



CITY OF SACRAMENTO

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CITY PLANNING DEPARTMENT

725 "J" STREET

SACRAMENTO, CALIF. 95814
TELEPHONE (916) 449-5604

MARTY VAN DUYN
PLANNING DIRECTOR

February 9, 1981

APPROVED *CONF 40*
BY THE CITY COUNCIL *3-24-81*

City Council
Sacramento, California

MAR 17 1981

Honorable Members in Session: OFFICE OF THE
CITY CLERK

SUBJECT: 1. Tentative Map for Cadillac Drive Apartments
2. Special Permit (P-9098)

LOCATION: 100 Cadillac Drive

SUMMARY

The applicant is proposing to create an air space condominium by converting 140 existing apartment units to 140 condominium units.

The staff and Planning Commission recommended this application be denied based on the low vacancy rate in the Arden/Arcade and East Sacramento planning areas. Cadillac Drive apartments are located within 1/4 mile of an adjoining community plan area and the combined vacancy rate of the two areas is 4.4%.

BACKGROUND INFORMATION

On January 15, 1981, this item was presented to the Planning Commission along with three other conversion applications in the two areas. It was recommended that all applications be denied due to the low vacancy rate. There was also concern for the loss of rental units in this area due to conversion activity by the County and the limited amount of land available in the area that could be developed with apartments. In the area for both City and County, there are 85 acres of developable land for multi-family housing.

Testimony relating to vacancy concerns was presented at the beginning of the hearings and applied to all projects located in the Arden/Arcade and East Sacramento planning areas.

During the January 15th Planning Commission hearing, the applicant presented a tenant benefit program. The purpose of the applicant's proposed plan is to hopefully reduce tenant displacement and provide purchase incentives for Cadillac Drive tenants. The plan extends benefits to a larger population than required by the ordinance. The benefit program offered by the applicant emphasizes extended noticing

time, longer leases, purchase discounts and additional monetary compensation for relocation. Since this program was not included in the staff report to the Commission, a brief discussion will follow:

1. The applicant is proposing to provide each tenant a one-year lease effective after Tentative Map approval. All eligible elderly and handicapped tenants will receive life-time leases. There are three known elderly tenants and no handicapped persons residing in this project.
2. The applicant is proposing to extend the noticing time for purchasing and termination of tenancy.
3. On a case by case basis, the applicant will make lease provisions for all tenants experiencing relocation problems. The applicant proposes to retain as many units as are needed for this purpose.
4. The applicant will offer purchase incentives to all tenants in an effort to encourage ownership and reduce relocation problems. Eligible tenants will receive discounts amounting to 8% of the sales price. In addition to these discounts, tenants will receive up to \$1,800 off the sales price. Tenants who are not eligible will receive a 2½% purchase discount. These discounts will apply to the down payment to the extent permitted by the lender or government regulations.
5. The applicant will offer a moving allowance equal to two months rent and \$50 in cash for utility hook-up. This relocation assistance will be made available to all tenants.
6. The applicant proposes to phase the sale of the project to reduce the number of tenants relocating at one time. (See Exhibit A)

The plan proposed by the applicant will minimize relocation problems, however, relocation problems will occur due to the number of tenants in this complex. The applicant's plan does not address the problem of tenant displacement and the impact of this conversion on the rental housing stock in this area.

Should the Council decide to approve this project for conversion to condominium, additional Special Permit conditions will be necessary.

VOTE OF COMMISSION


On January 15, 1981, by a vote of six ayes, one no, two absent, the Planning Commission recommended that this conversion application be denied.

RECOMMENDATION

The staff and Planning Commission recommend that the City Council:

1. Deny the Tentative Map application;
2. Deny the Special Permit based on the attached Findings of Fact.

Respectfully submitted,


Marty Van Duyn
Planning Director

FOR CITY COUNCIL INFORMATION
WALTER J. SLIPE
CITY MANAGER

MVD:SC:jm
Attachments
P-9098

February 17, 1981
District No. 3

In the matter of the decision of)
the City Council on application)
(P-9098) for Tentative Map and)
Special Permit to create a 7+)
acre air space condominium lot)
and convert 140 existing apart-)
ment units into 140 condominium)
units in the R-2B Zone located)
at 100 Cadillac Drive)

NOTICE OF DECISION
AND
FINDINGS OF FACT

On February 17, 1981, the City Council held a hearing on the above referenced item. Predicated on documentary and oral evidence submitted at the public hearing, the City Council denied the Special Permit based on the following findings:

1. The proposed conversion is not consistent with the General Plan and Housing Element as required by Section 28-C-6(a)(i) of the Comprehensive Zoning Ordinance.
 - a. The vacancy rate of the community plan area is below five percent and a significant impact on the rental housing stock will occur with this conversion.
 - b. The applicant has not successfully demonstrated that adequate relocation provisions will be made for these tenants.
2. The proposed conversion project is located in the combined Arden/Arcade and East Sacramento Community Plan areas where the current vacancy rate is low at 4.4 percent for all units.
 - a. Based on this vacancy rate there is an inadequate supply of rental housing in this area.
 - b. The applicant has not proposed measures that will effectively mitigate the displacement of tenants and any adverse effects upon the rental housing stock in this area.
3. The applicant has not demonstrated that adequate comparable replacement housing will be available for all eligible tenants.
 - a. The applicant's benefit program for tenants encourages relocation through monetary compensation, however, adequate replacement housing is not available as indicated by an average vacancy rate of approximately 4% in the units submitted as comparable housing.
 - b. The Marketing Research Consultant's vacancy study indicated that for all eligible tenants to find comparable replacement housing many will have to leave this area.

MAYOR

ATTEST:

CITY CLERK

P-9098

EXTENDED BENEFIT PROGRAM

FOR

CADILLAC DRIVE APARTMENTS

With great pleasure we present the following benefits which exceed those mandated by the Condominium Ordinance and applicable state laws. These items in conjunction with codified rights and benefits (elderly, handicapped, low & moderate income purchase incentives, extended lease, and relocation provisions etc.) provide a truly sensitive program.

