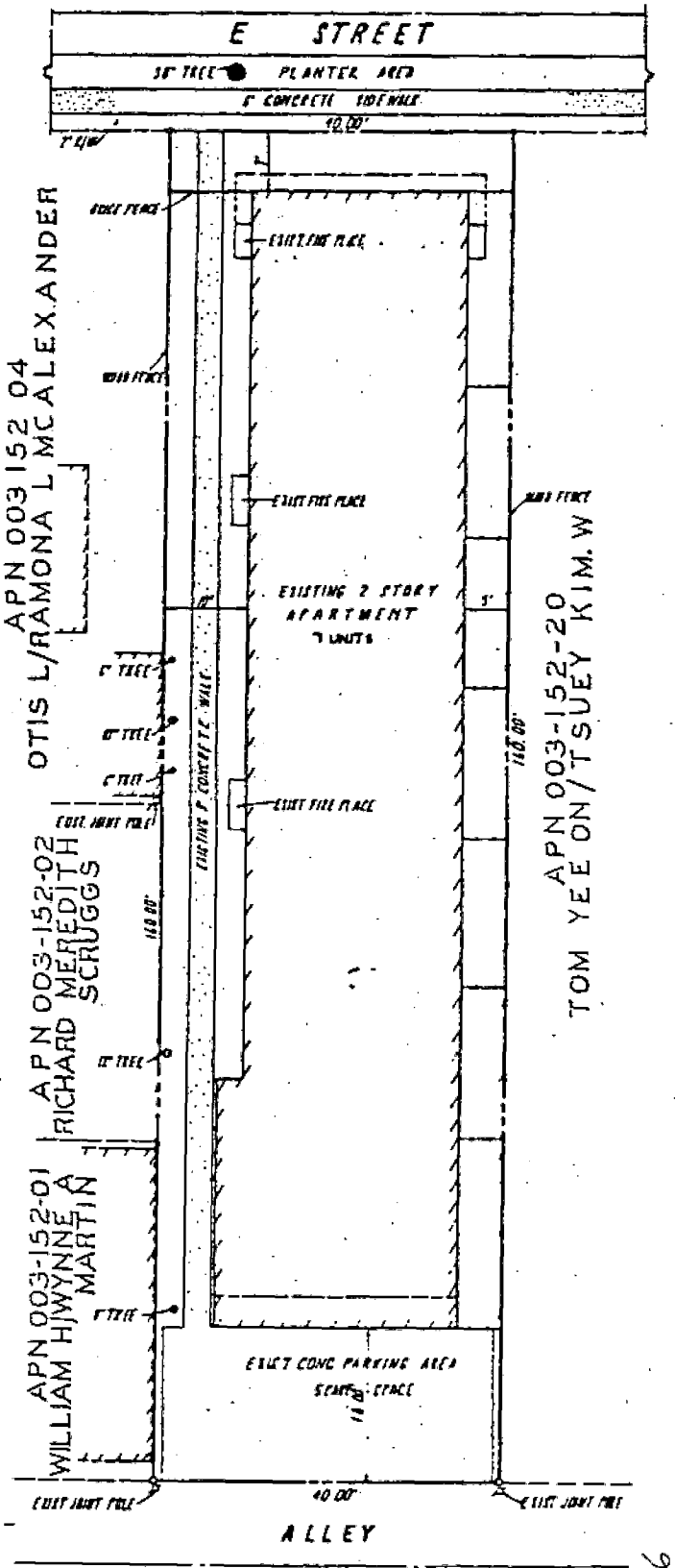
JANUARY 1984

JTS ENGINEERING CONSULTANTS, INC



VICINITY MAP
NO SCALE

0 5 15 25



P 84056

GENERAL NOTES:

ENGINEER:

JTS ENGINEERING CONSULTANTS, INC.
811 J STREET
SACRAMENTO, CA 95814
(916) 441-6708

OWNER:/DEVELOPER:

FULTON APARTMENTS
BEHLING PORTROSS
2050 PIONEER COURT
SAN MATEO, CA 94403

GROSS AREA:

0.147 ACRES 6400 SQ. FT.

PRESENT USE:

APARTMENTS

PROPOSED USE:

CONDOMINIUMS

EXISTING ZONING:

R1B

PROPOSED ZONING:

R1B

SCHOOL DISTRICT:

