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CITY OF SACRAMENTO

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

MARTY VAN DUYN
PLANNING DIRECTOR

September 6, 1983

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: Extension of a Special Permit for the conversion of a 4 unit
Victorian rental structure into condominiums (P82-020)

LOCATION: 1105 F Street

SUMMARY:

The request involves the extension of a Special Permit that was granted for a condominium conversion project. Special Permits for the conversion of rental housing into condominiums are valid for a one year period, at which time the Special Permit must be completed by the sale of at least one unit. The applicant was unable to complete the project within the allotted time and is, therefore, requesting an extension on the Special Permit. The Planning Commission recommended approval of the requested extension for a one year period.

BACKGROUND INFORMATION:

This project is located in the Central City where the rental housing vacancy rate is low at 1.9%. This vacancy rate is below the minimum level for allowing the conversion of rental units, however, these rental units are currently vacant and have been for some time so it is not expected that this conversion will adversely effect the housing stock in the area.

In approving the conversion of these units the major concern was over the structural integrity of this buliding. Due to the age of this structure a number of deficiencies were found by the City Building Inspections Division. Based on these concerns the project was approved subject to a number of conditions that were necessary to insure the integrity of the structure for condominium development. Staff recommends the apporval of this extension subject to the original conditions on the Special Permit.

As proposed and conditioned this project is consistent with the Central City Plan, the General Plan and the Condominium Conversion Urdinance which allows the extension of a Special Permit for a period of one year.

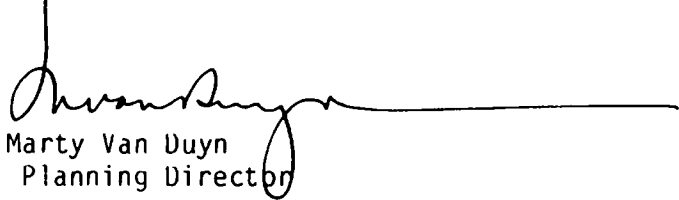
VOTE OF THE PLANNING COMMISSION

On August 11, 1983, by a vote of seven ayes and two absent the Planning Commission recommended approval of this request subject to conditions.

RECOMMENDATION:

The staff and Planning Commission recommend the City Council approve the Special Permit Extension for a period of one year to expire on August 10, 1984, subject to the original condition of approval.

Respectfully submitted,



Marty Van Duyn
Planning Director

Recommendation Approved:

Walter J. Slipe, City Manager

SC:lao
attachments
P83-020 wp 1j

September 13, 1983
District 1

City Planning Commission
Sacramento, California

Members in Session:

SUBJECT: Extension of a Special Permit for the conversion of a four-unit Victorian rental structure into condominiums (P82-020)

SUMMARY: On August 10, 1982 the City Council approved a special permit and tentative map for the conversion of this four-unit rental structure, subject to conditions. The special permit on this project is valid for a period of one year, at which time the special permit must be completed by the sale of one unit. This project will not be completed by the expiration date of the special permit and the applicant is requesting a one-year extension.

BACKGROUND INFORMATION: This project is located in the Central City Community Plan area where the vacancy rate was 5.7 percent when the project was originally approved. This vacancy rate has since dropped to 1.9 percent which is below the minimum level for allowing rental conversions. However, this structure is vacant and has been vacant for many years and the conversion of these units will have no adverse effect on the rental housing stock.

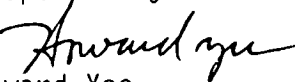
When the project was originally considered it was undergoing extensive rehabilitation work. In approving this project, conditions were imposed to ensure the structural integrity of the building which was in a serious state of deterioration due to its age and years of neglect. The main concern with this proposed conversion project was the ability of the applicant to ensure that the structure was brought up to required building code standards.

Subsequent to the approval on this project, the contractor in charge of this work defaulted on the contract and work on the site has discontinued. At the present time, this structure is vacant and the necessary repairs are not yet accomplished. The applicant is requesting a one-year extension on the special permit in an effort to allow time for another contractor to be hired or to transfer the property to another party who may be willing to complete the necessary work. (See attached Exhibit 'A'.)

Staff has no objections to this request, subject to the original conditions of approval.

STAFF RECOMMENDATION: Staff recommends the Planning Commission forward this project to the City Council with a positive recommendation, subject to the original conditions of approval.