1. Each renter of record will be guaranteed occupancy of one year after approval of the Tentative Map.
2. Residents will be provided a 60 day written notice to vacate should they choose not to buy.
3. As many units as necessary will be retained to accommodate special leases.
4. Each renter will be given a 105 day first right of refusal to purchase.
5. Purchase Discounts:
 - a. All eligible tenants shall be entitled to:
 - b. A five percent (5%) discount off the price initially offered to the public.
 - c. A length of occupancy discount of \$50 for each month of continued occupancy (within the 36 month period) prior to commencement of sales.
 - d. A renovation discount of three percent (3%) will be offered.
 - e. Those becoming renters between approval of the Tentative Map and commencement of in-house sales shall be entitled to a two and one half percent (2½%) purchase discount and the renovation allowance.
6. All discounts will apply to the down payment to the extent permitted by the lender or government regulations.
7. Each relocated renter will receive \$50 in cash for their utility hook-up in a new rental unit. This will apply to all renters residing in the project upon receipt of the final state approval.
8. Special Lease Situations:
 - a. Senior Citizens, age 62 and over who are residing in the project on the day the notice of intent to convert is postmarked will be offered life-time lease.

- b. Handicapped Tenants (pursuant to state definition attached) who are residing in the project on the day the notice of intent to convert is postmarked will be offered life-time lease.
 - c. Other hardship situations will be considered.
9. All hardship tenants will be permitted to terminate their leases with a thirty (30) day notice to owner. Owner will not have the same right unless for cause (e.g., failure to pay rent, breach of lease terms, etc.)
 10. Each resident who chooses to move will be given a moving allowance in an amount equal to two months rent. This will be available upon the converter's receipt of final approval from the state.
 11. To discourage speculation the converter will retain the right of first refusal on the resale of any unit by a resident buyer within one year after the close of escrow. The purchase price will be that originally paid by the resident buyer plus one-half of one percent of the original price for each full month from the close of escrow. Legitimate sales caused by employment relocation, dissolution of marriage, or death of an immediate family member are exempt from this provision.
 12. Phasing of relocation and sales will be a feature of this project. This will mitigate the impact of relocating a substantial number of renters at one time.

* Handicapped or disabled, as defined in Section 50072 of the California Health and Safety Code or Section 223 of the United States Social Security Act, 42 USC 423.

SACRAMENTO CITY PLANNING COMMISSION

MEETING DATE January 15, 1981
 ITEM NO. 52, FILE NO. P-9698
 M- _____

- GENERAL PLAN AMENDMENT TENTATIVE MAP
 COMMUNITY PLAN AMENDMENT SUBDIVISION MODIFICATION
 REZONING EIR DETERMINATION
 SPECIAL PERMIT OTHER _____
 VARIANCE _____

Recommendation:
 Favorable
 Unfavorable Petition Correspondence

LOCATION: 100 Cadillac Drive

PROPOSERS

<u>NAME</u>	<u>ADDRESS</u>
<u>Frank Borgens</u>	<u>1650 Boreal Place, San Mateo, CA</u>
<u>J. R. Rodine</u> <u>J. R. Baerme</u>	<u>1650 Boreal Place, San Mateo, CA</u>
<u>Rebecca Lewis</u>	<u>150 Cadillac Drive, Sacramento</u>

OPPOSERS

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

MOTION NO. _____

	YES	NO	MOTION	2ND
Augusta	✓			✓
Goodin		✓		
Holloway	<u>absent</u>			
Hunter	✓			
Larson	✓			
Muraki	✓			
Simson	<u>absent</u>			
St. _____	✓		✓	
Fong	✓			

MOTION:

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

- EXHIBITS: A. Site Plan
 B. Floor Plan
 C. Elevation
 D. Landscaping

ity Planning Commission
Sacramento, California

Members in Session:

- APPLICATION:
1. Tentative Map one lot subdivision to create an air space condominium lot for individual sale of units.
 2. Special Permit to convert a 140-unit existing apartment complex to 140 unit condominium known as Cadillac Drive Apartments (P-9098)

LOCATION: From 42 through 190 Cadillac Drive

PROJECT INFORMATION

General Plan Designation: Residential
Campus Commons PUD: Multi-family
Existing Zoning of Site: R-2B-
Existing Land Use of Site: Apartment complex

Surrounding Land Use and Zoning:

North: Apartments; R-3-R
South: Apartments: R-3
East: Apartments, OFC, Restaurant; C-2-R, C-1-OB-R
West: American River Parkway; ARP-F

Parking Required: 140	Parking Provided: 242 spaces
Ratio Required: 1:1	Ratio Provided: 1.7 to 1
Property Area: 7.6+ acres	
Density of Development: 18 units+ per acre	
Square Footage of Building: 120,610 square feet	
Topography: Flat	
Street Improvements: Existing	
Utilities: Existing	

SUBDIVISION REVIEW COMMITTEE RECOMMENDATION: On November 5, 1980, by a vote of six ayes, two absent and one abstention, the Subdivision Review Committee recommended approval of the tentative map subject to the attached conditions. (See Exhibit No. 1)

BACKGROUND INFORMATION: Cadillac Drive Apartments are located in the Arden-Arcade Planning Area and are also located within one-fourth mile of the East Sacramento Planning Area. The combined vacancy rate for these two areas is 4.4 percent.

P-9098

January 15, 1981

Item No. 5

There are three other projects proposed for conversion in these two areas with units totaling 832 proposed for conversion in the City limits. A significant amount of conversion activity has occurred in the unincorporated areas (County) in this planning area. At the present time the County has approved applications for 2,000 units in the Arden-Arcade area.

This project is five years old and has operated as a multi-family rental housing complex since it opened in January of 1976.

PHYSICAL CHARACTERISTICS: Cadillac Drive Apartments are situated between the American River levee and Cadillac Drive. On the opposite side of the levee is located a bicycle and footpath which borders a recreational area. This complex offers easy access to CSUS via the bicycle and footpath, and is a convenient location for students.

