

STAFF REPORT DATED 5-1-79
CITY PLANNING COMMISSION

915 "I" STREET - SACRAMENTO, CALIFORNIA 95814

APPLICANT Spink Corporation - 720 F Street, Sacramento, CA
OWNER American River Investor - 700 Bishop St., Ste. 908, Honolulu, HI
PLANS BY Spink Corporation - 720 F Street, Sacramento, CA
FILING DATE _____ 50 DAY CPC ACTION DATE _____ REPORT BY: RH:sg
Exempt 15101(k) EIR _____ ASSESSOR'S PCL. NO. 274-110-32

- APPLICATION:**
1. Environmental Determination
 2. Rezone from SC Shopping Center to R-3 Multiple Family zone
 3. Tentative Map

LOCATION: Northwest corner of Northview Drive and Garden Highway

PROPOSAL: The applicant is requesting the necessary entitlements in order to convert 175 existing apartments on 12 acres into 175 condominiums.

PROJECT INFORMATION:

1974 General Plan Designation: Residential
1978 South Natomas Community Plan Designation: Residential; 22-29 Units/Ac.
Existing Land Use of Site: 175 Apartments
Existing Zoning of Site: SC
Surrounding Land Use and Zoning:
North: Commercial; SC
South: Vacant; C-2
East: Apartment; SC
West: Vacant and Residential; R-3
Property Dimensions: Irregular in Shape Area: 12.3+ Ac.
Density of Development: 14.2 Units/Acre
Topography: Flat
Street Improvements: Existing
Existing Utilities: Existing
School District: North Sacramento School District

SUBDIVISION REVIEW COMMITTEE RECOMMENDATION: On February 7, 1979 the Committee recommended approval of the tentative map by a vote of seven ayes, one abstention and one absent, subject to the following conditions:

- a. Applicant shall dedicate a 45 foot half section for Garden Highway and dedicate slope easements, subject to the review and approval of the City Engineer.
- b. Applicant shall provide for each unit separate service facilities for water, gas, electricity and sewage disposal prior to the recordation of the final map (as per Section 2-H-11 of the City of Sacramento Zoning Ordinance).
- c. Applicant shall construct all units to meet the current requirements of the Sacramento City Code, and any state law, applicable to such units, prior to the recordation of the final map (as per Section 2-H-11 of the City of Sacramento Zoning Ordinance).

(over)

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MEETING DATE May 26, 1979

CITY ITEM NO. 6

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- d. Applicant shall provide an ownership organization, responsible for the care and maintenance of the project, prior to the recordation of the final map (as per Section 2-H-11 of the City of Sacramento Zoning Ordinance).

STAFF EVALUATION: Staff has the following comments regarding the proposal:

1. The site is completely developed and surrounding property is relatively undeveloped, with the exception of the City park north of the site. The site fronts on three streets and is restricted to the east by a 200 foot transmission right-of-way. The complex has a recreation room, swimming pool and two tennis courts.
2. Staff has the following comments in regard to the existing development
 - a. The site is sparsely landscaped with trees, low shrubs and lawn. The landscaping on the site should be increased with more trees, shrubs and undulating berms; this will help buffer the existing units from the street. Staff suggests that a detailed landscape plan be provided and new trees and shrubs be planted, prior to recordation of the final map.
 - b. The complex does not have any specific area or enclosures for the trash dispensers. Presently the trash dispensers are located throughout the parking lots. Staff suggests that the applicant construct enclosures for these containers. The design of these enclosures should be subject to the review and approval of the Planning Director.
3. According to the City of Sacramento Zoning Ordinance Section 2-H-11 in regard to condominium conversions a condominium permit shall be issued by the City Planning Director when it appears to his satisfaction that the applicant has met the following requirements:
 - a. Number of Units - At least four individual dwelling units must be included within the proposed sale.
 - b. Parking - Notwithstanding the provisions of Section 6-A-1 of this Ordinance, off-street parking shall be provided at a ratio of not less than one parking space per dwelling unit. The dimensions, location and use of such parking shall be subject to provisions of Section 6 of this Ordinance.
 - c. Utilities - Each unit shall have separate service facilities for water, gas, electricity and sewage disposal. The Director of the Division of Building Inspections shall certify that such individual utility service facilities exist and meet all the requirements of the Sacramento City Code or any applicable state law.
 - d. Building Inspection - All units shall be inspected by the Division of Building Inspections, and the Director of the Division shall certify that each unit meets all current requirements of the Sacramento City Code and any state law applicable to such units.

