

CITY PLANNING COMMISSION

927 - 10th Street, Suite 300 -SACRAMENTO, CALIFORNIA 95814

APPLICANT	Speath Engineering, 25710 Garfield Ave., Suite B, Sacramento, CA 95841		
OWNER	Dr. Sigrid V. Lenert, 2628 El Camino Avenue, Suite B7, Sacramento, CA 95821		
PLANS BY	Speath Engineering, 25710 Garfield Avenue, Suite B, Sacramento, CA 95841		
FILING DATE	1-31-83	50 DAY CPC ACTION DATE	REPORT BY:TM:bw
NEGATIVE DEC	Exempt 15101k	EIR	ASSESSOR'S PCL. NO. 029-470-08

APPLICATION: 1. Special Permit to convert 36 apartment units into 36 condominium units;  
 2. Tentative Map to create 36 airspace condominium lots and one common lot in the Medium Density (R-3) zone.

LOCATION: Southwest corner of 13th Street and South Land Park Drive

SUMMARY: This is a request to convert 36 apartment units into condominium units. These 36 units represent the total number of units proposed to be converted in the Pocket area this year. The rental vacancy of multiple family units indicates a 2.89 percent rate for this community plan area.

The Subdivision Review Committee recommends approval of the tentative map, subject to conditions which are necessary to make this complex comply with the required standards and codes (see Exhibit A).

PROJECT INFORMATION:

1974 General Plan Designation: Residential  
 1965 Airport Community Plan  
 Designation: Multiple Family Residential  
 Existing Zoning of Site: R-3  
 Existing Land Use of Site: Apartments

Surrounding Land Use and Zoning:

North: Apartments; R-3  
 South: Offices, Vacant; OB-R  
 East: Shopping Center; C-2  
 West: Single Family; R-1

Parking Required: 36 spaces  
 Parking Provided: 50 spaces  
 Ratio Required: 1 space per dwelling unit  
 Ratio Provided: 1.4 spaces per dwelling unit  
 Property Dimensions: Irregular  
 Property Area: 1.8± acres  
 Density of Development: 20 units per acre  
 Square Footages of Units: A(one bedroom) = 660 sq. ft.  
 B(two bedroom, one bath) = 845 sq. ft.  
 C(two bedroom, two bath) = 910 sq. ft.  
 Height of Structures: 24± feet  
 Significant Feature of Site: Within Executive Airport overlay Zone 4

BACKGROUND INFORMATION

000963

(see over)

222000

APPLC. NO. P83-038  
 02/05/83

MEETING DATE May 5, 1983

CPC ITEM NO. 2

1. Physical Characteristics

Villa De La Pe is located within the Pocket Community Plan on South Land Park Drive south of 13th Street. This development consists of five two-story structures containing 36 units. There are 12 one-bedroom units, 18 two-bedroom, one-bath units, and six two-bedroom, two-bath units. The units range in size from 660 to 910 square feet. One covered parking space is available for each unit, with 14 additional on-site open parking spaces for residents and guests.

The apartment complex is arranged in a garden apartment setting, with landscaping between the buildings and a centralized swimming pool and combination laundry and bath house.

Villa De La Pe is owned by Villa De La Pe Apartments, Limited Partnership, who is represented by Dr. Sigrid V. Lenert, a general partner. Construction of this complex was completed in 1973.

At the present time, this complex does not meet the standards of the condominium conversion ordinance for two-hour fire separation between each unit and sound transmission requirements. Also, there are other minor deficiencies that would have to be corrected if approved.

2. Social Characteristics

The property report indicates that there are 11 special category tenants consisting of six single parents and five elderly (62 or older) currently residing in this complex.

According to the tenant survey, approximately 16 out of 23 respondents classified themselves as low or moderate income tenants. However, only eight tenants applied for and were approved as qualified low or moderate income applicants. These qualified applicants will be eligible to purchase their units at prices ranging from \$26,565 to \$36,628, depending on the size of the unit. These prices were determined to be the apartment market value of each type of unit by a qualified appraiser selected at random from a pool of City approved appraisers.

