

RESOLUTION NO. 2006-495

Adopted by the Sacramento City Council

June 27, 2006

APPROVING THE VARIOUS ENTITLEMENTS FOR THE CONVERSION OF 1706 G STREET TO A CONDOMINIUM PROJECT LOCATED AT 1706 G STREET AND ADOPTING THE NOTICE OF DECISION AND FINDINGS OF FACT IN SUPPORT. (P06-023) (APN: 002-0176-004)

BACKGROUND

- A. On May 5, 2006, Preservation Staff approved the design of the proposed project,
- B. On June 8, 2006, the City Planning Commission approved the tentative map for condominium purposes and recommended the City Council approve the Special Permit and Variances to convert the 1706 G Street apartment building to condominium units;
- C. On June 27, 2006, the City Council heard and considered evidence in the above-mentioned matter.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. At the regular meeting of June 27, 2006, the City Council heard and considered evidence in the above entitled matter. Based on verbal and documentary evidence at said hearing, the City Council took the following actions for the location listed above:
- A. Approved the applicant's request of the necessary entitlements to convert a six-unit apartment building to a six-unit condominium project for the project known as 1706 G Street Condos.

These actions were made based upon the following findings of fact and subject to the following conditions:

Section 2. FINDINGS OF FACT

- A. Environmental Determination: The City Council finds that the project is Exempt pursuant to CEQA Section 15331.
- B. The Special Permit to convert an existing 6,000 square foot apartment building into six condominium units in the Multi Family (R-3A) zone is hereby approved based upon the following findings of fact.

1. A Special Permit shall be granted if there exists adequate comparable replacement housing for each eligible tenant in the building proposed for conversion. In this case, staff finds that this requirement is not applicable to the subject condominium conversion because the building is a vacant structure and has not had rental tenants since 2004. The project will not displace any tenants.
2. A Special Permit shall not be granted if it is determined that the average rental vacancy rate in the affected community plan area during the twelve months preceding the date the City-determined rental vacancy rates are issued is greater than five percent; otherwise adequate measures have been incorporated that would effectively mitigate the displacement of tenants and any adverse effects upon the rental housing stock in the affected area caused by the conversion. The average rental vacancy rate is 6% within the Central City, therefore, it can be assumed that the proposed project will not adversely affect the rental housing stock in the surrounding area.
3. A Special Permit for condominium conversion shall not be granted if the applicant has not complied with all submittal requirements, public notices to existing tenants, and building inspections. In addition, the project shall be subject to the development standards established for condominium conversions. In this case, staff finds that the applicant has supplied staff with all required documents and is subject to all future building inspections that are applicable to this condominium conversion. No existing tenants are affected by the conversion, and, therefore, the applicant is not required to comply with the tenant notification procedures outlined in the conversion ordinance. The applicant has identified the need to seek a Variance for two of the development standards based upon the integrity of the existing structure and its historical integrity.
4. A Special Permit for condominium conversion shall not be granted if the apartment building or residential complex proposed for conversion represents a unique and needed rental housing resource in the city. Staff finds that, given the lack of rental tenants in the structure and the previous non-rental history of the residential complex, the proposed conversion does not represent a needed rental housing resource in this area.
5. A Special Permit for condominium conversion shall not be granted if it is found that the results of the tenant survey indicate strong disapproval for the conversion of the units. Staff finds that in this case, the residential structure is vacant, and, therefore, the applicant is not required to produce a tenant survey.
6. A Special Permit use must comply with the objectives of the general or specific plan for the area in which it is to be located. The proposed project is consistent with the residential land use policies and the General Plan and the Central City Community Plan which encourage the rehabilitation

of historically significant structures and to provide additional housing opportunities within the Central City to all economic segments of the population.

7. A Special Permit shall be granted upon sound principles of land use. In this case, staff finds that the proposed condominium conversion use is consistent with the City's objectives to promote the re-use of vacant structures and provide additional housing opportunities within the Central City. The use does not change with the condominium conversion process and provides viable housing stock for the area.