There are 140 units in this complex. The units vary from one and two bedroom apartment units to two bedroom townhouses. Each of the units has a patio or balcony, and the townhouse units have both a patio and balcony. Many of the units have a fireplace. A pool, sauna and jacuzzi are provided for use by the tenants. The complex provides 242 parking spaces of which 124 are covered spaces. The property report noted structural deficiencies in some covered spaces and recommended the installation of additional columns to correct this problem.

Each unit has separately metered gas and electric service. Both the hot and cold water delivery system have separate shutoff valves at each building; however, shutoff valves are not provided in the individual unit. The hot water is supplied through a common boiler. The property report noted that hot water pipes were not insulated and this has caused delayed delivery of hot water to some units in this complex. It was recommended that these pipes be insulated to eliminate this problem. There was also concern that during periods of peak demand the capacity of the boiler is insufficient to meet the demand for hot water. The installation of a storage tank was recommended to alleviate this concern.

Several security concerns were noted in the property report. These were due in part because of the close proximity to the levee, resulting in easy access to this complex by outsiders. Non-tenants have been found using parking facilities and refuse bins. Lighting in some parking areas and walkways was found to be inadequate and posed safety concerns according to the property report.

The property report recommended improved insulation and weather stripping be installed to prevent leakage problems. Water stains due to leakage were noted in some units around doors and windows. Some corrective work will be necessary on roofs to prevent future leakage caused by rain. The pest control report sighted minor damage due to water leaks in bathtub enclosures.

This complex does not comply with required building standards and codes at the present time. The conditions listed in Exhibit No. 1 will be necessary to bring this complex up to required standards.

SOCIAL CHARACTERISTICS: A tenant survey was completed by Cadillac Drive tenants for use by the Planning Department. The response rate of the survey was approximately 43 percent. Based on this response the following observations have been made:

The average length of residency by Cadillac Drive tenants is less than one year, and many of these tenants stated they did not know how long they would remain in this complex.

At a price of from \$38,000 to \$68,500 approximately 20 percent of the tenants indicated an interest in purchasing a unit. Improvements that would be necessary before these tenants would purchase included the need for storage, improved hot water delivery, improved landscaping, refurbishing interiors, improved sound-proofing and insulation (see Exhibit No. 2).

According to the property report there are 91 tenants in this complex with incomes of \$15,000 a year or less. Since some of these individuals may be sharing a unit with another income earner, they will not qualify for the tenant provisions provided in the conversion ordinance. Tenants qualifying as low or moderate income based on the applications submitted to the Planning Department amount to 11 tenants. Many of these tenants were qualified because of improper noticing by the applicant. The applicant neglected to properly notice new tenants moving into this complex of the intent to convert. All the qualified tenants will be eligible to purchase a unit at a price of from \$25,000 - or more depending on the tenants' income and available financing.

There were 59 percent of these tenants who did not approve of the proposed conversion. The reason for their disapproval was due in part to a concern for the number of similar complexes already converted and those proposing to convert.

The applicants of the four complexes proposed for conversion in the East Sacramento and Arden-Arcade Planning Area contracted with Marketing Research consultants to prepare a vacancy and social impact study in light of the low vacancy rate of these two areas. The study was accomplished in an effort to dispel concern over tenant displacement or relocation problems.

STAFF EVALUATION

1. City staff conducted its second multiple family rental survey in July 1980 using HUD collected data. Both the source and methodology for reporting were approved by the City Council as part of the Condominium Conversion Ordinance adoption. Support of the survey is based on the reliability of the HUD data, the relative ease of staff retrieval and aggregation, its comprehensiveness, and its cost of updating annually. It should be noted that the Council favors a vacancy rate which includes 2-4 units along with complexes having more units versus their separate breakdown. It should also be reaffirmed that HUD data reflects conventionally financed unit characteristics as well as those having FHA/VA financing. Expressed vacancy rates are a "raw" average, i.e. a summation of individual complex rates surveyed at least annually and in most cases more recently.

The City's July 1980 survey reported a vacancy rate for Arden-Arcade of 4.8 percent and for East Sacramento of 2.1 percent. The weighted vacancy rate, used in instances where proposed conversions are in close proximity to adjoining communities, is 4.4 percent. The weighted vacancy rate has in fact dropped from 5.3 percent when the November 1979 was compiled. This drop in vacancies for the two community area points up the increasing tightness in the rental market.

Following is an identification of several concerns staff has with the Marketing Research Consultants' survey of November 1980.

- a. The question may arise as to which survey sample is most appropriate, the City's or MRC's. The City survey represents 10,535 units dispersed throughout Arden-Arcade and East Sacramento; the MRC survey represents 4,538 units restricted to a somewhat smaller area. Staff feels that the restricted area has merit, but wishes to emphasize the importance of as large a data base as possible, in this case, twice the MRC units surveyed.

MRC complexes surveyed were selected on the basis of being "generally comparable in terms of style, amenities, and rental rates." A review of their characteristics shows that the 26 complexes had an overall high, although varying, level of amenities reflective of projects constructed in the competitive multiple family market of the 1970's. Staff believes that the City's surveyed units are similar, primarily because the complexes are within the same age bracket. Relative to rental rates, the MRC study used complexes with rental rates ranging from \$128 - 650 monthly whereas the City's study used complexes with rental rates ranging from \$123 - 650. Hence, there is a strong similarity in data bases.

- b. Staff believes that understanding the difference between "vacancy rate" and "turnover rate" is very important since both are used in the MRC study. Vacancy rate is that portion of all rentable units which are vacant, either at a fixed point in time or over a period of time. It is the single most important variable in measuring supply-demand within the existing multiple family market. This conclusion is supported by its wide use in other jurisdictions for measuring housing shortages, particularly related to condo conversions. Turnover rate on the otherhand expresses the frequency that a unit or units change occupancy. It is far less valuable (HUD uses the term "supplementary" indicator) as a measure of supply-demand and, to be accurate in this respect, must record only the amount of units (usually during a year period) that are occupied by households coming into the complex from outside it. (The shifting of a household from one unit to another within the same complex is usually a short-term transaction that neither adds or removes rentable units from the market.) Turnover rate is not used widely, if at all, by other jurisdictions as an indicator of supply-demand.

