

ITEM V-A: LOT LINE ADJUSTMENT – INFILL PCL 201 - 530 & 532 ALOLA ST. LOT LINE ADJUSTMENT – PL16-0172

REQUEST

The applicant requests approval of a lot line adjustment to adjust the common property boundaries between two (2) residential properties and an Abundant Life Church parcel. The Lot Line Adjustment is proposed to address current building and fire code compliance for the residential structures on these parcels.

Applicant– Doug Bird, Abundant Life Church
Owner–Bill Bird

SUMMARY RECOMMENDATION

The Subdivision Ordinance does not list any required findings for a Lot Line Adjustment. However, a Lot Line Adjustment must comply with the four criteria listed in the Staff Report below. The Planning Division recommends that the Planning Commission take the following action:

- A. Approve the Lot Line Adjustment subject to ten (10) conditions of approval.

SUMMARY OF OUTSTANDING ISSUE

A Notice of Intent to Approve the Lot Line Adjustment was sent to property owners within a 300-foot radius of the project. The last day to request a public hearing was July 25, 2016 by 5:00 pm. An email from an adjacent property owner was sent to the City on July 25th which requested a public hearing (see Attachment 1). In this email, Mr. Zisk expressed concerns that the proposed lot line adjustment would negatively impact his property boundary and property rights. Staff and Mr. Zisk have had several conversations regarding these concerns. Staff has provided additional information regarding the lot line adjustment to Mr. Zisk showing that the proposed lot line adjustment will not have any impact to the Zisk property. Despite this communication, Mr. Zisk has not withdrawn his request that the City deny the proposed lot line adjustment. Although, as of the publication of this report, he has not provided any evidence of an impact to his property, Mr. Zisk is seeking a denial of the lot line adjustment on the grounds that the project would negatively impact the property boundaries and rights of his property.