The survey sent to Villa De La Pe tenants had a response rate of 64 percent (see Exhibit B). According to the survey, the average tenant has resided in this complex four years and one month. Most of the respondents indicated that they chose to reside in this complex because of its proximity to places of work and shopping.

The original survey sent to the tenants omitted price estimates for the units, but questioned if the tenants would be interested in purchasing a unit within the complex. Without knowing the unit price, approximately 29 percent indicated yes, 43 percent indicated no, and 43 percent were undecided. (Some of the undecided tenants also indicated yes, dependent on prices; hence the total percent exceeds 100 percent.) When the applicant sent out an amended survey which indicated the prices of the units, the response was quite different. After being informed of the prices, five percent indicated interest in purchasing a unit; 84 percent indicated no, and 11 percent remained undecided.

699-9 The tenant benefit program proposed by the applicant will make available the following provisions in addition to those required by the Condominium Conversion Ordinance.

000964

An eligible tenant of Villa De La Pe will be able to purchase their unit (or another unit if it is not purchased by its occupant) for 15 percent less than the full purchase price. Also, a \$1,500 credit for decoration allowance will be offered.

This credit is offered to tenants who elect to occupy their condominium "as is" after the unit has been upgraded to conversion standards.

Both the 15 percent discount and the \$1,500 credit are offered to all tenants. However, the applicant has indicated that these incentives are not intended to be in addition to the special assistance provided for qualified low and moderate income persons, but rather in lieu of that assistance should these tenants opt for these incentives.

The proposed homeowners' association fees are estimated at \$96.40 for each unit. The annual operating budget is therefore estimated to be \$41,625.61.

STAFF EVALUATION: Staff has the following comments regarding this request:

1. This proposal represents the only condominium conversion request within the Pocket Community Plan area this year. The vacancy rate for this planning area is 2.89 percent, which is significantly less than the five percent vacancy rate mandated by the conversion ordinance as a criteria for review.

The ordinance specifies the five percent vacancy rate because this rate is considered to represent a healthy balance between the total number of rental units available and the number of individuals or families seeking these types of units. Also, when vacancy rates drop below five percent, it becomes difficult for individuals to find comparable housing units at a similar cost with similar amenities.

Currently, 292 of the 2,576 multiple family units within this area are approved for condominium conversion. These units were approved in previous years, when the vacancy rate was seven percent or greater.

2. The current housing mix in this planning area consists of 69 percent owner units and 31 percent rental (multiple) units. The overall average consists of 60 percent owner units and 40 percent rental (multiple) units. If this project is approved, an additional two percent of the area's rental units will be deleted from the housing market and an even larger imbalance between owner and rental units will result. Again, the loss of these units will make it difficult for individuals and families to find comparable housing at affordable prices.
3. At the present time, this complex does not comply with the requirements of the Conversion Ordinance regarding development standards. A two-hour fire separation is not provided to each unit, and the applicant would have to install two-hour walls or a fire sprinkler system approved by the City Fire Department. Noise levels are just below those required for conversion to condominiums and uncarpeted areas are to be carpeted and an additional layer of gypsum wallboard is to be attached to the common walls and ceilings. Additionally, other improvements are necessary to comply with minor code violations and to insure safety of the potential owners and energy efficiency of the units.

000000

000965

4. The tenant survey indicated that most of the responding tenants are long-term with an average stay of four+ years. The most consistent response was that the location of the site in proximity to shopping and employment was a primary concern. Only one tenant out of the 23 respondents indicated an interest in purchasing a unit at the estimated prices.
5. The subject apartments rent from \$265 to \$325 per unit, whereas, the average monthly rental rate for multiple family units in this area is \$382 per unit. It should be noted, however, that this average is skewed upwards due to a number of units renting in the \$450 to \$550 range.
6. The applicant proposes to abide by the mandatory tenant assistance requirements for the relocation of existing tenants who do not choose to purchase a unit. Based upon the survey response, this assistance will be needed by 34 individuals and/or families. Based upon the vacancy rate for this planning area and the total number of units, there are approximately 78 apartment units of varying rental rates, locations and amenities, to accommodate these displaced tenants as well as the normal amount of individuals and families seeking rental units in this area.
7. Based upon the proposed sales price, Villa De La Pe units will be sold for square footage costs that vary from \$83 to \$87 per square foot. In 1982, the average cost per square foot of condominiums in this area was approximately \$66.

