



CITY OF SACRAMENTO

CITY PLANNING DEPARTMENT

725 "J" STREET

SACRAMENTO, CALIF. 95814

TELEPHONE (916) 449-5604

MARTY VAN DUYN
PLANNING DIRECTOR

November 4, 1980

City Council
Sacramento, California

Honorable Members in Session:

- SUBJECT:
1. Subdivision Modification to waive street lights along Lexington Avenue and to waive curb, gutters, sidewalks and street lights along Fienza Avenue
 2. Subdivision Modification to create a lot substandard in width
 3. Tentative Map (P-9153)

LOCATION: 1101 Fienza Avenue

SUMMARY

The applicant is requesting the necessary entitlements to divide 0.5 acre into three single family lots. The site contains a residence. Both staff and the Planning Commission recommend approval of the requests.

BACKGROUND INFORMATION

The subject site is located in a developed residential neighborhood. Staff does not have an objection to proposed Parcel A, which is substandard in width, as there are lots of similar width in the area.

The City Engineer has indicated that it is infeasible to install street lights along Lexington Avenue as there are no street lights in the area. The City Engineer has also indicated that it is undesirable to install curbs, gutters, and sidewalk along Fienza Avenue as there is no public storm drainage in the street currently.

VOTE OF COMMISSION

On October 9, 1980 the City Planning Commission, by a vote of eight ayes, one vacancy, recommended approval of the subdivision modifications and the tentative map.

APPROVED
BY THE CITY COUNCIL

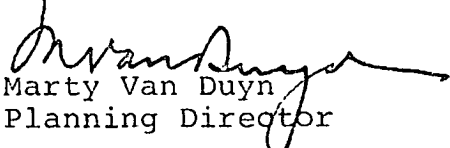
NOV 12 1980

OFFICE OF THE
CITY CLERK

RECOMMENDATION

The staff and the Planning Commission recommend that the City Council approve the project, subject to conditions, and adopt the attached resolution.

Respectfully submitted,


Marty Van Duyn
Planning Director

FOR CITY COUNCIL INFORMATION
WALTER J. SLIPE
CITY MANAGER

MVD:DP:bw
Attachments
P-9153

November 12, 1980
District No. 2

RESOLUTION NO. 80-750

Adopted by The Sacramento City Council on date of

NOVEMBER 12, 1980

ADOPTING FINDINGS OF FACT, APPROVING A REQUEST
FOR SUBDIVISION MODIFICATION AND TENTATIVE MAP FOR
PROPERTY LOCATED AT 1101 FRIENZA AVENUE (P-9153)
(APN: 265-303-47)

WHEREAS, the Planning Commission has submitted to the City Council its report and recommendations concerning the request for a tentative map for property located at 1101 Frienza Avenue (hereinafter referred to as the proposed subdivision):

WHEREAS, the Council of the City of Sacramento, based on testimony submitted at a public hearing conducted on November 12, 1980, hereby finds and determines as follows:

- A. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City General Plan and the Hagginwood Community Plan in that both plans designate the subject site for residential uses. Also, any required improvements are to be designed and constructed within the provisions of the Subdivision Regulations which, by Section 40.102 of said regulations, is designated as a Specific Plan of the City of Sacramento.
- B. The site is physically suitable for the type and proposed density of development in that the subject site is flat with no significant erosional, soil expansion or other similar problems.
- C. The design of the subdivision or proposed improvements are not likely to cause substantial environmental damage, and will not substantially and avoidably injure fish or wildlife or their habitat. The proposed project has been reviewed and assessed by the Environmental Coordinator, who has filed a Negative Declaration, with the City Clerk. By virtue of the Negative Declaration, the proposed project will not cause individual or cumulative adverse effects on the natural and social-physical environment nor substantially and avoidably injure fish, wildlife or their habitat.
- D. The design of the subdivision or the type of improvements are not likely to cause serious public health problems in that community water and sewer systems exist at the site. The site is not within an established floodplain or over a known seismic fault.
- E. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public for access through, or use of, the property within the proposed subdivision, in that there are no access easements for use by the public at large on the subject site.
- F. The discharge of waste from the proposed subdivision into the community sewer system servicing the proposed subdivision will not result in or add to a violation of the waste discharge requirements applicable to said sewer system which were prescribed by the California Regional Water Quality Control Board, Central Valley Region, in that the existing City of Sacramento treatment plants have a design capacity of 75 mgd and that actual treated discharge averages 56 mgd. The discharge from the proposed project will not create a condition exceeding the design capacity.