Respectfully submitted,


Howard Yee
Principal Planner

SC:bw

McDONOUGH, HOLLAND & ALLEN

A PROFESSIONAL CORPORATION

ATTORNEYS

555 CAPITOL MALL, SUITE 950
SACRAMENTO, CALIFORNIA 95814
(916) 444-3900

COSTA MESA OFFICE
1200 PARK CENTER DRIVE, SUITE 710
COSTA MESA, CALIFORNIA 92626
(714) 850-1100

IN REPLY REFER TO

MARTIN McLONOUGH
ALFRED E. HOLLAND
BRUCE F. ALLEN
V. BARLOW GOFF
JOSEPH E. COOMES, JR.
WILLIAM G. HOLLIMAN, JR.
DAVID J. SPOTTISWOOD
ELMER R. MALAKOFF
RICHARD W. NICHOLS
DONALD C. POOLE
RICHARD W. OSEN
RICHARD E. BRANDT
GARY F. LOVERIDGE
G. RICHARD BROWN
DENNIS D. O'NEIL
DAVID W. POST
SUSAN K. EDLING
BRUCE McDONOUGH
WILLIAM L. OWEN
D. WILLIAM DENTINO
DAVID F. BEATTY
JAMES B. O'NEAL
ALICE A. WOODYARD
MICHAEL T. FOGARTY

HARRY E. HOLLAND
STEPHEN ROBBINS
DENNIS W. DE CUIP
ANN O'CONNELL
JEFFRY R. JONES
ROBERT W. O'CONNOR
BETSY S. KIMBALL
WILSON B. HART
SUSAN L. SCHOENIG
SABINA D. GILBERT
DAWN M. COLE
JOHN M. TAYLOR
JANET NEELEY KVARME
JOHN E. DI GIUSTO
JOHN L. CARRIER
CRAIG K. POWELL
MARK J. HUEBSCH
SHARON D. ROSEME
JOHN J. FLYNN III
RONALD A. WORLEY
IRIS P. YANG

June 1, 1983

20011/001

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

Re: Special Permit and Approval of Tentative Map for
Johnston Park Victorian Condominiums
(APN 002-115-16) (P82-020)

Dear Mr. Van Duyn:

This firm represents the owner of the above-referenced condominium conversion project. On July 13, 1982, the Council approved a special permit, variance and tentative map for conversion of this vacant, 4-unit apartment building to condominiums, subject to findings of fact and conditions. On August 10, 1982, the Council approved and adopted a tentative map with conditions and a variance and special permit with conditions.

Almost all of the conditions related to physical improvements to be made to the building. Promptly after receipt of the conditions, the work on the condominium conversion was begun by Paul Hill & Sons, the contractor hired by our client. The contract contained an express time limitation. However, in October of 1982, the contractor defaulted and ceased work leaving what we are told may be approximately 60% of the required work uncompleted, with a substantial amount of work which must be corrected.

Since that time we have been negotiating with the surety on the performance bond covering the construction contract to try to get the surety to take over and complete the work. In addition, alternatively our client has been trying to locate a new contractor who could complete the

cc: DC
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Planning Director
June 1, 1983
Page 2

unfinished work and correct the defective work in a timely fashion.

Our client is advised that it would take a contractor at least six months to complete the work from the stage as it presently stands. That does not allow for the time to find the contractor. Because the work was already started by Hill, and the uncertainties as to exactly what corrective work will be required by the City, as well as uncertainty as to the exact amount of work remaining to be done on this rehab type of job, it is difficult for our client to get a contractor to bid a lump sum price to complete the work. You can understand our client's reluctance to proceed with the project without having a handle, for budgetary purposes, of what it in fact will cost it to complete.

Because of the delay, to date our client has had to pay, in addition to actual expenses for the property and construction work, substantial interest on funds. A list of our client's expenses through April 18, 1983, totalling almost \$174,000 is enclosed herewith. It further appears that it will cost our clients considerably more to obtain completion of the work by another contractor than the remaining \$55,000 undisbursed balance under its construction contract with Paul Hill. This cost overrun is not something our client anticipated in its original budgeting for the project. We further point out that Mr. Roche, of the Sacramento Redevelopment Agency, was the one who recommended Paul Hill & Sons as being a contractor who had worked on another project for Redevelopment, with excellent results. Mr. Hill was indicated to be experienced in rehabilitation construction work of the type needed for our client's project. It now turns out that Mr Hill, due to insolvency (e.g., tax lien of \$97,000, recorded March 3, 1983 and other tax and judgment liens previously recorded) and perhaps other problems, has not been able to perform either in a timely or a workman like manner.