SACRAMENTO CITY UNIFIED SCHOOL DISTRICT

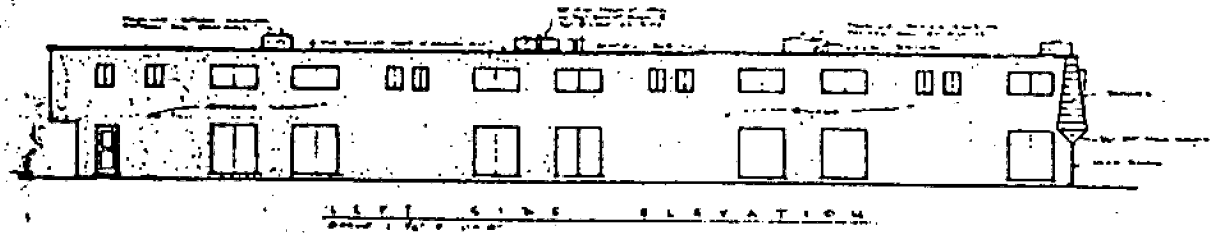
ASSESSOR'S PARCEL NO.:

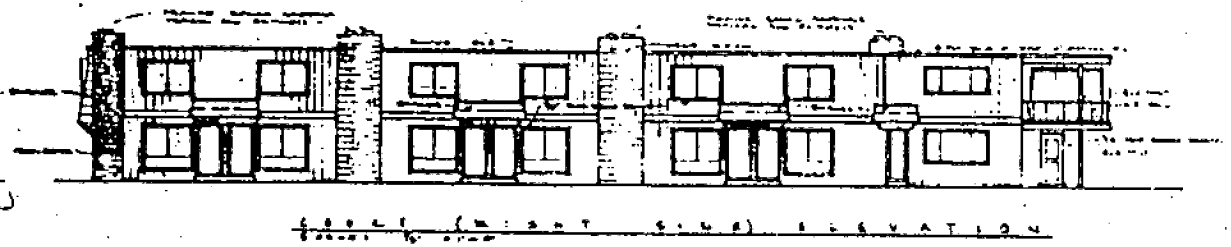
003-152-05

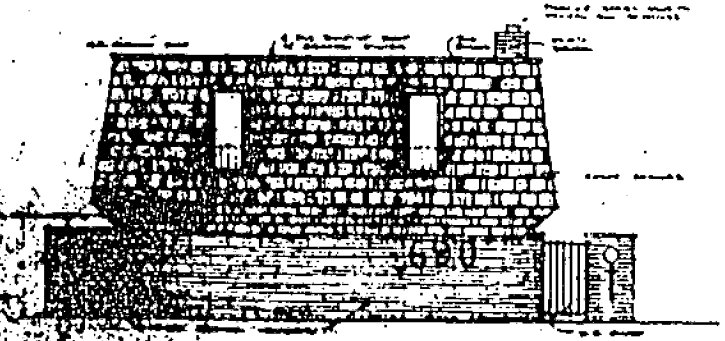
UTILITIES:

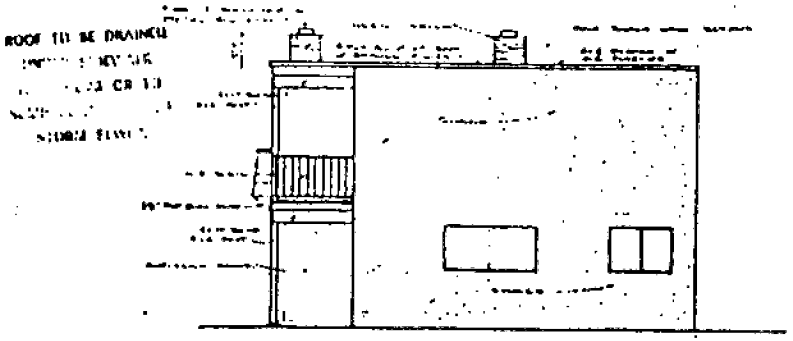
GAS:	P.G.&E.	383-4141
ELECTRICITY:	S.M.U.D.	452-3211
TELEPHONE:	PACIFIC BELL	482-3220
WATER:	CITY OF SACRAMENTO	449-5273
SEWER:	CITY OF SACRAMENTO	449-5273
DRAINAGE:	CITY OF SACRAMENTO	449-5281
FIRE:	CITY OF SACRAMENTO	449-5252