APPROVED
BY THE CITY COUNCIL

NOV 12 1980

CITY CLERK

G. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the proposed subdivision, taking into consideration the local climate, the contour and configuration of the parcel to be divided, and such other design and improvement requirements applicable to the proposed subdivision.

H. In the matter of the requested subdivision modification, the Council determines as follows:

a. That the property to be divided is of such size or shape, or is affected by such topographic conditions, or that there are such special circumstances or conditions affecting the property that it is impossible, impracticable or undesirable in the particular case to conform to the strict application of these regulations.

Fact: Given the lack of storm drainage facilities, it is undesirable to provide street improvements at this time.

Fact: There are other lots in the area of similar width.

b. That cost to the subdivider of strict or literal compliance with the regulation is not the sole reason for granting the modification.

Fact: The division of the property does not involve financial benefit through the waiver of street lights and frontage improvements in that it is infeasible to provide them until the area is fully developed.

Fact: The division of the property does not involve financial benefit in that lots surrounding the site are of similar size and design.

c. That the modification will not be detrimental to the public health, safety, or welfare or be injurious to other properties in the vicinity.

Fact: The project will not significantly alter the characteristics of the area.

Fact: The project is compatible to surrounding land uses.

d. That granting the modification is in accord with the intent and purpose of these regulations and is consistent with the General Plan and with all other applicable Specific Plans of the City.

Fact: The site is intended for residential use and the proposed parcel split is consistent with this designation.

Fact: The site is designated for residential uses.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Sacramento as follows:

- A. The Negative Declaration be ratified;
- B. The Tentative Map and Subdivision Modification be approved subject to the following conditions:
 - 1. The applicant shall prepare a sewer study for the review and approval of the City Engineer prior to filing the final map; the applicant shall provide easements and/or improvements necessary as a result of the study.
 - 2. The applicant shall enter into an agreement with the City to participate in any future assessment districts to provide street improvements and public drainage, water and sewer facilities. A note shall be placed on the final map referencing the agreement.
 - 3. The applicant shall dedicate a 20-foot radius round corner.
 - 4. The applicant shall retain the trees indicated on Exhibit "A". No grading, trenching, filling, or construction shall occur within the dripline of the trees to be retained.

MAYOR

ATTEST:

CITY CLERK

P-9153

SACRAMENTO CITY PLANNING COMMISSION

LETTER DATE October 9, 1982
 MEM. NO. 1001 FILE NO. P-9153
M-

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

Recommendation:

LOCATION: 1101 Springfield Avenue

- Favorable
- Unfavorable
- Petition
- Correspondence

NAME	PROPOSERS	ADDRESS

NAME	OPPONENTS	ADDRESS

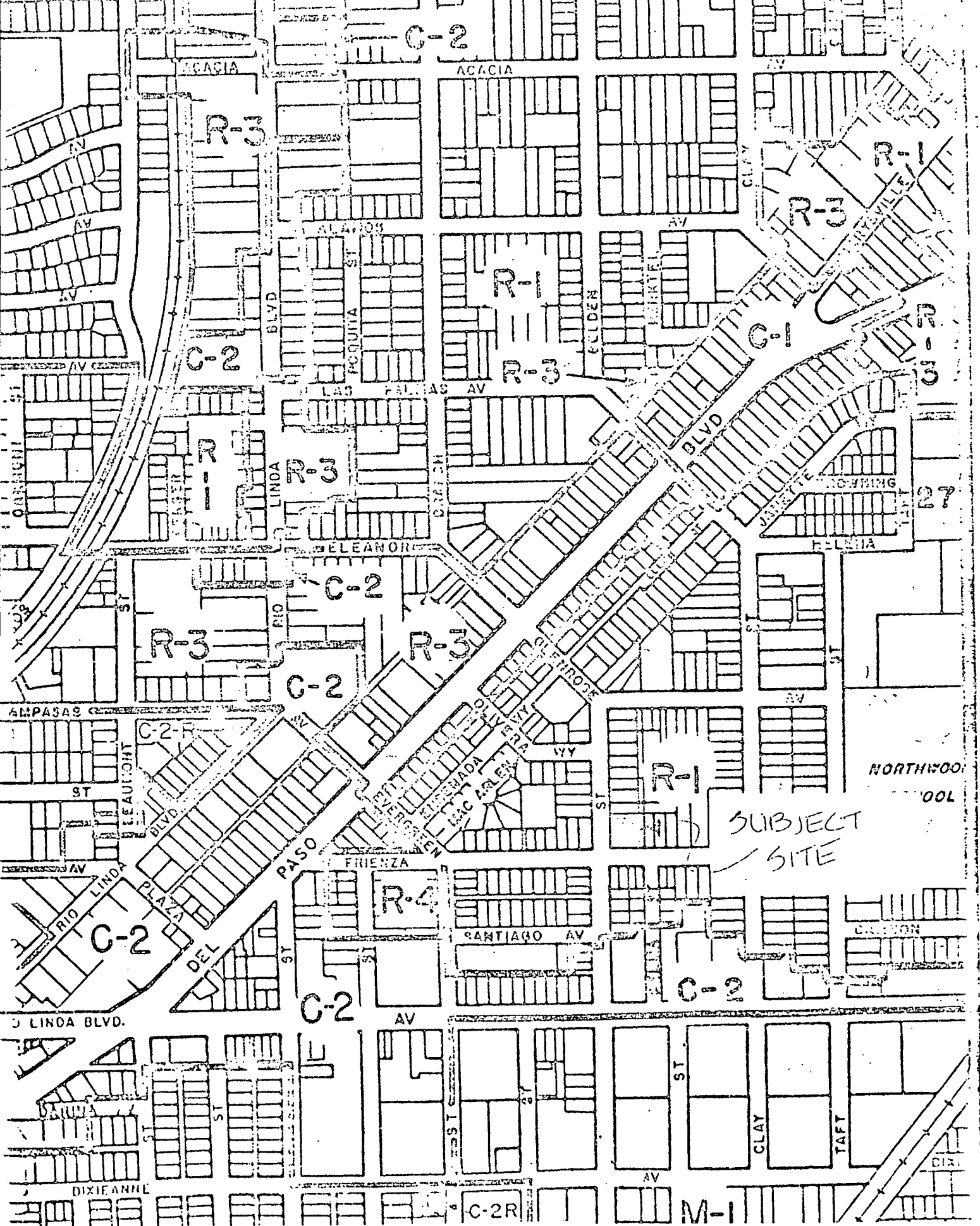
MOTION NO. _____

MOTION:

	YES	NO	MOTION	2ND
Augusta	✓			
Goodin	✓			
Hunter	✓			
Person	✓			
Baraki	✓		✓	
Simpson				✓
Silva	✓			
Long	✓			

- 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 subject to conditions & FORWARD TO CITY COUNCIL
- TO RATIFY NEGATIVE DECLARATION
- TO CONTINUE TO _____
- OTHER _____