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- e. Ownership Organization - Documentary evidence indicating that an organization responsible for the care and maintenance of any common area or structure in the project has been duly organized and is currently existing; and is bound by law to properly maintain such common areas and structures shall be submitted.

Staff believes that the condominium ordinance provides for the physical needs and requirements of a condominium project, but staff has concern that the social problems of a condominium conversion project need to be reviewed and discussed with this and every conversion project. The following are concerns that staff has in regard to this conversion:

1. The knowledge of the current tenants in regard to the apartment conversion being proposed by the owners. The applicant has indicated that the tenants have not been informed of this proposal.
2. Relocation of the 175 families into other housing units while the existing apartments are being brought up to the standard of condominiums as required by the Zoning Ordinance.
3. The burden and expense of moving tenants to replacement housing.
4. The applicant has indicated that the price of the proposed units will be between \$35,000 to \$50,000. Staff has concern if this price range is within the buying range of low and middle income families.
5. The need to convert these units to condominiums; there are proposals for condominiums throughout the Natomas area. Staff's concern is in regard to removing 175 existing apartments from the rental market. The Sacramento Housing and Redevelopment Agency has indicated that the vacancy rate for the Sacramento area is between 5 to 6 percent, which is considered a healthy vacancy rate. No specific vacancy rates are available for this area, therefore the City-wide rate may not be indicative of this area. Recognizing the rental market available, it appears this area does not have a substantial amount of available apartments.
6. The State Map Act requires that the owners notify the tenants of the proposed condominium project and that the tenants be given a 120 day written notice of intention of the owners to convert. This shall take place prior to termination of tenancy due to the conversion or proposed conversion. The State Map Act also requires the owner to give the tenants 60 days from the date of issuance of the subdivision public report the exclusive right to contract for the purchase of their respective units. The staff would suggest that, prior to this project being heard by the City Council, the applicant shall notify each tenant of the apartment complex by individual mail what this project entails and that it will be reviewed in public hearing by the City Council. The notice shall indicate the rezoning and explanation of the condominium conversion proposal. The tenants should be encouraged to attend the City Council meeting. This notice shall be delivered at least five days prior to the Council hearing.

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7. The applicant is requesting a rezoning from SC to R-3. Under the Zoning Ordinance, condominiums are not allowed in the SC zone. The applicant's rezoning request is consistent with the General Plan and South Hatomas Community Plan. The site is developed with only 14.2 units/acre and the community plan designates the site for 22 to 29 d.u./acre. Staff has concern in rezoning the site to R-3 because this could allow the applicant to increase his density to 29 units per acre. Staff would recommend that the site be rezoned to R-2B-R, which would allow up to 21.78 d.u./acre, but this zoning would not be consistent with the adopted community plan. Staff, therefore, recommends that the site be zoned R-3-R, which will be consistent with the plan and the "R" will allow the Planning Commission review of any proposed expansions.

STAFF RECOMMENDATION:

1. The Environmental Determination be ratified.
2. The Rezoning be approved to R-3-R, subject to the following suggested condition:
 Applicant shall verify to the City Planning Director that all tenants in the apartment have received notice five days prior to the City Council meeting per staff's suggestion.
- *3. The Tentative Map be approved, subject to the following conditions:
 - a. Applicant shall dedicate a 45 foot half section for Garden Highway and dedicate slope easements, subject to the review and approval of the City Engineer.
 - b. Applicant shall provide for each unit separate service facilities for water, gas, electricity and sewage disposal prior to the recordation of the final map (as per Section 2-H-11 of the City of Sacramento Zoning Ordinance).
 - c. Applicant shall construct all units to meet the current requirements of the Sacramento City Code and any state law applicable to such units prior to the recordation of the final map (as per Section 2-H-11 of the City of Sacramento Zoning Ordinance).
 - d. Applicant shall provide an ownership organization, responsible for the care and maintenance of the project, prior to the recordation of the final map (as per Section 2-H-11 of the City of Sacramento Zoning Ordinance).CPC added...and CC & R's.
 - e. The applicant shall plant a variety of trees (5 gal., 10 gal., and 15 gal. size), shrubs and provide undulating berms along the three streets. The landscaping shall be increased by a minimum of 50%. The revised landscape plan is subject to the review and approval of the City Planning Director prior to approving the final map.
 - f. The applicant shall provide trash enclosures for each trash container, the design and location is subject to the review and approval of the Planning Director.

*See page 5
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The Planning Commission added:

- g. Planning Commission approval based on applicant's submitted financing information and CC & R's per attached exhibit A, B, C & D.
- h. Planning Commission amended page 3 of exhibit D, Article III, Paragraph 1 to read 40% in lieu of "(one-half)".

August 23, 1979

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