Staff is unclear as to MRC's use of the two terms. Both appear to be used synonymously in several parts of the report. A review of the questionnaires indicates that vacancy rate was recorded rather than turnover rate expressing new occupants from outside.

In summary, staff feels that the HUD data on multiple unit complexes accurately reflects vacancies. The number of available units for rent has shrunk between November 1979 and July 1980 and at 4.4 percent is well below the critical threshold of 5.0 percent for an adequate rental housing supply. Even MRC's survey forecasts a further reduction in available units for the next 12 months (the vacancy rate of 4.1 percent is derived from dividing the last column total by the first column total on page 96, then dividing by 12 to get a monthly rate.)

2. There are 25,296 rental units in the Arden-Arcade and East Sacramento Planning Areas. The City currently has applications to convert 832 units in this area. The County has approved 2,000 units for conversion in this area. These units represent 11 percent of the rental housing stock in these two planning areas.

According to the MRC Vacancy and Social Impact Study, this would be a minimum of 296 tenants who would have to relocate if these four complexes were to convert. The report additionally states that only 128 of these tenants would be able to find comparable units in this area. Due to the heavy conversion activity by the County in this area, the number of displaced tenants may very well increase if this and other proposed projects are allowed to convert.

In an effort to address the concern of tenant displacement and relocation problems, the study points out that the turnover rate may be a better indicator of available units. Although the turnover rate shows the number of units that become available over a period of time, this rate does not adequately reflect the demand for housing in this area.

According to the study submitted by MRC, survey results indicate that approximately 70 percent of these tenants would seek rental housing within a four-mile radius of where they presently live. Based on this relocation tendency and the vacancy rate of the areas, the turnover rate appears to more accurately reflect an exchange of units within the area rather than a clear picture of the demand for rental housing.

Based on the vacancy rate adequate comparable replacement housing will not be available in this area if this complex and others in the area are allowed to convert. Tenant dislocation will occur since adequate replacement housing is not available.

3. At the present time this complex does not comply with all required development and building standards for conversion to condominium. For this complex to comply with required codes and standards, the conditions attached in Exhibit No. 1 will be necessary should the Commission decide to approve this project for conversion.
4. A study of the organizational documents was completed by the Sacram. to Area Condominium Association. A number of recommendations have been made which are believed to be in the best interest of the homeowners should this project be approved for conversion. A report detailing the concerns and recommended changes is attached in Exhibit No. 3.

STAFF RECOMMENDATION: Staff recommends the Commission deny this special permit and tentative map to convert 140 apartment units to 140 condominium units based on the following findings:

Findings of Fact

1. The proposed conversion is not consistent with the General Plan and Housing Element as required by Section 28-C-6(a)(i) of the Comprehensive Zoning Ordinance.
 - a. The vacancy rate of the community plan area is below five percent and a significant impact on the rental housing stock will occur with this conversion.
 - b. The applicant has not successfully demonstrated that adequate relocation provisions will be made for these tenants.

2. The proposed conversion project is located in the combined Arden-Arcade and East Sacramento Community Plan Areas where the current vacancy rate is low at 4.4 percent for all units.
 - a. Based on this vacancy rate there is an inadequate supply of rental housing in this area.
 - b. The applicant has not proposed measures that will effectively mitigate the displacement of tenants and any adverse effects upon the rental housing stock in this area.
3. The applicant has not provided adequate comparable replacement housing for all eligible tenants.
 - a. The average vacancy rate of the complexes surveyed as comparable units is 3.6 percent.
 - b. The study indicates that for all eligible tenants to find comparable replacement housing many will have to leave this area to locate such housing.

8. Cadillac Drive (P-9098)

On November 5, 1980, by a vote of six ayes, two absent and one abstention, the Subdivision Review Committee recommended approval of the tentative map subject to the following conditions. Prior to filing the final map with the City Council, the applicant shall:

- a. Pay off all existing assessments;
- b. Comply with the following development standards set forth in Section 28-C-3 of the Zoning Ordinance:
 - 1) separate sewer and water services shall be provided to each unit (Sec. 28-C-3(b)
 - 2) floor-to-ceiling and wall-to-wall assemblies between each unit shall comply with the sound transmission and sound impact standards specified in Sec. 28-C-3(c);
 - 3) each unit shall be equipped with a smoke detector in the proper location and either an automatic fire sprinkler system or two-hour fire separations on floors and each wall common to itself and an adjacent unit.
- c. Construct two additional fire hydrants to City standards;
- d. Equip the wet barrel fire hydrants with no flow check valves or shall replace the hydrants with those constructed to City standards;
- e. Bring the project into compliance with applicable City codes as follows:
 - 1) ground fault circuit interrupters shall be provided on receptacles which are located outdoors, in bathrooms, at swimming pool lights and in individual garages;
 - 2) provide an inspection and plumbing report on the condition of the buried galvanized or black iron cold water system for the review and approval of the City Building Inspector. Pending the results of the report, the applicant may be required to replace said system prior to filing the final map with the City Council;
 - 3) secure bonding connections in the swimming pool area;
 - 4) provide a report prepared by a licensed professional engineer regarding the stability of the carports for the review and approval of the City Building Inspector. Pending the results of the report, the applicant may be required to repair or replace the carports prior to filing the final map with the City Council;
 - 5) provide proper combustion air for the gas clothes dryers;

- 6) clean the boiler room combustion air openings;
- 7) provide illumination per the National Electric Code for the patio areas in the two-bedroom townhomes;
- 8) provide a minimum 30-inch clean working space in front of electrical panels;
- 9) provide the proper extension for the gas vent for the wooden structure built over a gas-fired pool heater.