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



P. 9133

October 9, 1980



ITEM NO. 72

CITY PLANNING COMMISSION

915 "I" STREET - SACRAMENTO, CALIFORNIA 95814

APPLICANT	Michael Newman, 1101 Fienza Avenue, Sacramento, Ca	95815
OWNER	Anita A. Newman, 1101 Fienza Avenue, Sacramento, Ca	95815
PLANS BY	Wayne Parker	
FILING DATE	8-15-80	50 DAY CPC ACTION DATE 11-01-80
		REPORT BY: DP:f
NEGATIVE DEC.	9-15-80	EIR ASSESSOR'S PCL. NO. 265-303-47

- APPLICATION:
1. Negative Declaration.
 2. Variance/Subdivision Modification to create a lot substandard in width.
 3. Subdivision Modification to waive street lights along Lexington Avenue and to waive curb, gutters, sidewalks and street lights along Fienza Avenue.
 4. Tentative Map

LOCATION: 1101 Fienza Avenue

PROPOSAL: The applicant is seeking the necessary entitlements to divide 0.5+ acre into three single family parcels.

PROJECT INFORMATION:

General Plan Designation:	Residential
Hagginwood Community Plan Designation:	Light Density Residential
Existing Zoning of Site:	R-1
Existing Land Use of Site:	Single family dwelling; vacant

Surrounding Land Use and Zoning:

North:	Residential;	R-1
South:	Residential;	R-1
East:	Residential;	R-1
West:	Residential;	R-1

Property Area:	0.5+ acre.	Density of Development: 6 du/gross acre.
Significant Features of Site:		Single family dwelling
Topography:	Flat	
Street Improvements:	Curb & gutter along Lexington Avenue existing	
Utilities:	Available to site	
School District:	Del Paso Heights	

SUBDIVISION REVIEW COMMITTEE RECOMMENDATION: On September 10, 1980 by a vote of 8 ayes and 1 abstention, the Subdivision Review Committee recommended approval of the subdivision modifications and the map subject to the following conditions:

- a. The applicant shall prepare a sewer study for the review and approval of the City Engineer prior to filing the final map; the applicant shall provide easements and/or improvements necessary as a result of the study.
- b. The applicant shall enter into an agreement with the City to participate in any future assessment districts to provide street improvements and public drainage, water and sewer facilities. A note shall be placed on the final map referencing the agreement.
- c. The applicant shall dedicate a 20-foot radius round corner.

APPLC. NO. P-9153

MEETING DATE October 9, 1980

CPC ITEM NO. 10

STAFF EVALUATION:

The subject site is located in an area developed with single family residences. The site itself contains a residential dwelling. Staff has no problem with creating the lot. (Parcel A) substandard in width as there are others of similar size in the area.

The City Engineer has requested that the installation of street lights along Lexington Avenue and frontage improvements along Frientza Avenue be waived until assessment districts are formed. The applicant is requested to enter into an agreement with the City to participate in future assessment districts.

Regional Transit and the Del Paso Heights School District have reviewed the project and have no comments or requirements.

STAFF RECOMMENDATIONS: The staff recommends that:

1. The negative declaration be ratified.
2. The variance/subdivision modification to create a lot substandard in width be granted subject to findings of fact.
3. The subdivision modification to waive street lights on Lexington Avenue and curbs, gutters, sidewalks and street lights on Frientza Avenue be granted.
4. The tentative map be approved subject to the following conditions:
 - a. The applicant shall prepare a sewer study for the review and approval of the City Engineer prior to filing the final map; the applicant shall provide easements and/or improvements necessary as a result of the study.
 - b. The applicant shall enter into an agreement with the City to participate in any future assessment districts to provide street improvements and public drainage, water and sewer facilities. A note shall be placed on the final map referencing the agreement.
 - c. The applicant shall dedicate a 20-foot radius round corner.
 - d. The applicant shall retain the trees indicated on Exhibit "A". No grading, trenching, filling or construction shall occur within the dripline of the trees to be retained.