There has been a recent suggestion to our client by members of the Redevelopment Agency staff that a possible alternative that our client might wish to consider is selling and assigning its property and Redevelopment Agency contract rights and obligations to some third parties that have expressed an interest. Mr. William Edgar, in a recent letter to an interested party (a copy of such letter being set to me by Mr. Edgar) stated that "Property assignments are allowed under Agency contractors under certain conditions." He also stated that our client could advertise the

Planning Director
June 1, 1983
Page 3

sale of the property provided a copy of the ad was submitted to the Agency for prior approval before it is in fact used.

In order for our client either (1) to make arrangements for completion of the project by another contractor and/or (2) sell the property as-is to a third party (with the approval of the Agency) for completion of same by such third party, it will take our client some time. For the above reasons, our client requests a one year's extension of the time within which to satisfy the conditions of the tentative map, variance and special permit. We feel that the delay to date is not attributable to any fault on the part of our client, who worked diligently to obtain completion of the project. It has spent substantial monies and performed all its obligations to Paul Hill on the contract. The default by Hill was in no way caused by our client, nor was it within our client's control.

We request that you set this application for extension for a hearing. If you need any further facts, documentation or information, please let us know.

Very truly yours,


Elmer R. Malakoff

SDR:slh

cc: Sacramento Redevelopment Agency
Attention Messrs. William H. Edgar and Bruce D. Pope

MJC, a partnership
Attention Mr. James E. Moore

Speath Engineering
Attention Mr. Richard Rosumowicz

M.J.C. Partnership 11th. & F, street Sacramento California

Nov. 18/80	Chicago Title Corp.	\$ 25,598.00
Feb. 4/81	J.E.Moore (Pacific Development)	2,926.10
Feb. 4/81	Pacific Development	700.00
March 27/81	Chicago Title Corp.	1,000.00
March 27/81	Chicago Title Corp.	50.00
March 31/81	Due, From J.E.Moore	16.37
March 31/81	Due From J.E.Moore	899.19
June 11/81	Paul Hill (part of contract)	1,000.00
June 11/81	Shyvers Insurance (Bonding)	2,450.00
July 16/81	Paul Hill (Part of contract)	11,000.00
Aug. 14/81	Paul Hill (part of contract)	17,353.67
Sept. 15/81	McDough & Assoc.	3,229.87
Sept. 15/81	Pacific Development	397.95
Sept. 16/81	Paul Hill (part of contract)	12,836.00
Oct. 6/81	Pacific Development	59.80
Oct. 6/81	McDough & Assco.	365.93
Oct. 20/81	Farmers Insurance (for the Building)	345.00
Jan. 18/82	Pacific Development	1,341.65
Jan. 18/82	Sanford & Alessi	970.50
Jan. 18/82	City of Sacramento	365.77
Jan. 18/82	Speath Engineering	1,500.00
Jan. 20/82	City of Sacramento	1,016.00
Feb. 23/82	Paul Hill (part of contract)	17,903.00
March 12/82	Speath engineering	1,275.00
March 12/81	McDough & Assoc.	1,627.19
March 14/82	City of Sacramento	515.24
April 4/82	Paul Hill (part of contract)	8,907.30
June 4/82	McDough & Assoc.	1,658.04
June 4/82	Paul Hill (part of contract)	11,594.57
July 16/82	Intrest to August 31st. 1982	<u>23,537.95</u>

Total Cost Aug.31st 1982 ---- \$ 152,540.79

SUMMARIZED,

Chicago Title	\$ 26,648.00
Pacific Development	5,425.50
McDough & Assoc.	6,981.03
Speath Engineering	2,775.00
Sanford & Alessi	970.00
Insurance for Bonding	2,795.00
City of Sacramento	1,381.77
Due, From J.E.Moore	915.56
Paul Hill (contract)	80,595.24
City of Sacramento (Tax)	<u>515.24</u>