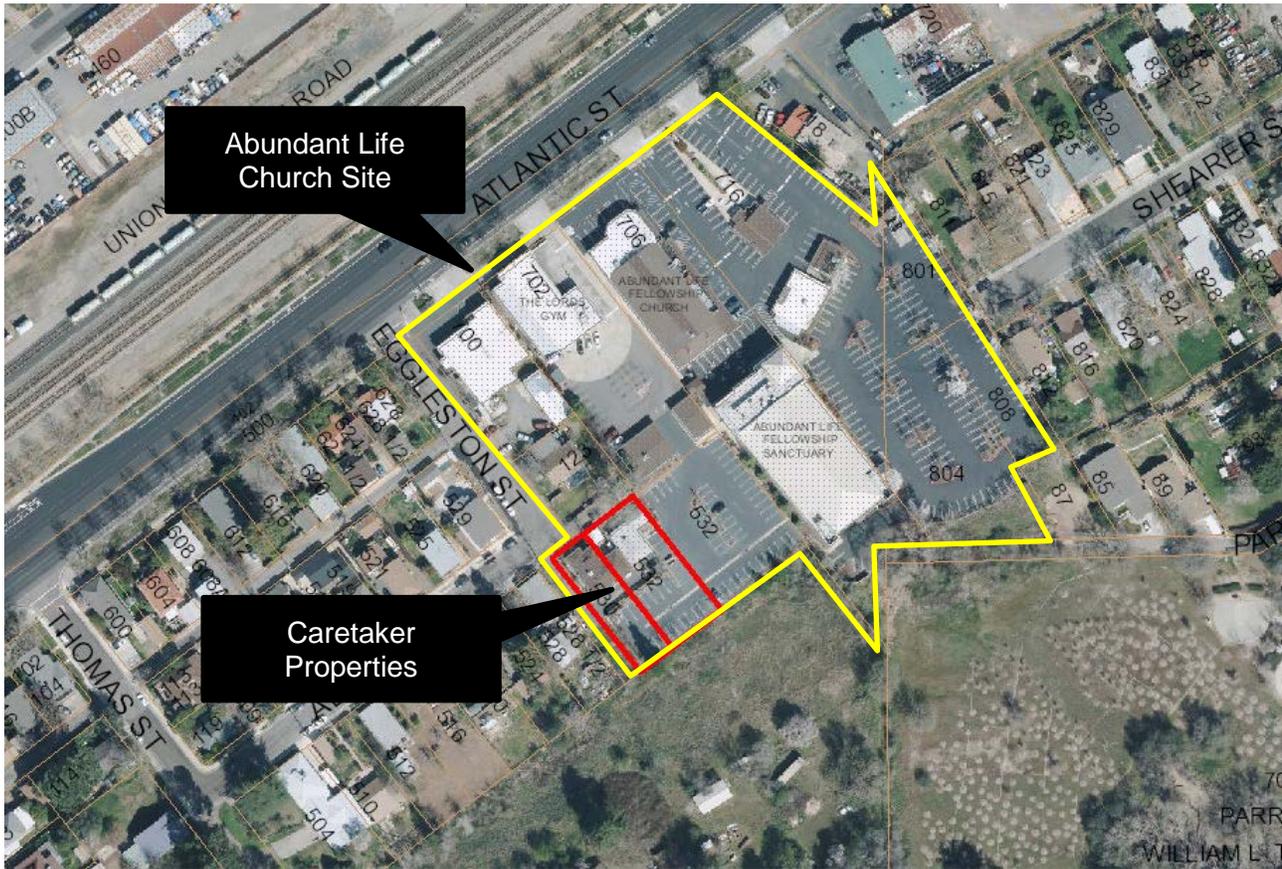
BACKGROUND

The project site is two residential properties located at 530 and 532 Alola Street (see Figure 1), which are a portion of the Abundant Life Church property. The properties have a zoning designation of Attached Housing (R3) and have a land use designation of Low Density Residential (LDR-6). The City does not have building permit records for either home. According to the Placer County Assessor's information, the home at 530 Alola St. was constructed in 1917 and the home at 532 Alola St. was constructed in 1937.

Abundant Life Fellowship started holding church services at leased facilities on Atlantic Street in 1989, and made an initial purchase of property around 1992. Over time the church has purchased additional, adjacent properties leading to their current property ownership configuration. The church has used the properties for religious assembly activities that have included providing the Lord's Gym (on adjacent, leased property), caretaker homes, church offices, and a sanctuary. The properties which have been used as caretaker homes currently do not meet building or fire code separation requirements for residential structures. The current request is an attempt to satisfy these requirements prior to offering the homes for sale.

In September of 2003 the Roseville City Council approved a General Plan Amendment and Rezone to consolidate the various land use and zoning designations on the property into the current configuration. At this same hearing the Council also denied an appeal by Bill Zisk of a Design Review Permit Modification and Voluntary Merger, which allowed the construction of a new parking area adjacent to the caretaker units.