C. **The Variances** to waive six required parking spaces and building code requirements for the condominium conversion are approved subject to the following Findings of Fact and Conditions of Approval.

1. The request for a Variance is a circumstance applicable to the subject property, or to the structures situated thereon, including but not limited to the size, shape, location or surroundings of the subject property or the building thereon, the strict application of the development standards would create an unreasonable economic hardship. Staff finds that the request to deviate from the parking requirement is based upon the current conditions of the site in which no parking has ever been provided on this site, and the property is not amenable to providing on-site parking. The request to deviate from several of the building code requirements is based on the building being an existing residential structure with historical integrity. Staff supports the Variances because it has been determined that the requests for deviation do not impact any life safety issues.
2. The project as conditioned will be in substantial compliance with the development standards and will incorporate mitigating features into the project. The project is conditioned to comply with either the Historic Building Code or is being analyzed as an existing residential structure where applicable. The applicant has demonstrated that adequate protection will be provided for the areas requesting deviation. No parking will be provided on-site for the project, but this has been an existing condition that cannot be modified without extreme demolition of the structure. Staff finds that there is adequate on-street parking for the six condominium units.

Section 3. **CONDITIONS OF APPROVAL**

B The **Special Permit** to convert an existing 6,000 square foot apartment complex into six condominium units in the R-5 zone is hereby **approved** subject to the following conditions of approval:

General

1. The applicant shall obtain all necessary building and/or encroachment permits prior to commencing construction.
2. The applicant shall comply with the conditions of approval contained in the Preservation approval (PB06-021).
3. The applicant shall record the final map and sell at least one unit in order to activate the Special Permit within three years of final approval (June 27, 2009).

Building

4. All items included in the architect's CBC Compliance statement updated on May 3, 2006 are to be completed prior to occupancy (See Attachment K).
5. All structural modifications listed in the civil engineer report dated April 24, 2006 are to be completed prior to occupancy (See Attachment L).
6. The applicant shall obtain a building permit prior to starting work.
7. All new work to comply with current codes.
8. Both masonry chimneys that appear to be in danger of imminent collapse shall be safety removed or repaired.
9. Any new roofing shall have a fire class of A or B.
10. An NFPA 13 fire sprinkler system is to be installed throughout the building.
11. Shafts and other penetrations of the floors to be fire-rated.
12. Penetrations of walls between dwelling units and corridor walls are to be fire-rated.
13. Floor/ceiling assemblies between dwelling units are to be verified as complying with one-hour fire-resistive requirement.
14. One permanent, collapsible ladder is to be attached to the west elevation and one to the east elevation to provide ladder access to the rescue windows of the master bedrooms.
15. As proposed by the owner, all electrical, mechanical and plumbing within the building is to be replaced with new to current codes (including the installation of smoke alarms).

Fire

16. Provide a water flow test to design the sprinkler system. (Make arrangements at the North Permit Center's walk-in counter: 2101 Arena Boulevard, Suite 200, Sacramento, CA 95834).
17. Locate and identify Fire Department Connections (FDCs) on the address side of the building no further than 40 feet and no closer than 5 feet from a fire hydrant.

Utilities

18. The condominium units shall have a separate street tap for a metered domestic water service with sub-meters for each condominium unit and common landscape area.
19. The project shall provide for sub-metering of all the condominium units and common landscape area consistent with the Utility Service Agreement. The sub-metering shall be to the satisfaction of the Department of Utilities.

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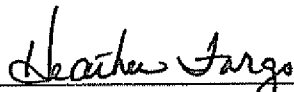
Adopted by the City of Sacramento City Council on June 27, 2006 by the following vote:

Ayes: Councilmembers Cohn, Fong, Hammond, McCarty, Pannell, Waters, and Mayor Fargo.

Noes: Sheedy.

Abstain: None.

Absent: Tretheway.



Mayor, Heather Fargo

Attest:



Shirley Concolino, City Clerk