\$ 129,002.84

Intrest to Aug.31st, 23,537.95

\$ 152,540.79

Total contract Paul Hill	\$ 120,000.00
Condo addition	<u>16,000.00</u>
Total Contract	136,000.00
Paid to June 22/82	<u>80,595.24</u>
Balance left on Contract	55,404.76

April 18th.1983

Re; 1105,F,street M.J.C. Partnership Sacramento,

Statment as of July 16/82 ----- \$ 152,540.79

Editinal costs & charges to April 18/83 \$

July 20/82 Willie Ellison (consultant)	\$ 3,000.00
Aug.20/82 Peat marvich & Mitchell	195.00
Aug.20/82 MacDoonough & Holland Allen	170.15
Sept.22/82 Farmers Insurance (Fire)	297.00
Oct. 5/82 Bob King (Supervisor)	720.00
Oct.5/82 Pacific Development Blue prints)	727.00
Oct.6/82 City Sacramento (Property Tax)	65.42
Nov. 18/82 California Canadian Bank (Intrest)	957.91
Dec.10/82 City Sacramento (Property Tax)	729.20
Jan.27/83 Reynolds Business Systems	99.05
Jan.27/83 Peat Marvick & Mitchell	394.00
Jan.27/83 Titen Westren XXXX Corp. (sewer con)	980.00
Jan.27/83 Broadley Plumbing (labour)	127.60
Jan./83/27 MacDonough Holland & Allen	523.83
Jan.27/83 Bob King (Labour Managment)	<u>491.60</u>
	\$ 162,018.55
Intrest to the end of April at 11 1/2 %	<u>11,695.00</u>
	\$ 173,713.55

P82-020

TENTATIVE SUBDIVISION MAP FOR: JOHNSTON PARK VICTORIAN

P-82-020

318-11-83

318-11-83

318-11-83

No. 26

5752 5152 5152

63'

EXIST. PILOT WIRE
TO BE REPAIRED

EXIST. 18" WATER MAIN
TO BE RETAINED

LOT 4
COMMON AREA

PROPOSED PARKING AREA
NOT COVERED

UNITS 1
2

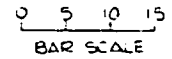
EXIST. STRUCTURE
TO BE RENOVATED

UNITS 3
4

EXIST. SIDEWALK

EXIST. CURB/CUTTER

F STREET



SCALE 1"=10'
NORTH

WATER LINE
TO TAP FOR ALLOT SERVICE

EXIST. STAKE

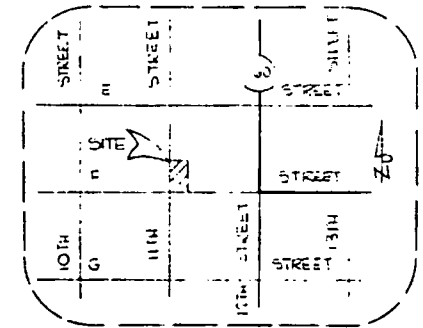
EXIST. ST. TREE
EXIST. ELECTRICAL
SERVICE BOX

EXIST. LG. TREE

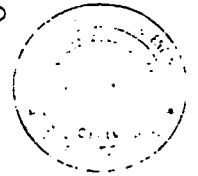
PROPOSED SEWER SERVICE

JOHNSTON PARK
CITY OF SACRAMENTO

EXIST. STORM SEWER LINE



VICINITY MAP
NO SCALE



SACRAMENTO COUNTY REGISTERED MAP

PRESENT USE ZONING
VACANT REHABILITATION, R44

SIZE OF LOT
APPROX. 120' X 63'