STAFF RECOMMENDATION: Staff recommends the following actions:

1. Denial of the special permit to convert 36 apartment units into 36 condominium units based upon Findings of Fact which follow; and
2. Denial of the tentative map to create 36 airspace condominium lots and one common lot for the purpose of converting rental units into condominium units.

Findings of Fact - Special Permit

- a. This proposed conversion is not consistent with the goals and policies of the Housing Element of the General Plan in that:
  - 1) it reduces the housing alternatives available as these alternatives relate to choice of location, price and type of housing opportunities available in the community. This conversion will eliminate available rental housing opportunities for individuals of low or moderate income who wish to live in this area;
  - 2) it disrupts the balance of ownership and rental housing in this community.
- b. This proposed conversion does not satisfy the criteria for review as determined by the Zoning Ordinance in that:
  - 1) the community plan area vacancy rate is 2.89 percent, whereas the Zoning Ordinance indicates that the vacancy rate should be in excess of five percent; and
  - 2) the applicant has not proposed measures which would effectively mitigate the loss of rental housing stock with the community plan area.

Prior to the filing of the final map, the applicant shall fully complete all the following improvements and fully comply with all the following conditions to the satisfaction of the City to ensure completion and compliance at those times specified in the agreement.

1. All accessible attic space over conditioned spaces shall be insulated to a minimum thermal resistance value of R-19 or whatever value is required at the time of sale.

Exemption

Existing ceiling insulation meets or exceeds R-19 throughout at least 90 percent of the existing ceiling area.

2. All swinging doors which separate conditioned from unconditioned spaces shall be fully weather stripped or gasketed in such a manner as to effectively and reliably limit air infiltration. Adhesive foam-type weather stripping will not constitute compliance.
3. All domestic water heaters shall be fitted with external insulation blankets rated at a minimum thermal resistance value of R-12 as installed.
4. All uninsulated transverse ducts, plenums, fitting joints of all heating and cooling equipment in unconditioned areas such as attics, crawl spaces, garages and basements shall be sealed with pressure sensitive tape or mastic to prevent air loss and shall be insulated to a thermal resistance of R-5.6.
5. The first five feet of hot and cold water piping leading from electrical resistance, natural gas, or other fossil fuel fire domestic water heaters shall be insulated to a minimum resistance value of R-4.
6. There shall be no broken window or hole in the building envelope where the light or air may be detected passing from an unconditioned space to a conditioned space.
7. All shower fixtures shall be fitted with flow restrictions or low-flow shower heads such that the maximum flow rate of the fixture does not exceed three gallons per minute maximum flow.
8. All electrical wall outlet and wall switch plates which are located between conditioned and unconditioned space shall be fitted with gaskets to reduce air infiltration.
9. The applicant shall have an energy audit performed by SMUD and/or PG&E on the subject property. Any additional measures recommended by these utilities shall be provided by the applicant. A report of these findings shall be submitted to the Planning Director prior to final map approval.
10. The applicant shall provide replacement housing options in the form of lease, ownership, or comparable replacement housing opportunities to existing tenants, as specified in the special permit for this project. Assurances of compliance with such conditions shall be provided prior to final map approval.
11. The applicant shall provide two hour fire separations between the dwelling unit walls and floor-ceiling assemblies or provide for an approved fire sprinkler system.