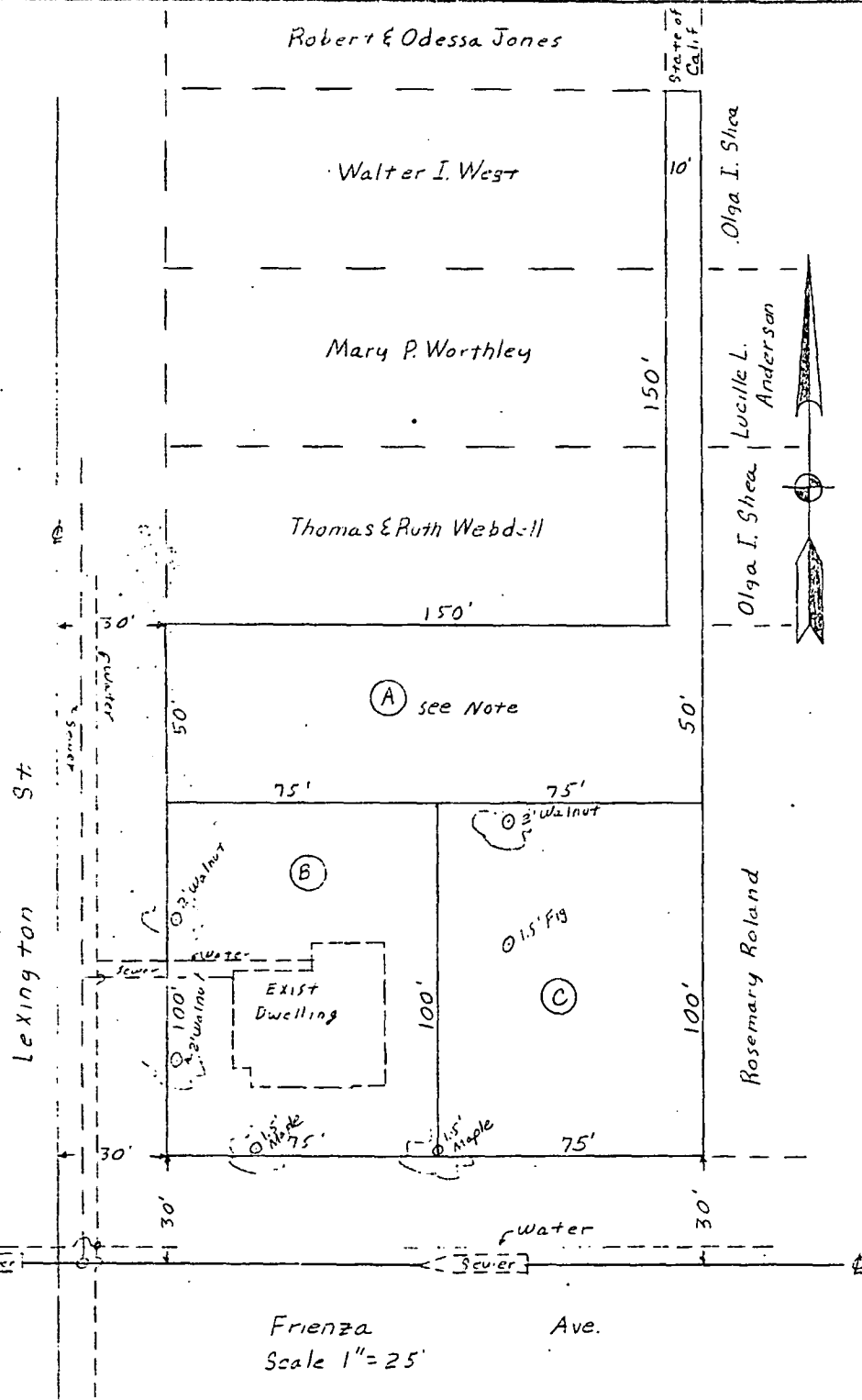
Findings of Fact - Variance

1. The granting of the variance will not constitute a special privilege in that there are other lots of substandard width in the area.
2. The variance will not be a use variance in that single family dwellings are permitted in the R-1 zone.
3. The project will not be injurious to public welfare or to property in the vicinity because it will not significantly alter the characteristics of the area.
4. The variance is in harmony with the General Plan in that the area is designated for single family dwellings.