Figure 1: Aerial Photo of the Site



EVALUATION

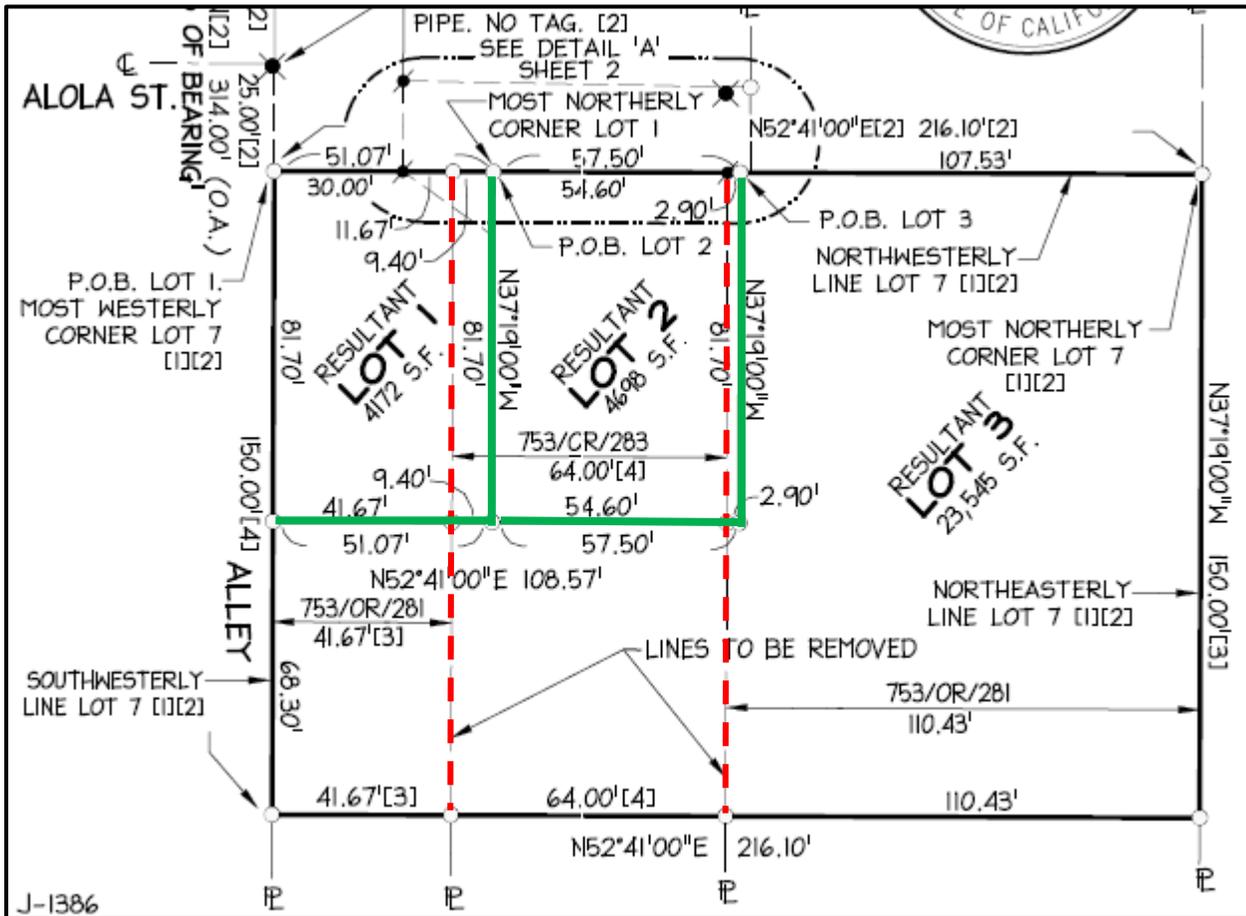
As mentioned above the applicant is requesting the lot line adjustment in an attempt to comply with Building and Fire code requirements for the caretaker homes that exist at the rear of the Abundant Life Church property. The homes do not meet current Zoning Ordinance requirements for front and side yard setbacks. Given the age of these structures they are considered existing legal non-conforming structures in respect to these setbacks. The following table depicts impacts to the subject parcels as a result of the proposed lot line adjustment.

Table 1: Change in Acreage

Lot	Impacts
1	Net loss of ±2078 square feet – resultant square footage = ±4172
2	Net loss of ±4902 square feet – resultant square footage = ±4698
3	Net gain of ±6980 square feet – resultant square footage = ±23,545

The Lot Line Adjustment is an effort to comply with Building and Fire Codes as well as clean up internal boundary problems and improvements that are shared between the caretaker units and the church. Currently, parking improvements and small retaining walls cross property lines between the parcels and the church parking lot. The lot line adjustment will consolidate the majority of the parking lot improvements onto Lot 3 which will remain the church parking lot. Figure 2 below shows the current lot lines to be adjusted in red dashed lines. The proposed lot lines are shown in green.

Figure 2: Lot Line Adjustment



The Subdivision Ordinance does not list any required findings for a Lot Line Adjustment; however, a Lot Line Adjustment must comply with the following criteria shown in ***italicized bold text***. Each criterion is followed by a discussion/evaluation.

1. Compliance with the City of Roseville General Plan.

The affected properties each have a land use designation of Low Density Residential (LDR). The applicant is not proposing to change the use of the land; therefore, the proposed Lot Line Adjustment is in conformance with the General Plan.

2. Compliance with the Zoning Ordinance for the district in which it is located.

The subject properties have a zoning designation of Attached Housing (R3). As was mentioned above, the current homes were constructed prior to Zoning Ordinance requirements in respect to front and side yard setbacks. With the proposed project the applicant will also be constructing a fire resistant wall for the home located on lot 1. This wall is located along the eastern property line between the proposed parcels 1 & 2. The proposed lot line adjustment will allow the applicant to comply with Building and Fire Code requirements and enhance the fire and life safety of the residences.

If approved the proposed Lot Line Adjustment will allow parcels which do not meet the Zoning Ordinance standard for lot width, and area. However, in this case the existing lots do not meet these standards and the proposed adjustments will not increase the non-conformity. Therefore, the proposed adjustments will comply with the City's Zoning Ordinance.