The owner of your apartment complex has filed an application with the City of Sacramento for conversion to condominium (apartment) housing. You are requested to answer completely the questions below and return the survey within five (5) days to:

EXHIBIT 2

City Planning Department
725 J Street
Sacramento, CA 95814

CADILLAC DRIVE APT

RESIDENT SURVEY

1. How long have you been a resident? AVERAGE LESS THAN 1 YR years _____ months _____

2. Why did you move into this complex? Check most important reason(s).

- 34 close to work 7 close to friends 16 amenities
- 16 close to services (shopping, church, entertainment) 9 like rent rate
- 19 good management, maintenance 23 other

3. How long do you plan on living at this complex?

- 27 unknown 3 less than 1 year 16 1 to 3 years
- 23 3 to 5 years 7 more than 5 years

Under what conditions? _____

4. If it is offered for sale within the price range estimated for the project, are you interested in purchasing the unit in which you are now living, or another in this complex?

- 12 yes 37 no 6 UNDECIDED

5. If you are unable to purchase a unit, will you be able to locate a comparable unit to rent within this vicinity?

- 14 yes 8 no 34 do not know

6. What improvements, if any, to your unit and/or the complex would be necessary before you would be interested in buying?

- REFURBISH UNIT, LANDSCAPE, PEST CONTROL
- SOUND PROOF AND INSULATE, MORE AMENITIES,
- STORAGE, MORE HOT WATER

7. Are you retired? 5 yes 49 no

If retired, are others in your household currently wage earners?

- 1 yes 3 no

8. Do you approve in principle of this proposed conversion to condominium housing?

- 19 yes 35 no

Why or why not? _____

9. Do you and your family qualify as a low or moderate income household as defined by the U.S. Department of Housing and Urban Development? Please use the attached table to determine your income status.

12yes 13no 4uncertain * SEPARATE SURVEY

10. Would you be interested in attending a resident meeting to discuss conversion plans?

23yes 3/no

11. Do you have any comments related to the owner's request?

NO PLACE TO MOVE TO ESPECIALLY WITH OTHER COMPLEXES CONVERTING IN AREA, POORLY BUILT.

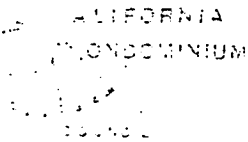
The completed questionnaire will be used by the Planning Department in writing its report to the Planning Commission and City Council on the proposed conversion. Your name, apartment number, et cetera will be used only to verify the number of returns, and the City will make every effort to preserve the confidentiality of the tenant. Only a summary of all tenant answers will be disclosed. Thank you for your cooperation.

NAME _____ APT. # _____

ADDRESS _____ TEL. # _____

Further information on condominium conversions can be obtained by calling:

- California Department of Real Estate: 322-2505
- County Consumer Protection Bureau: 440-7732
- City Planning Department: 449-5604



26 Sep 80

1000 J Street
Sacramento, CA 95814

City Planning Department
725 J St
Sacramento
Ca 95814

ATTN: Sharon Caudle

Re: CADILLAC DRIVE CONDOMINIUMS
Condominium Conversion Special Permit

Dear Sharon:

I have reviewed the conversion documents and had Bill Crawford carefully study the budget of the proposed Cadillac Drive Condominiums. We then reviewed each other's work.

I have been President of one condominium and Treasurer of two. I am Director for Homeowner Assistance for the Sacramento Area Condominium Assn (I'm the one they call for problems) and am Executive Director of the California Condominium Council a statewide organization of the leaders of five regional condominium associations. We represent condominium homeowners.

Bill Crawford is President of the Creative Management Corporation. His organization manages seven condominium associations in Sacramento, and he has had extensive experience in making and living with condominium budgets. Bill manages both high and low income condominium complexes.

Our purpose is constructive -- to make the condominiums formed work successfully. Both the documents and the budget must be sound. The following are our recommendations:

CC&Rs Cadillac Drive Condominiums.

Page 12 Article IV, Section 4.4 (Paragraph one, Add)
If expenses for any reason are insufficient to meet common expenses, the Special Assessment plus the reg-

ular assessment for any fiscal year may not represent an increase greater than twenty percent (20%) without the approval of a majority of the members of the Association, excluding Declarant.

Page 18 Article V, Section 5.2 (c) Manager
The Association shall have the right to terminate the contract with the manager at any time and without cause with sixty (60) days written notice.

Page 19 Article V, Section 5.2, (f) Assesments, Liens and Fines.
The Board shall have the power to fine for a single violation up to one hundred dollars (\$100.00) or an amount of one months regular assessment, whichever is greater.

Page 23 Article VII, Section 7.3, Signs
(Add) Locations where signs may be placed shall be designated by the Board.

Page 23 Article VII, Section 7.22 Vehicles & Parking, See
Page 24 Article VII, Section 7.8 Addendum to CC&Rs
(ADD) The Board shall create an Architectural Review Committee to advise the Board. Plans and specifications by homeowners shall be submitted to the Architectural Review Committee, who shall advise the Board of Directors. The final decision shall be up to the Board. Homeowners shall have the right to appeal the decision to the Appeals Committee.

Page 24 Article VII, Section 7.81 Appeals Committee
The Board of Directors shall create an Appeals Committee. The Board shall determine the size, method of operation and procedures of the Appeals Committee (Two examples of Sacramento Appeals Committees are attached to the end of the report).

By-Laws Cadillac Drive Condominiums.

Page 3 Article IV, Section 4.2 Term of Office
(Change) At the first meeting of the Association, the members shall elect Directors. Three members shall be elected for two years and two directors shall be elected for one year. Thereafter terms shall be for two years for all Directors.

(It is unwise to have a complete turnover of the Board each year. The is better continuity if terms are for two years with only part of the Board changing each year. There is too much danger of getting a completely new Board who are totally inexperienced. This is an important and necessary change).

Page 4 Article IV, Section 4.6 Indemnification of Officers and Directors.

DELETE THIS SECTION ENTIRELY.