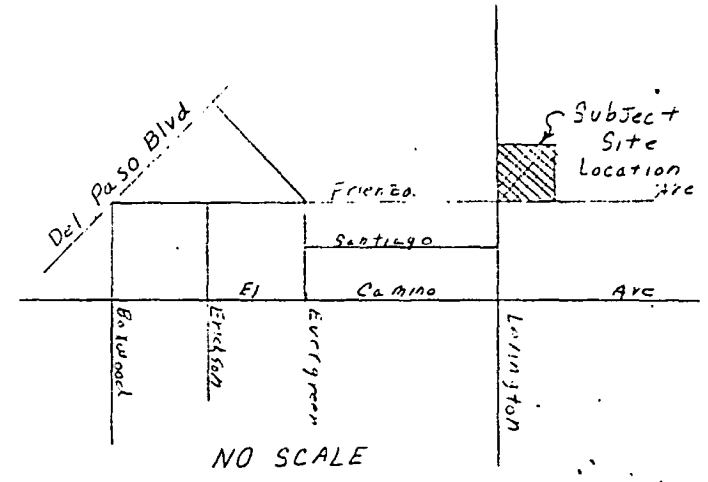
P-9153

10/19/80

#10



Note: Lot A has a substandard frontage on Lexington Street.



ACERAGE

A	0.207
B	0.172
C	0.172
TOTAL	0.551

OWNER
 Anita A. Newman
 1101 Frenza Ave.
 Sacramento, Ca. 95815
 916-925-8531

PARCEL NO. R-1 ZONING
 265-303-47

PREPARED BY SURVEYED BY
 Wayne D. Parker Wayne D. Parker
 Wayne D. Parker Date 6-80
 C.E. 19527 Wayne Parker
 5597 White Fir Way
 Sacramento, Ca. 95841
 August 14, 1980

Exhibit A

PROPERTY SURVEY MAP

P 9153

OCT - 9 1980

RECEIVED

October 6th 1980

Sacramento City Planning Commission
915 I Street
Sacramento, California 95814

Re - Variance on lot size - Waiver on curbs, gutters, lighting and sidewalks - P. 9153 at corner of Lexington Street and Frienza Avenue.

Members of the Planning Commission,

I support Mr. Newman's request for a waiver on the curbs, gutters, lights and sidewalks on the property located at the corner of Lexington Street and Frienza Avenue. Mr. Newman has done wonders with the property, he has made what was a shack, into a nice home, and is attempting to do the same with the rest of his property. I feel it is unjust to place additional problems in his way, such as the added cost of sidewalks. I could understand this if there were existing sidewalks on the rest of the block, but there is not, so I ask you to grant Mr. Newman the waiver that he requests.

Sincerely,
Mrs. Frances Kotee
10218 Oliver Way
Sacramento, Calif.

October 6, 1980

City Planning Commission
City of Sacramento
Sacramento, California 95814

CITY PLANNING COMMISSION

OCT - 9 1980

RECEIVED

Re: P-9153 Variance on Lot Size - Waiver
on Curbs, Gutters, Lighting and Sidewalks -

Ms. Chairman and Members of the Planning Commission:

We support Mr. Mike Newman's request for a Variance on Lot size and Waiver of Curbs, Gutters, Lights and Sidewalks on his property at Frienza and Lexington Street in North Sacramento.

We feel his request is reasonable as most lot size in this area is 50' frontage or less, and as there are no improvements on the adjacent properties it would be an unjustified expense for Mr. Newman to put these improvements on his property only at this time.