000967

12. Each unit shall be provided with its own approved smoke detector.
13. A study shall be submitted which substantiates that insulation with an R value of 19 is within the ceilings of the units.
14. The water service shall comply with Section 28-C-3(ii) of the Zoning Ordinance
15. The sewer service shall comply with Section 28-C-3(i) of the Zoning Ordinance.
16. Separate hot water shutoffs shall be provided for each building.
17. Cathodic protection of the underground water system shall be provided to meet 20 year life expectancy as noted in Engineering study or provide soil study, by an experienced engineer trained in this field, to determine corrosive effect on existing water system and comply with recommendation for protecting a future useful life of 20 years.
18. Provide for GFCI receptacles for each unit.
19. Outdoor receptacles shall be provided for each unit.
20. Outside patio and balcony lights shall be provided for each ground floor unit.
21. Dedicate easements along all street boundaries for planting and maintaining trees, electroliers, traffic control devices, water and gas pipes, and for underground wires and conduits for electric and telephone services together with any and all appurtenances pertaining thereto, on, over, under, and across strips of land 12.5 feet in width.
22. Dedicate right-of-way and easements for the installation and maintenance of water, gas, sewer and drainage pipes and for poles and overhead and underground wires and conduits for electrical and telephone service together with any and all appurtenances thereto, over, under and across the lot shown hereon, excepting therefrom the existing building site.
23. The applicant shall obtain permit and reconstruct both driveways to commercial standards.
24. The applicant shall reduce the 13th Street driveway width by removing excess paving on the east side for a maximum 30' opening. This will create a proper "near 90 degree" approach to the street.
25. All open parking lots and carports shall be provided with a minimum one foot candle of light as measured at the parking surface, from one half-hour before sunset until one-half hour after sunrise. All lighting devices shall be equipped with weather and vandal resistant covers.
26. Aisles, passageways and recesses related to and within the complex shall be illuminated with an intensity of at least twenty-five one-hundredths (.25) foot candle maintained minimum of light as measured at ground level during the hours of darkness. These lighting devices shall be protected by weather and vandal resistant covers.

000968

000000

27. All building numbers and street addresses shall be clearly visible from all public or private accesses. The street and building numbers shall be no less than four inches in height and of a contrasting color to their background.
28. Where multiple dwellings are accessible by private streets, driveways, alleyways, parking lots or court yards, the addresses and building numbers shall be posted in such a manner as to be visible from those access points.
29. There shall be posted at each entrance to the complex a diagrammatic representation of the complex, showing the location of the viewer and the unit designations within the complex.
30. Parking spaces shall be numbered in such a manner that the space numbers do not correspond to the address or unit numbers of residences.
31. All single swing entry doors shall be of the solid core type and be equipped with a single cylinder deadbolt lock meeting the following minimum standards:
  - a. The bolt shall have a throw of at least one inch and be constructed so as to repel cutting tool attack.
  - b. The cylinder of the deadbolt shall be equipped with a guard designed to repel attack by prying or wrenching.
  - c. The deadbolt shall be of the pin tumbler type with a minimum of five pins.
32. All door hinges shall be secured with a minimum of three (3) number eight screws which must penetrate at least two (2) inches into solid backing beyond the frame to which the hinge is attached.
33. The strike plates designed to receive the deadbolt locks shall be constructed of a minimum 16 U.S. Gauge steel, bronze or brass, and shall be secured to a wood jamb with not less than four number eight screws which must penetrate at least 2 inches into solid backing beyond the surface to which the strike is attached. Strike plates attached to metal jambs shall be secured with a minimum of 4 number eight machine screws.
34. Sliding door assemblies shall be so designed that the door cannot be lifted from the track when the door is in the closed position, except where the door is not accessible from the ground level.

Sliding door assemblies shall have an auxiliary locking device permanently mounted on the interior and which is not accessible from the exterior.
35. All primary egress doors shall be so equipped as to provide the occupant with a clear view of that area immediately outside the door. This view may be provided by a one-way door viewer designed to provide a 180 degree field of view.

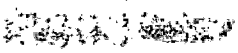
000969

000969

36. The declaration of conditions, covenants and restrictions shall give the officers of the homeowners association strong and specific powers to have towed away all unauthorized parked vehicles from parking areas designated as occupant parking.
37. Nothing in the declaration of conditions, covenants and restrictions shall prohibit a resident from placing Home Alert (Neighborhood Watch) decals, Operation Identification decals and intrusion alarm warning decals in their windows in a reasonable manner.
38. Because of the isolated nature of the parking area on the south side of the complex, the lighting level there shall be a minimum of two foot candles minimum maintained at ground level.
39. The building address shall be visible from South Land Park Drive.
40. The applicant shall provide the following sound attenuation measures as described in the engineering study performed on this property:
  - a. An additional 1/2 inch gypsum wall shall be attached with screws to the existing ceiling.
  - b. The perimeter of all walls and floor joints shall be sealed with resilient caulk.
  - c. All second story hard floor areas shall be provided with an indoor/outdoor carpet with a rubber pad.