This section is basically unfair to homeowners. When the developer has left, the problem is handled by errors and omission insurance. If the Board of Directors as long as the declarant is on the Board is unable to obtain errors and omissions

insurance, it is basically unfair to ask the homeowners to take a financial risk that an insurance company won't take.

- Page 4 Article IV, Section 4.3 (Removal)
(ADD) Any Director who misses three consecutive Board meetings shall be removed by the Board at the discretion of the Board.
- Page 5 Article VI, Section 6.1 Regular Meetings.
(Change) Regular meetings of the Board of Directors shall be held monthly. (It is not possible to run an Association of this size with quarterly meetings).
- Page 10 Article IX Committees
(Add) The Board shall appoint an Architectural Review Committee and an Appeals Committee. (Two examples of Sacramento Appeals Committees attached).
- Page 10 Article X, Section 10.1 Inspection by Members.
The Association records may be kept and examined by the homeowners at the offices of the Management Company.

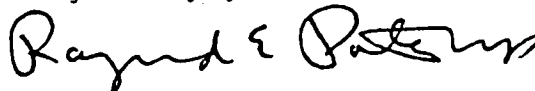
(ADDENDUM TO CC&RRs)

- Page 23 Article VII, Section 7.22 Vehicles and Parking.
(Add) No delapidated vehicles or equipment of any kind shall be parked or left on any part of the properties. There shall be no repair nor reconstruction of automobiles within the properties, except for emergency repairs. The Association may remove any unauthorized vehicle at the expense of the owner thereof. The Board of Directors shall have the right to tow away vehicles parked in violation of rules or vehicles that obstruct any part of the Common Area.

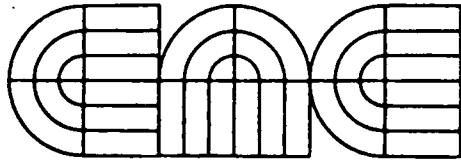
BUDGET--SEE Attached Report by William Crawford.

The basic omission of their fair share of cost of replacement of capital items is unfair to homeowners. Without an engineers report, we are unable to tell you how much is the Declarants share.

Very truly yours,



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



CREATIVE MANAGEMENT
CORPORATION

September 10, 1980

Dr. Raymond Porter
5301 "F" Street, Suite #201
Sacramento, Ca 95819

Re: Cadillac Drive

Dear Dr. Porter:

Please find below our findings and recommendations pertaining to Cadillac Drive, since our recent inspection of same property.

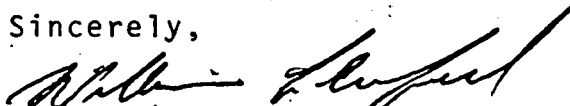
1. Energy pass thru provisions without a annual assessment should be made.
2. Under the heading of contingency, there is a line item called Conversions. Is the developer using this item to fund the already expired lives of the capital items? Hopefully this is only a contingency reserves for unknown factors that may affect the Association; such as water lines replacement, gas lines, etc..
3. Landscape is low. This is needed for maintenance of sprinkler systems, fertilization and other items that will come under this area besides the grounds contract. \$12.00 to \$14.00 seems to be more in line.

On site review:

- A. There are two boilers that supply common hot water to all units. There is no provisions for replacement of these capital items.
- B. The general condition of the property is good. Yet it is inevitable that many of the capital items such as exterior painting and probably roofing, will be needed in the future. We cannot make a projection of what the developer should set aside for expired lives on capital items without engineers report.

If we can be of further service, please feel free to call us.

Sincerely,


William L. Crawford

APPEALS COMMITTEE PROCEDURE

Bluff City Condominiums

Committee

The Committee consists of five homeowners. The full Board of Directors shall, collectively, annually appoint homeowners to be members of the Appeals Committee. In addition, an alternate member to serve in the absence of an Appeals Committee member, will be appointed annually by the full Board of Directors. The Committee members shall elect a chairman, vice chairman and secretary.

Purpose

To hear appeals from fines and sanctions imposed by the Board of Directors on a homeowner (s) of the Association.

Decisions

The decision of the Committee, if unanimous by all five voting members, must be adopted by the Board of Directors as the final decision of the Association. A divided decision of the Committee refers the matter on appeal, back to the Board of Directors for reconsideration. The Board of Directors' decision on the matter becomes final.

Appeals Procedure

1. To appeal a decision of the Board of Directors, the appeal must be in writing; one copy sent to the President of the Board of Directors; one copy to the Chairman of the Appeals Committee, or in his/her absence, to any member of the Committee.
2. Time to file appeal is limited. The written appeal must be mailed within ten (10) days following the decision of the Board of Directors. The time for mailing an appeal may be extended for good cause by a majority vote of the members of the Appeals Committee, provided however, that the extension may NOT exceed ten (10) additional days.
3. Time of hearing and decision is limited. The appeal hearing must be held within twenty (20) days after receipt of the request for appeal or appeal extension. Written decision by the Appeals Committee must be rendered within ten (10) days after the appeals hearing. These times may be extended, however, for good cause if the appellant is in agreement and provided the extension does NOT exceed twenty (20) additional days. One copy of the Appeals Committee decision will be sent to the President of the Board of Directors, or in his/her absence, to any member of the Board of Directors; one copy to the appellant.

Hearing

- A. The Appeals Committee chairman shall preside over the hearing.
- B. Five members of the Committee shall hear the appeal.
- C. The decision on appeal shall be by majority vote of those members present and voting. Only Committee members present throughout the hearing may vote.
- D. No member may participate in the hearing or vote if beneficially interested, directly or indirectly, in the decision other than generally as a member of the Association.
- E. The appellant may be represented by legal counsel or any representative appointed by him/her if the Committee is notified at least ten (10) days prior to hearing.
- F. A member of the Board of Directors representing the majority view of the Board of Directors shall be the party to present the case of the Board.
- G. The hearing may be phonographically or stenographically reported at the sole expense of the party requesting same.
- H. The hearing will be open to any homeowner unless requested in writing to be closed by the appellant at least ten (10) days prior to hearing.
- I. The parties shall have a right to present and examine witnesses, to introduce exhibits and to cross examine witnesses.
- J. The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely on in the conduct of serious affairs.