Respectfully,

John F. Busker
Dorothy J. Busker
1036 Olivera Way
Sacramento, California
95815



CITY OF SACRAMENTO

RECEIVED
CITY CLERKS OFFICE
CITY OF SACRAMENTO

OCT 20 5 15 PM '80

P-9153

CITY PLANNING DEPARTMENT

725 "J" STREET

SACRAMENTO, CALIF. 95814

TELEPHONE (916) 449-5604

MARTY VAN DUYN
PLANNING DIRECTOR

JM
AND SEE
BELOW

October 20, 1980

MEMORANDUM

TO: Lorraine Magana

FROM: Jan Mirrione

SUBJECT: Request to Set Public Hearings

PF: 11-5-80 }
HRQ: 11-12-80 }
FCA DATE: 11-18-80 }
cc: Van Duyn
Carstens
Miller
Jee
EXCEPT #8
PF: 11-12-80
HRQ: 11-18-80

Please schedule the following items for public hearings. All necessary support material is attached.

1. Various requests for property located at 330 Jefferson Avenue. (P-9118) (D1)
 - a. Rezone from R-2A to R-1A
 - b. Tentative Map to divide 0.3+ acre into two halfplex lots
 - c. Subdivision Modification to waive service connection.
2. Various requests for property located at the northeast corner of Lemon Hill and Belleview Avenues. (P-9119) (D5)
 - a. Tentative Map to divide 1+ acre into seven parcels
 - b. Subdivision Modification to create lots substandard in depth.
3. Various requests for property located at 1101 Fienza Avenue. (P-9153) (D2)
 - a. Tentative Map to divide 0.6+ acre into three parcels
 - b. Subdivision Modification to create lot substandard in width
 - c. Subdivision Modification to waive curbs, gutters, sidewalks, and street lights along Lexington Street.
4. Various requests for property located at the northeast corner of Morey and Western Avenues. (P-9156) (D2)
 - a. Tentative Map to divide 12+ acres into 57 single family lots
 - b. Subdivision Modification to waive sidewalks on west side of Western Avenue.

P-9169 #7
PF: 10-28-80
HRQ: 11-5-80

100

5. Various requests for property located on various corner lots on Riverside Boulevard, Windward Way, Starboard Way, Steamboat Way, Gloria Drive, Riverboat Way, and Treasure Way. (P-9159) (D8)
 - a. Rezone 6+ acres from R-1 to R-1A
 - b. Tentative Map to divide 27 lots into 54 halfplex lots.

6. Various requests for property located at 556 Swanston Drive. (P-9163) (D4)
 - a. Tentative Map to divide 0.4+ acre into three parcels
 - b. Subdivision Modification to create two parcels substandard in width and area
 - c. Subdivision Modification to waive service connections to two lots.

7. Various requests for property located on the west side of Stockton Boulevard, 600+ feet south of Timberlake Way. (P-9169) (D8)
 - a. Amend Valley Hi Community Plan
 - b. Rezone from A to OB

8. An appeal of the Planning Commission's denial of a Special Permit to modify condition of original Special Permit, P-8798, to allow an illuminated accent strip in a proposed restaurant. Location: 100 Jibboom Street (P-9134) (D1)

PP: 10-28-80
HRG: 11-5-80

HRG
11-18-80

jm

Attachments

10/10/10

SACRAMENTO CITY PLANNING DEPARTMENT

Application Information

Application taken by/date: 2-12-81

Project Location 1101 FRIENZA AVE P N^o 9153

Assessor Parcel No. 265-303-47

Owners Anita A. Newman Phone No. 925-8531

Address 1101 Frienza Avenue

Applicant Michael W. Newman Phone No. 925-8531

Address 1101 Frienza Avenue

Signature [Signature] C.P.C. Mtg. Date 9/25/80

REQUESTED ENTITLEMENTS

- Environ. Determination Neg Dec
- General Plan Amend _____
- Community Plan Amend _____
- Rezone _____
- Tentative Map to divide .6+ ac with an existing residence into 3 parcels
- Special Permit _____
- Variances /Subdivision Modification to create one parcel with substandard street frontage (Parcel A)
- Plan Review _____
- PUD _____
- Other Posting, Noticing
Subdivision Modification to waive curbs, gutters, sidewalks & street lights along Lexington St.