16

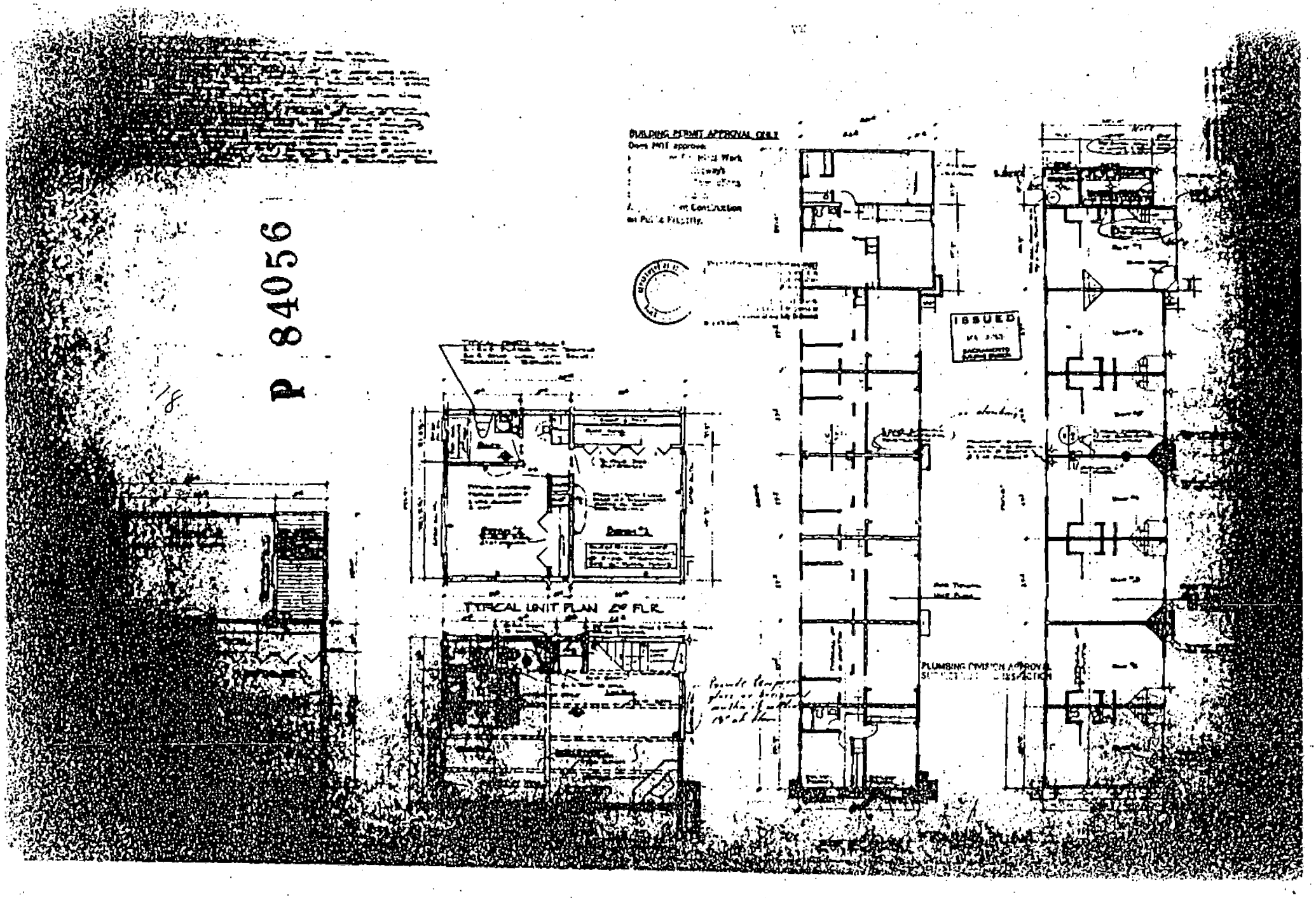







ROOF TO BE DRAINED


ISSUED


P 84056
BUILDING PERMIT APPROVAL ONLY
ISSUED
TYPICAL UNIT PLAN 2ND FLR.

SACRAMENTO CITY PLANNING DEPARTMENT

Application Information — **Application taken by/date:** 1/31/84

Project Location 2710 'E' Street — **P 84-056**

Assessor Parcel No. 003-152-05

Owners Foxton Apartments — **Phone No.**

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

Applicant JTS Engineering, Inc. — **Phone No.**

Address 822 'J' Street, Sacramento, CA 95814

Signature — **C.P.C. Mtg. Date** 10/11/84

REQUESTED ENTITLEMENTS	ACTION ON ENTITLEMENTS Commission date	Council date	Filing Fees
☒ **Environ. Determination** Exempt 15301(k)	10-11-84		$
☐ **General Plan Amend**			$
		Res.	
☐ **Community Plan Amend**			$
( )		Res.	
☐ **Rezone**			$
		Ord.	
☒ **Tentative Map** to divide 0.15± ac. developed with seven apartment units into one common lot for seven airspace condominium units in R-1B zone	RD	Res.	$
☒ **Special Permit** to convert seven apartment units into condominiums	RDF		$
☒ **Variances** to waive special sales and lease provisions; Variance to waive required pest control and sound study; Variance to waive two of seven required parking spaces; Variance to reduce required parking maneuvering space from 26 ft. to 20 ft.	RDF RDF RDF RDF		$
☐ **PUD**			$
☐ **Other**			$