Factors to be considered in the decision

In arriving at its decision, the Appeals Committee shall be concerned whether the decision under appeal : 1. Is consistent with the Articles of Incorporation; Covenants, Conditions & Restrictions; Bylaws; Rules and Resolutions of the Association. 2. Is in the best interest of the Association and legally sound. 3. In the light of evidence presented, is a reasonable restriction upon the rights of the appellant.

Adopted 13 Feb 79

BRIARWOOD GREENHAVEN
APPEAL COMMITTEE PROCEDURE

I. TIME FOR APPEAL

- A. An appeal shall be filed with the Chairman of the Appeals Committee, or in his absence with any member of the Committee, no later than the 10th day following receipt by the appellant of the written decision of the Architectural Control Committee or, in the case of an appeal from the action of the Board of Directors, no later than the 10th day following the taking of such action.
- B. The time for filing of an appeal may be extended for good cause by majority vote of the Committee, provided however, that no extension may exceed 30 days from receipt of the decision or the taking of the action appealed from.

II. FORM OF APPEAL

Each appeal shall be in writing and signed by the appellant and shall contain the following:

- A. An attached copy of the decision appealed from or a description of the action appealed from, including the dates thereof.
- B. A clear and concise description of the relief sought.
- C. A clear and concise statement of the grounds for the appeal.
- D. A clear and concise statement of all pertinent facts upon which the appellant believes he is entitled to the relief sought.

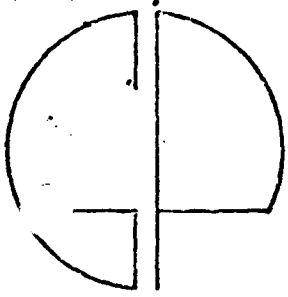
III. INFORMAL INVESTIGATION AND CONCILLIATION

- A. Upon receipt of an appeal, the Chairman shall forthwith refer it to a committee member for review and investigation.
- B. The assigned member shall confer with the appellant and attempt to find a basis for the reconcilliation of conflicting viewpoints. If successful, such member shall request that the Architectural Control Committee or the Board agree to accept a voluntary remand for the purpose of considering the proposed compromise. The member's written findings and recommendations shall be transmitted to the body accepting the remand.
- C. If the voluntary remand is accepted no further proceedings shall be had by the Committee until the decision on remand has been rendered or action on remand is taken.
- D. If the decision or action or remand is acceptable to the appellant the appeal shall be terminated.
- E. If the decision or action on remand is not acceptable to the appellant, the appellant, not later than the 10th day following receipt of the written decision or the taking of action, may request a formal hearing before the Appeals Committee. This time may not be extended.
- F. The assigned member shall make his written findings and recommendations within 20 days of receipt by the Committee of the appeal unless such time period is waived in writing by the appellant.

IV. FORMAL APPEAL PROCEDURE

- A. If the assigned member is unable to recommend a basis for reconcilliation or a voluntary remand is not accepted or the decision or action on remand is not acceptable to the appellant and timely request is made therefor, a hearing shall be held by the Committee.
- B. The hearing shall be held and a written decision rendered by the Committee within 30 days of receipt of such request, unless such time is waived in writing by the appellant.
- C. The Committee Chairman shall preside over the hearing.

- D. A majority of the Committee shall constitute a quorum.
- E. The decision on appeal shall be by majority vote of those members present and voting. Only committee members present throughout the hearing may vote.
- F. No member may participate in the hearing or vote if beneficially interested, directly or indirectly, in the decision other than generally as a member of the association.
- G. The appellant may be represented by legal counsel or any representative appointed by him in writing.
- H. The hearing may be phonographically or stenographically reported at the sole expense of the party requesting the same.
- I. The hearing will not be open to anyone other than the appellant and his witnesses unless authorized to be open by the appellant in writing.
- J. Each party shall have the right to call and examine witnesses, to introduce exhibits and to cross-examine opposing witnesses.
- K. The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs.
- L. In arriving at its decision the Committee shall determine whether the decision or action appealed from:
 - 1. Is consistent with the Articles of Incorporation; covenants, conditions and restrictions, by-laws and resolutions of the Association.
 - 2. In the light of the evidence presented is a reasonable restriction upon the rights of the appellant.
 - 3. Is in the best interest of the Association.
- M. The decision of the Appeals Committee shall be binding upon the Association.



GILL & PULVER ENGINEERS INC.

November 25, 1980

William H. Gill, P.E.
John W. Pulver, P.E.
Rick R. Bettis, P.E.

Ms. Sharon Caudle
Sacramento Planning Department
City of Sacramento
725 J Street
Sacramento, California 95814

Dear Sharon:

Since our approach to the five pending condominium conversion projects is basically the same in regard to engineering related aspects, I thought it worthwhile to summarize discussions of the past several weeks with various City offices.

The five projects for which we are engineer include:

Riverside Villa
Rivercrest Village
American River Commons
Rivergreens
Cadillac Drive

At the time of application, an alternative was presented for each of two specific requirements of the condominium ordinance. Alternatives were proposed to the requirement for separate water and sewer service and for two hour fire walls between units.

Water and Sewer Service

In lieu of separate water and sewer service it was proposed to have an identifiable cold water shut off for each building; cleaning of sewer lines and a program for biannual cleaning; insurance to protect against sewage related accidents; and provision of additional flusher branches at three projects.

The alternative as detailed in the Property Report (copy attached) was endorsed as acceptable by the Water and Sewer Division and by the Chief Plumbing Inspector. As specified in the ordinance, the City Council must make a determination that a common sewer line and a single water system can adequately service the project.