000970

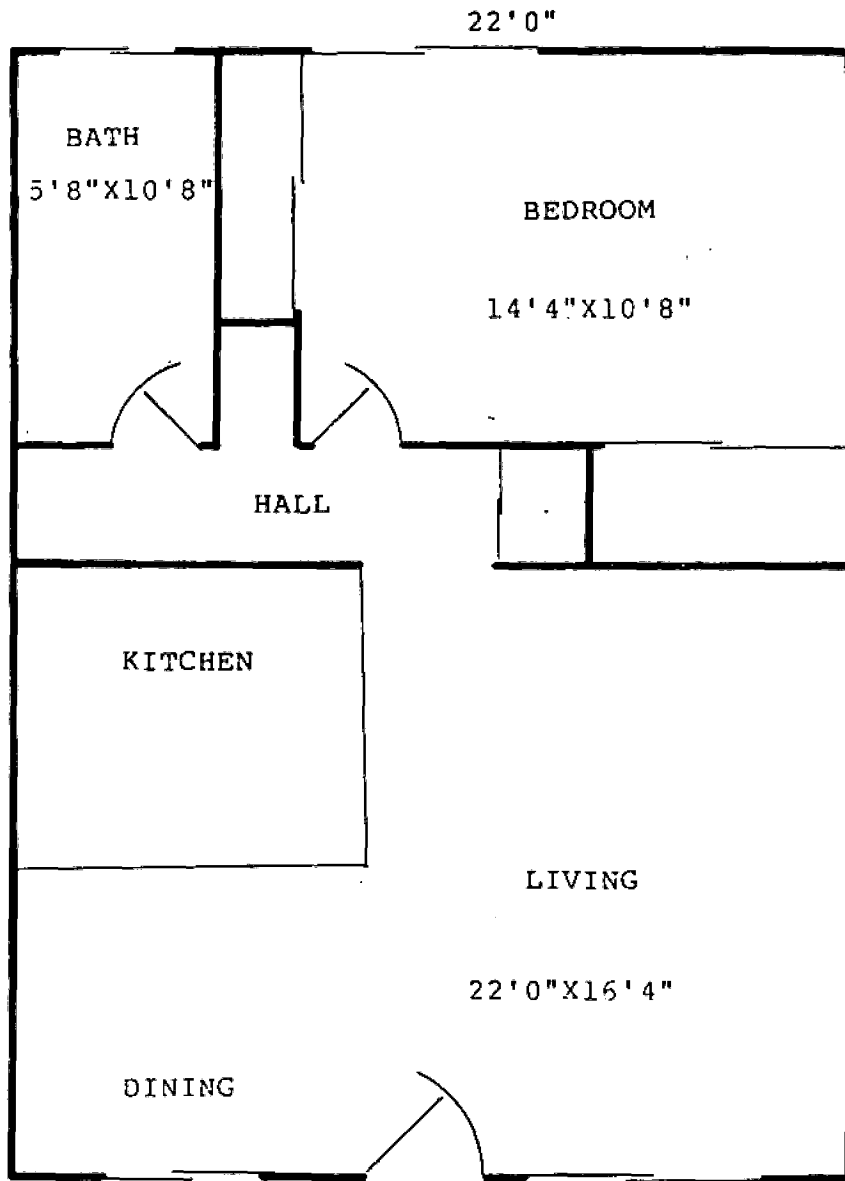
028000







0 1 3 5  
BAR SCALE  
SCALE 1"=5'