ACTION ON ENTITLEMENTS

Commission date	Council date	Filing Fees
_____	_____	\$ 25
_____	_____	\$ _____
_____	Res. _____	_____
_____	_____	\$ _____
_____	Res. _____	_____
_____	_____	\$ _____
_____	Ord. _____	_____
<u>RAC 10-9-80</u>	_____	\$ <u>205</u>
_____	Res. _____	_____
_____	_____	\$ _____
<u>Variance AC 10-9-80</u>	_____	\$ <u>200</u>
<u>RA 10-9-80 (SM)</u>	_____	_____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
<u>RA 10-9-80</u>	_____	\$ <u>36</u>

FEE TOTAL \$ 466
 RECEIPT NO. 5386
 By/date 9/12/80

Sent to Applicant: _____ Date _____ By: _____ Sec. to Planning Commission

Key to Entitlement Actions

- | | | |
|------------------------------------|---|--|
| R - Ratified | D - Denied | IAF - Intent to Approve based on Findings of Fact |
| Cd - Continued | RD - Recommend Denial | AFF - Approved based on Findings of Fact |
| A - Approved | RA - Recommend Approval | RPC - Return to Planning Commission |
| AC - Approved W/conditions | RAC - Recommend Approval W/conditions | CSR - Condition Indicated on attached Staff Report |
| AA - Approved W/amended conditions | RMC - Recommend Approval W/amended conditions | |

NOTE: There is a thirty (30) consecutive day appeal period from date of approval. Action authorized by this document shall not be conducted in such a manner as to constitute a public nuisance. Violation of any of the foregoing conditions will constitute grounds for revocation of this permit. Building permits are required in the event any building construction is planned. The County Assessor is notified of actions taken on rezonings, special permits and variances.

P N^o 9153

SACRAMENTO CITY PLANNING COMMISSION

MEETING DATE October 9, 1989

ITEM NO. 100 FILE NO. P- 9153
M-

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

Recommendation:

LOCATION: 1101 Edison Avenue

- Favorable
- Unfavorable
- Petition
- Correspondence

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

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

MOTION NO. _____

	YES	NO	MOTION	2ND
Augusta	✓			
Goodin	✓			
Hunter	✓			
Larson	✓			
Muraki	✓		✓	
Simpson	✓			✓
Silva	✓			
Teeg	✓			

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 subject to records. in staff report & FORWARD TO CITY COUNCIL
- TO RATIFY NEGATIVE DECLARATION
- TO CONTINUE TO _____ MEETING
- OTHER _____

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



CITY OF SACRAMENTO

OFFICE OF THE CITY CLERK

915 I STREET
CITY HALL ROOM 308

SACRAMENTO, CALIFORNIA 95814
TELEPHONE (916) 449-5426

LORRAINE MAGANA
CITY CLERK

November 13, 1980

Michael and Anita Newman
1101 Frienza Avenue
Sacramento, CA 95815

Dear Mr. and Mrs. Newman:

On November 12, 1980, the City Council approved the following for property located at 1101 Frienza Avenue (P-9153):

- A. Adopted Resolution adopting Findings of Fact approving a Tentative Map to divide 0.6± acre into 3 parcels.
- A. Adopted Resolution approving Subdivision Modifications to create lot substandard in width and to waive curbs, gutters, sidewalks, and street lights along Lexington Street.

For your records, we are enclosing one fully certified copy of said Resolution.

Sincerely, ..


Lorraine Magana
City Clerk

LM/m/27
Encl.

cc: Planning Department