FEE TOTAL $

Sent to Applicant: _____ Date — By: _____ Sec. to Planning Commission

RECEIPT NO. 2051

By/date SC 2/1/84

Key to Entitlement Actions

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

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 consitute a public nuisance. Violation of any of the foregoing conditions will consitute 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 84-056

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

MEETING DATE October 11, 1984

ITEM NO. 25A FILE P 84-056

M _____

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

Location: 2710 E. Street

Recommendation:
☐ Favorable
☒ Unfavorable

☐ Petition ☐ Correspondence

PROPONENTS

NAME	ADDRESS
Saeed Siddiqui	811 Q Street, Sacramento, CA 95814
Darryl Martin	2300 A Street, Sacramento, CA 95816

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~~ denial & FORWARD TO CITY COUNCIL
☐ 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	abstain			
Ishmael	✓			
Ramirez	absent			
Simpson	abstain			
Holloway	✓			

MEETING DATE October 11, 1984

ITEM NO. 25B FILE P 84-056

M _____

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

Location: 2710 E Street

Recommendation:

- ☐ Favorable
- ☒ Unfavorable W/FF
- ☐ Petition
- ☐ Correspondence

PROPONENTS	
NAME	ADDRESS

OPPONENTS	
NAME	ADDRESS

MOTION

- ☐ TO APPROVE
- ☐ TO DENY
- ☐ TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT
- ☒ TO ~~APPROVE~~ RECOMMEND/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 _____

MOTION NO. _____

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

SACRAMENTO CITY PLANNING COMMISSION

MEETING DATE October 11, 1984

ITEM NO. 25C FILE P 84-056

M _____

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

Location: 2410 E Street

Recommendation:
- ☐ Favorable
- ☒ Unfavorable W/FF
- ☐ Petition
- ☐ Correspondence

PROPONENTS	
NAME	ADDRESS

OPPONENTS	
NAME	ADDRESS

MOTION NO. _____

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

MOTION

- ☐ TO APPROVE
- ☐ TO DENY
- ☐ TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT
- ☒ TO ~~APPROVE~~ RECOMMEND/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 October 11, 1984
ITEM NO. 25 D FILE P 84-056
M

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

Location: 2710 E Street

Recommendation:
☐ Favorable
☒ Unfavorable WOFF

☐ Petition ☐ Correspondence

PROPONENTS	
NAME	ADDRESS

OPPONENTS	
NAME	ADDRESS

MOTION

- ☐ TO APPROVE
- ☐ TO DENY
- ☐ TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT
- ☒ TO ~~APPROVE~~ RECOMMEND/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 _____

MOTION NO. _____

-	YES	NO	MOTION	SECOND
Augusta	✓			✓
Ferris	✓			
Fong	✓		✓	
Goodin	✓			
Hunter	abstain			
Ismmael	✓			
Ramirez	absent			
Simpson	abstain			
Holloway	✓			

SACRAMENTO CITY PLANNING COMMISSION

MEETING DATE October 11, 1984

ITEM NO. 25E FILE P 84-056

M _____

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

Location: 2710 E Street

Recommendation:

- ☐ Favorable
- ☒ Unfavorable W/FF

☐ Petition ☐ Correspondence

PROPONENTS	
NAME	ADDRESS

OPPONENTS	
NAME	ADDRESS

MOTION

- ☐ TO APPROVE
- ☐ TO DENY
- ☐ TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT
- ☒ TO ~~APPROVE~~ RECOMMEND/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 _____

MOTION NO. _____

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

SACRAMENTO CITY PLANNING COMMISSION

MEETING DATE October 11, 1984
ITEM NO. 25F FILE P 84-056
M

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

Location: 2710 E Street

Recommendation:
- ☐ Favorable
- ☒ Unfavorable W/FF
- ☐ Petition
- ☐ Correspondence

PROPONENTS	
NAME	ADDRESS

OPPONENTS	
NAME	ADDRESS

MOTION NO. _____

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

MOTION
- ☐ TO APPROVE
- ☐ TO DENY
- ☐ TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT
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- ☐ 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 _____

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 2710 E Street. (P84-056)

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

Sincerely,

Anne Mason
Assistant City Clerk

LM/dbp/19

Enclosure: **Findings of Fact**

cc: Planning Department

Foxton 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 2710 E Street (P84-056))

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.

APPROVED
BY THE CITY COUNCIL

DEC 3 1984

OFFICE OF THE
CITY CLERK

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.

Irene Rudin
MAYOR

ATTEST:

Anne J. Mason
Assistant CITY CLERK

P84-056