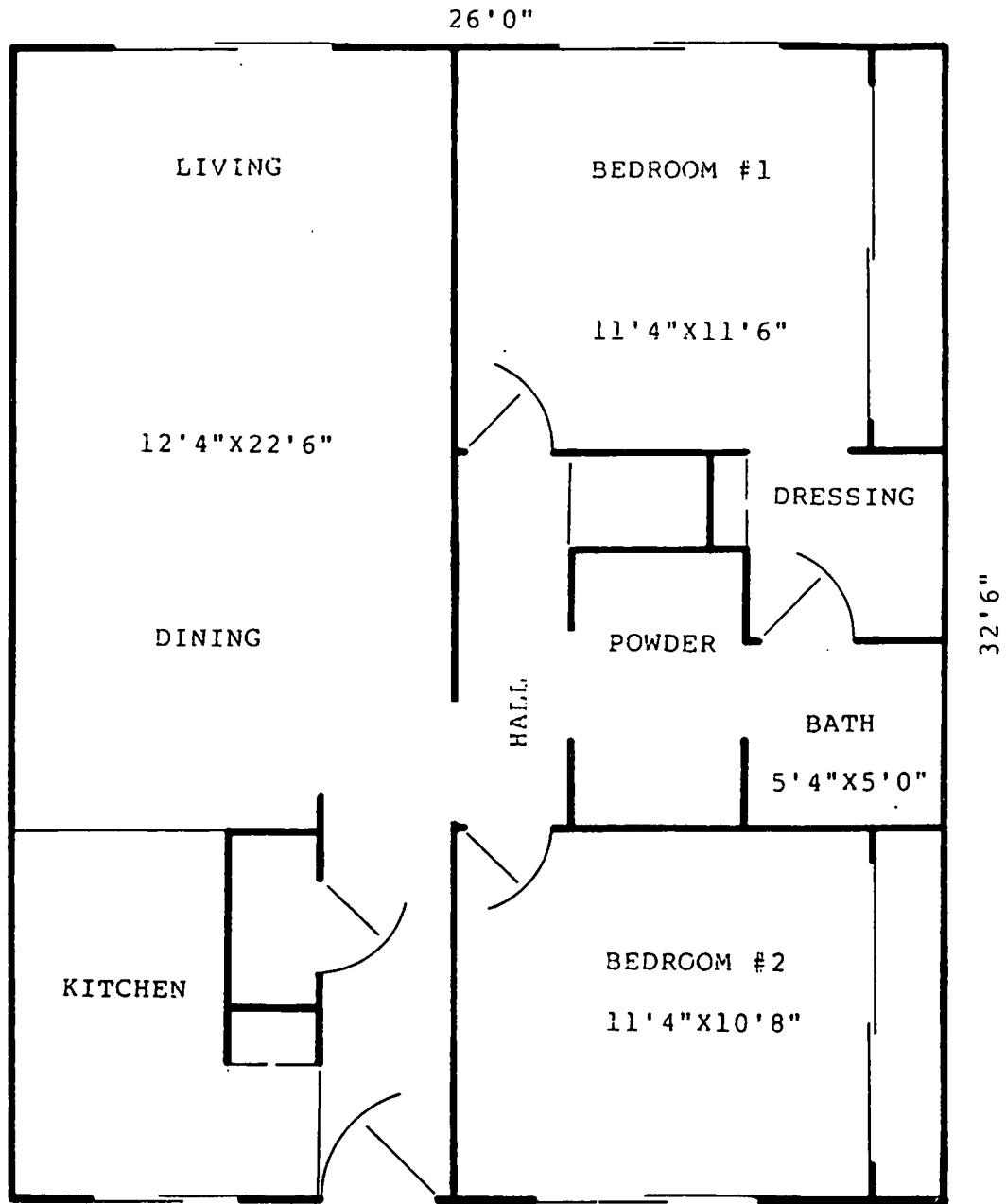
FLOOR PLAN  
UNIT A

P83-038

7-12-84  
~~5-5-83~~ 17

# 232

0 1 3 5  
BAR SCALE  
SCALE 1"=5'