PROPOSED USE ZONING
CONDOMINUM, R44

SCHOOL DISTRICT
SACRAMENTO CITY

ACREAGE
0.17 ACRES

SOURCE OF WATER
CITY OF SACRAMENTO

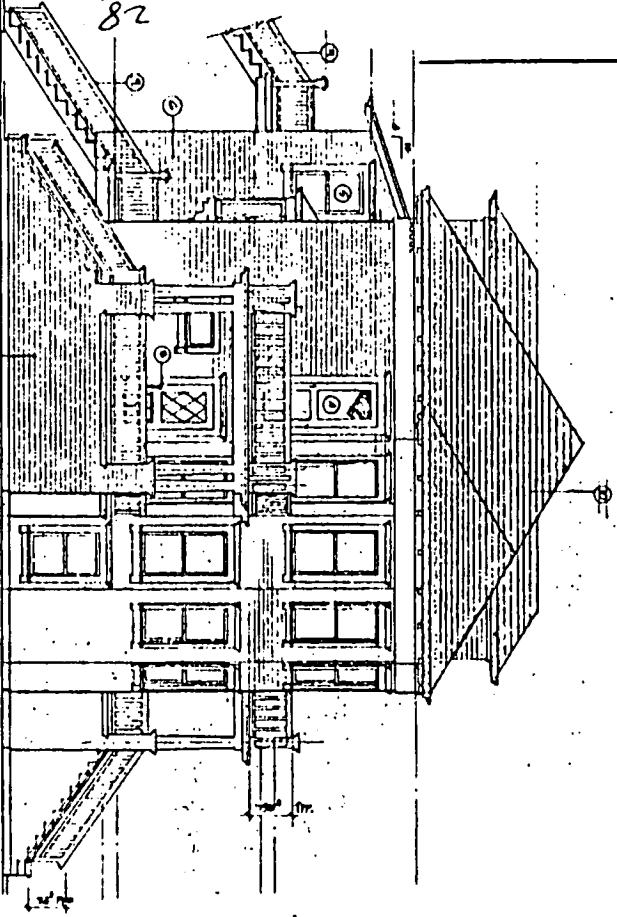
NO. OF LOTS/UNITS
1/1

SANITATION FACILITIES
CITY OF SACRAMENTO

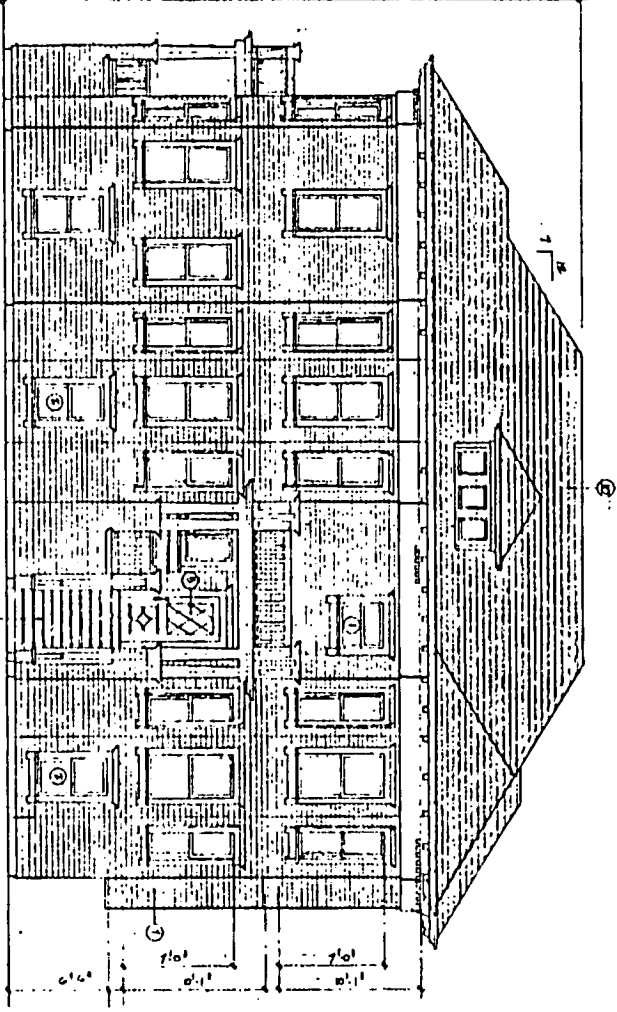
RESIDUAL PARCEL NO.
216 (PORTION OF)

PRESENT OWNER
1010 N. STREET
SACRAMENTO, CA 95811 TELE (916) 441-3049

PREPARED BY
1010 N. STREET
SACRAMENTO, CA 95811 TELE (916) 441-3049



WEST ELEVATION



SOUTH ELEVATION

KEY:

- ① NEW BRICK MATCH EXISTING BRICK WORK (SEE DETAIL 1 & 2)
- ② REMOVE EXISTING BRICK WORK AND REBUILD WITH NEW BRICKS
- ③ REPAIR NEW BRICK WORK, MATCH EXISTING BRICKS
- ④ RECONSTRUCT WINDOW FROM ①
- ⑤ DETAIL NEW FLOOR JOBS & WALLS
- ⑥ REMOVE EXISTING WINDOW, REBUILD WITH NEW BRICKS AND MATCH EXISTING BRICKS
- ⑦ REPAIR EXISTING WINDOW, MATCH EXISTING BRICKS
- ⑧ REPAIR EXISTING WINDOW, MATCH EXISTING BRICKS
- ⑨ REPAIR EXISTING WINDOW, MATCH EXISTING BRICKS
- ⑩ REPAIR EXISTING WINDOW, MATCH EXISTING BRICKS
- ⑪ REPAIR EXISTING WINDOW, MATCH EXISTING BRICKS
- ⑫ REPAIR EXISTING WINDOW, MATCH EXISTING BRICKS
- ⑬ REPAIR EXISTING WINDOW, MATCH EXISTING BRICKS
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- ⑱ REPAIR EXISTING WINDOW, MATCH EXISTING BRICKS
- ⑲ REPAIR EXISTING WINDOW, MATCH EXISTING BRICKS
- ⑳ REPAIR EXISTING WINDOW, MATCH EXISTING BRICKS



The use of these and accompanying data is limited to the project and location specified herein. No other use without the written consent of the architect is permitted. This seal and stamp are the property of the architect and shall not be loaned, copied, or otherwise used by any other person.

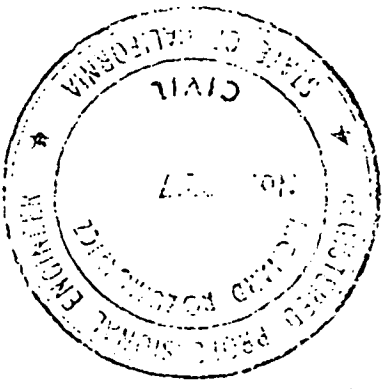
ONE HOUR FIRE RESISTANT CONSTRUCTION REQUIRED THROUGH OUT



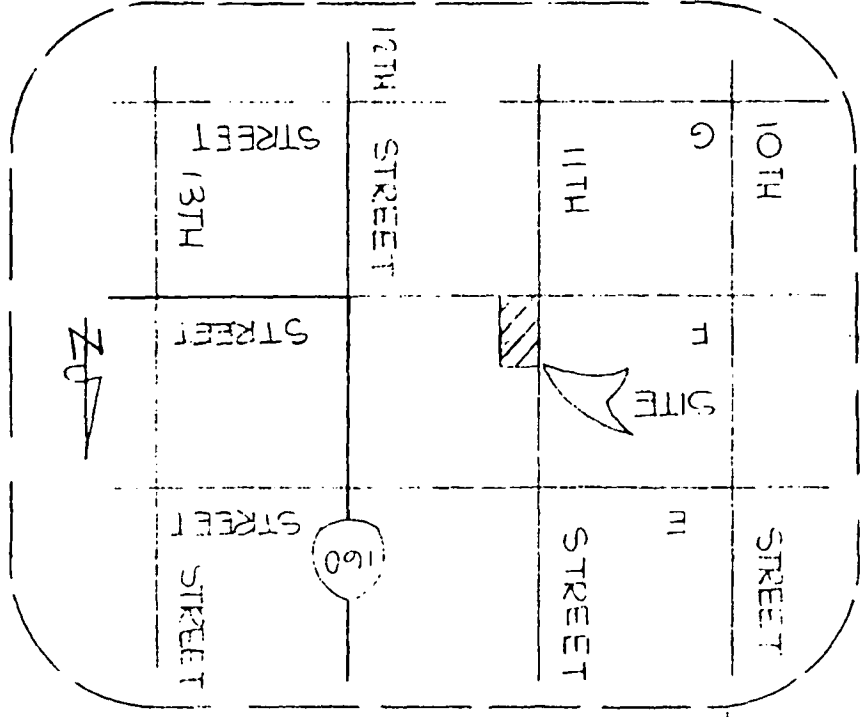
ISSUED
JUL 11 1982
ARCHITECT'S OFFICE

82 03

RICHARD BOZUMOWICZ PCE 28217 JAN 1982



VICINITY MAP
NO SCALE



1