Ms. Sharon Caudle
November 25, 1980
Page 2

Two-hour Fire Wall

As an alternative to a two-hour fire wall between units, a modified sprinkler system termed the Patton System or equal was proposed. Fire protection studies at the projects and discussions with Fire Marshal, Ray Charles, and Dennis Loheit of Fire Prevention show the Patton system or equal to be an acceptable alternative. I understand Dennis Loheit of the Fire Department has provided you with the needed documentation to show acceptance of the alternative.

Other Conditions

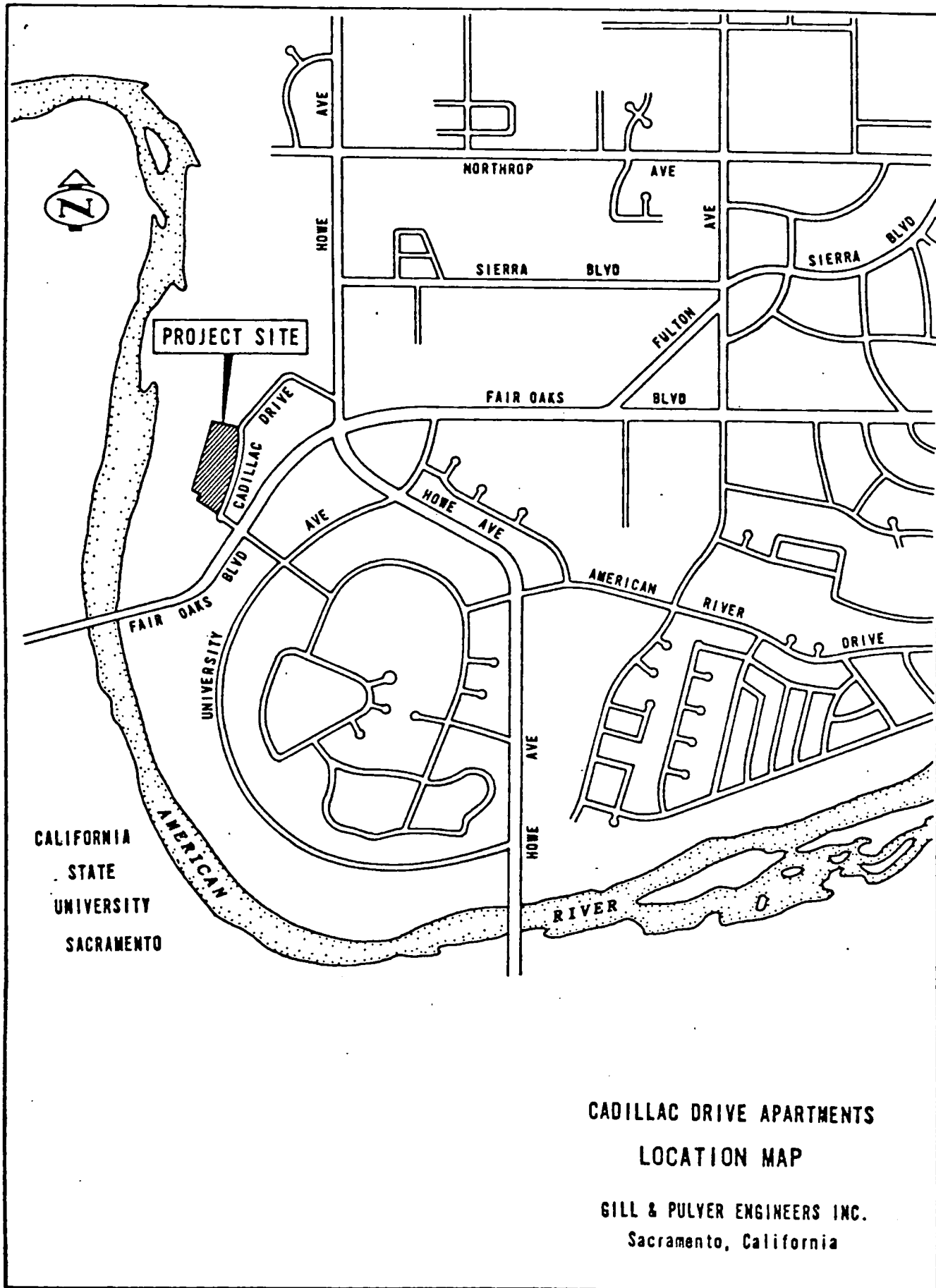
There were several other conditions to each project's tentative map approval discussed at the Subdivision Review Committee Meeting. From the notes I made at the meeting, these conditions appear to be reasonable and will be met by the owner prior to approval of the final map. I would appreciate receiving a copy of the typed version of the conditions to compare with my notes so that if we have a problem with the wording of a particular condition, we'll have time to discuss it with you.

Thank you again for all your assistance throughout the review of these projects and if you foresee any problems related to the engineering aspects of the application, please let me know so that I may adequately respond.

Sincerely,

Bill Gill
WILLIAM H. GILL

WHG:dw



CALIFORNIA
STATE
UNIVERSITY
SACRAMENTO

**CADILLAC DRIVE APARTMENTS
LOCATION MAP**

GILL & PULVER ENGINEERS INC.
Sacramento, California





CITY OF SACRAMENTO

OFFICE OF THE CITY CLERK

915 I STREET

CITY HALL ROOM 203

SACRAMENTO, CALIFORNIA 95814

TELEPHONE (916) 449-5426

LORRAINE MAGANA
CITY CLERK

MEMORANDUM

TO: COUNCILMAN JOHN ROBERTS

FROM: LORRAINE MAGANA, CITY CLERK *LM*

SUBJECT: CONDOMINIUM CONVERSION - 100 CADILLAC DRIVE, ITEM 30
COUNCIL MEETING OF MARCH 17, 1981

DATE: MARCH 18, 1981

On March 17, 1981, the City Council continued the above mentioned item to the Council meeting of March 24, 1981.

The City Council further urges that you listen to the tape on this matter. The Council is at an impasse on this issue and your vote is necessary to resolve the issue one way or the other.

Please let us know when it would be convenient for you to listen to the tape.

LM:sj