FLOOR PLAN  
UNIT B

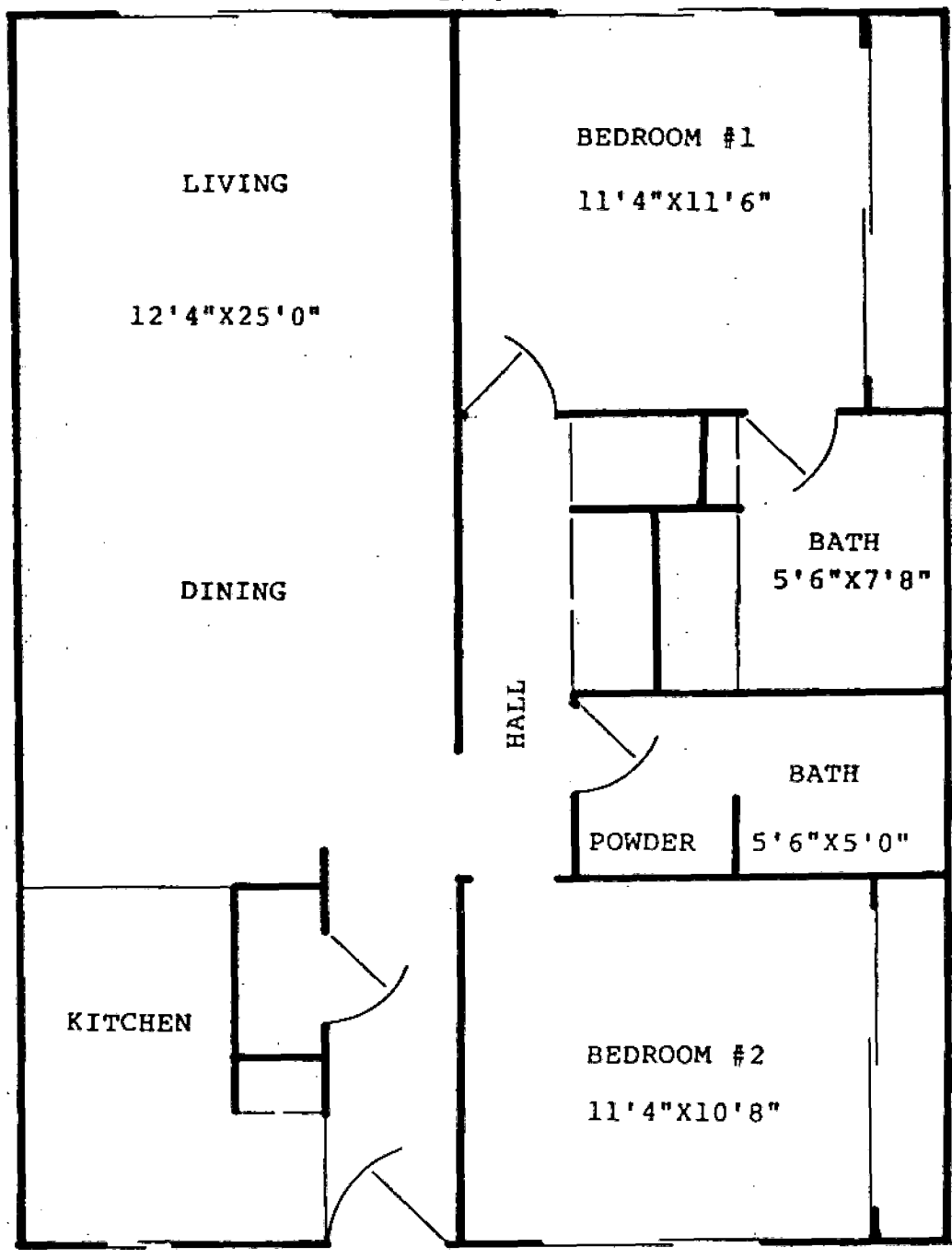
F83-038

7-12-84  
~~5-5-83~~ 18

#232

26'0"

0 1 3 5  
BAR SCALE  
SCALE 1"=5'



35'0"

FLOOR PLAN  
UNIT C

P83-038

7-12-84  
~~5-5-83~~

19

4 222