3. Compliance with the local building regulations.

The City's Building Official has determined that the residential units for the subject lots will need to meet the minimum Building and Fire Code separation requirements as discussed above; therefore, Condition #9 requires the applicant to comply with applicable Building and Fire Codes. Accordingly, the proposed Lot Line Adjustments will not present any conflicts with the local building regulations.

4. Provisions for relocation of existing infrastructure or easements.

The Planning Division has forwarded this proposal to affected City departments for review and comment. Staff did receive minor comments related to water and sewer services for the parcels and necessary easements. Condition #6 has been added to the project to require the recordation of a separate easement for the maintenance of these services across the adjusted property boundaries.

ENVIRONMENTAL DETERMINATION

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305(a), pertaining to Minor Lot Line Adjustments, and pursuant to Section 305 of the City of Roseville CEQA Implementing Procedures.

RECOMMENDATION

The Planning Division recommends the Planning Commission take the following actions:

- A. Approve the **LOT LINE ADJUSTMENT – 530 ALOHA ST. – INFILL PCL 201 – 530 7 532 ALOHA ST. LOT LINE ADJUSTMENT – PL16-0172** subject to ten (10) of conditions of approval.

CONDITIONS OF APPROVAL FOR A LOT LINE ADJUSTMENT

1. The project is approved as shown in Exhibit A, and as conditioned below. (Planning)
2. The following shall be submitted to Engineering prior to recordation of the lot line adjustment:
 - a) Two copies of property boundary description with exhibit map (8.5" x 11" sheet), and one copy of boundary closure calculations for resulting lots. These items shall be stamped and signed by a California Licensed Land Surveyor or Registered Civil Engineer authorized to practice land surveying.

- b) One copy of the Conditions of Approval.
 - c) A completed Property Owner Consent Form.
 - d) Deed to convey interest in the property.
 - e) Preliminary title report no older than six months for all properties involved. (Engineering)
3. If surveying monuments are placed as a result of this Property Line Adjustment, it will be the responsibility of the Surveyor to record a Record of Survey with the County Recorder's Office. (Engineering)
4. All existing easements shall be maintained, unless otherwise provided for in these conditions. (Environmental Utilities, Electric, Engineering)
5. The applicant shall submit to the Engineering Division of Public Works a paper copy and an electronic copy of the recorded Voluntary Merger per the "Digital Submittal of Cadastral Surveys". (Environmental Utilities)

OTHER CONDITIONS IF NEEDED TO RELOCATE FACILITIES AND EASEMENTS

6. The following easement(s) shall be provided by separate instrument:
- a) A 15' private sewer easement centered over the sewer service crossing 530 Alola St. (Environmental Utilities)
 - b) A 15' private water easement centered over the water service crossing 530 Alola St. (Environmental Utilities)
- *Easement widths shall comply with the City's Improvement Standards and Construction Standards. (Engineering, Environmental Utilities, Electric)
7. Separate document easements required by the City shall be prepared in accordance with the City's "Policy for Dedication of Easements to the City of Roseville". All legal descriptions shall be prepared by a licensed land Surveyor (Environmental Utilities, Electric, Engineering)
8. Any relocation, rearrangement, or change to existing City facilities due to this Lot Line Adjustment shall be paid for by the applicant. (Engineering, Environmental Utilities, Electric)
9. The applicant shall provide minimum fire separation distances and opening protection between the structures exterior walls on Lots 1 & 2 and the proposed lot line between them. California Residential Code (CRC) Tables R302.1(1) & Table R302.1(2) specify the fire separation distances and opening protection for 1 & 2 family dwellings. And, California Building Code (CBC) Table 602 specifies the fire separation distance based on Occupancy Group and Type of Construction with opening protection per CBC Table 705.8. (Building)
10. Any structures crossing the adjusted Lot/Parcel lines shall be removed prior to recordation of the Voluntary Merger documents. (Engineering)

Attachment

1. Emails from John Zisk

Exhibit

- A. Lot Line Adjustment

Note to Applicant and/or Developer: Please contact the Planning Division staff at (916) 774-5276 prior to the Commission meeting if you have any questions on any of the recommended conditions for your project. If you challenge the decision of the Commission in court, you may be limited to raising only those issues which you or someone else raised at the public hearing held for this project, or in written correspondence delivered to the Planning Manager at, or prior to, the public hearing.