

LOT LINE ADJUSTMENT: 2023-017
Lot Line Adjustment
7710 Washington Ave/7760 Bodega Ave
APNs: 004-223-026 / 004-211-0074

FINDINGS FOR APPROVAL

1. That notice of consideration of the application was provided, pursuant to the Subdivision Ordinance, and that no objections to the request were submitted.
2. That the project will not create a greater number of lots.
3. That the project will not reduce the minimum or maximum number of dwelling units that could be built upon either of the lots subject to this lot line adjustment.
4. That the project conforms to the relevant requirements of the Building Code, Zoning Ordinance, the Subdivision Ordinance, and General Plan in that it adjusts a lot line by adjusting the lot lines between 7710 Washington Ave/7760 Bodega Ave.

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CONDITIONS OF APPROVAL

1. Approval is granted for the Lot Line Adjustment described in the application date-stamped February 21, 2023, and the Lot Line Adjustment Site Plan Document prepared by Cinquini & Passarino, Inc, and dated February 23, 2023, except as modified by the conditions of approval, and is valid for a period of eighteen (18) months during which time the rights granted must be exercised. However, the applicant may request one (1) one-year extension of this Lot Line Adjustment from the Environmental Review Committee, pursuant to Section 16.12.020.J of the Municipal Code.
2. The City of Sebastopol and its agents, officers and employees shall be defended, indemnified, and held harmless from any claim, action or proceedings against the City, or its agents, officers and employees to attach, set aside, void, or annul the approval of this application or the environmental determination which accompanies it, or which otherwise arises out of or in connection with the City's action on this application, including but not limited to, damages, costs, expenses, attorney's fees, or expert witness fees.
3. The applicant shall submit to the City Engineer for review and approval the legal description and closure calculations for the adjusted portion. Upon approval the applicant shall then submit to the City Engineer revised deeds for transfer of the property for review and approval, and thereafter shall record the approved revised deeds and submit copies of the recorded documents to the Planning Department.
4. The applicant shall submit a notice signed by an authorized signatory from Pacific West Associates/Sebastopol Pacific Associates (this may be done on a Master Planning Application Form) prior to recording the lot line adjustment and deeds.
5. The disclosure statement (below) shall be appended to the draft deeds.

The purpose of this deed is for a Lot Line Adjustment for the combination of a portion of the lands of _____ as described in deed recorded under Document No. ___ of Official Records, Sonoma County Records, (A.P. No. _____) with the lands of _____ as described in deed recorded under Document No. _____ of Official Records, Sonoma County Records (A.P. No. _____).

This deed is pursuant to a Lot Line Adjustment approved by the City of Sebastopol Environmental Review Committee on August 30, 2023. It is the express intent of the signatories hereto that the recordation of this deed extinguishes any underlying parcels or portions of parcels.

Approved: _____ Date: _____
Mario Landeros, RCE 47511
City Engineer

6. The applicant shall record the deed(s) and provide a copy of the recorded deed(s) to the

Engineering Department, which shows the lots as per the approved application.



City of Sebastopol Environmental Review Committee Staff Report

Meeting Date: August 30, 2023

To: Environmental Review Committee (ERC)
From: Kari Svanstrom, Planning Director
Subject: Lot line Adjustment
Recommendation: Conditional Approval
Applicant/Owner: Tiffany Lucas/Sebastopol Pacific Associates
File Number: 2023-017
Address: 7710 Washington Avenue / 7760 Bodega Avenue
CEQA Status: Categorical Exemption 15305: Class 5

Introduction:

This is a lot line adjustment request to modify the rear property lines between 7710 Washington (APN 004-223-026), Lot "A", and 7760 Bodega Avenue (APN 004-211-007 and 060-230-067, now merged via DN 2023-003038, APNs have not yet been extinguished), Lot "B". This is a lot line adjustment request to transfer 239 square feet from Sebastopol Pacific Associates, LLP to the Lucas's.

Project Description:

The project proposes to adjust a small corner of the property line to transfer approximately 239 square feet of the northwest corner of the property owned by Sebastopol Pacific Associates and most recently known as 7760 Bodega Avenue, to the Lucas'. The Lucas' have several improvements in this area as noted on the survey.

Environmental Review:

The project is categorically exempt from the requirements of CEQA pursuant to Section 15305, Class 5, which includes minor lot line adjustments, side yard, and set back variances not resulting in the creation of any new parcels.

Zoning Ordinance Consistency:

The project is consistent with the Zoning Ordinance in that both lots will still exceed the minimum lot size of 5,000 sq. ft. and comply with the setback requirements. Additionally, the proposed action will resolve various encroachment issues between the two parcels. This adjustment has been previously agreed to by the Lucas' and Pacific West Associates (the Corporation that owns the property at the time of Settlement agreement and who formed Sebastopol Pacific Associates, LLP).

Public Comment:

The Planning Department complied with Section 16.12.020(D) of the Subdivision Ordinance: 1) Provided written notice to all adjacent property owners. The Planning Department has not received any comments from the public as of writing this report.

City Departmental Comment:

The following City departments reviewed the application: Building and Safety, Fire, Public Works, Engineering and City Manager. No comments were received. City Engineer included Conditions of Approval.

Analysis:

It is the City's understanding that this application for a lot line adjustment between these two parcels is in relation to a Notice of Pendency of Action received by the City of Sebastopol on 4/27/21 and 4/28/21, O.R. of Sonoma County 2021042699. Additionally, there is a settlement agreement between the property owners via Superior Court of California, Case No. SCV-268117, dated June 10, 2021, which resolved this Notice of Pendency Action, in which the parties agreed to the proposed lot line adjustment, with the Lucas's responsible for submitting the application for this.

The resultant lot size of Lot "A" (APN 004-223-026) would be 12,610 square feet. The resultant lot size of Lot "B" (APN 060-230-067 and 004-211-007) would be 156,041 square feet.

Staff is supportive of the Lot Line Adjustment application, in that both lots would be in conformance with the Zoning Ordinance, including minimum lot size, setbacks, and lot coverage.

The portion of land, once transferred and merged into the Lucas' property, shall be merged into the property, and may be rezoned as (R4/Medium Density Residential) at a future time at the City's choosing, but otherwise would remain R7 zoning. Should the parcel be rezoned to R4, or any such zoning the Lucas' parcel is at that time to be consistent with the remainder of the parcel, findings regarding no net loss of potential dwelling unit capacity will need to be made. Staff's analysis of this is that, given the Pacific West Associates' Woodmark Apartments SB35 approval (Planning file 2021-010), at 7716/7760 Bodega Avenue, the reduction in the lot size and rezoning of the R7 portion of land did not/will not impact or reduce the number of dwelling units that could be built under the R7 zoning, nor will it reduce the minimum units required to be built, nor did it change the number of dwelling units that were proposed (84) nor number of dwelling units that are approved (84) to be built as part of the Pacific West Associates' Woodmark Apartments SB35 approval at 7716/7760 Bodega Avenue.

Recommendation:

Staff recommends that the Committee approve the application based on the facts, findings, and analysis set forth and subject to the conditions of approval contained in this staff report and Exhibits A and B, which any modifications the Committee feels are appropriate, and if there is a consensus that the design of the project appropriate.

Exhibits:

- A. Recommended Findings of Approval
- B. Recommended Conditions of Approval Attachments:

Attachments:

Site Plan

Application Materials

O.R. of Sonoma County 2021042699

Superior Court of California, Case No. SCV-268117

Executed Settlement Agreement

PROJECT DETAILS

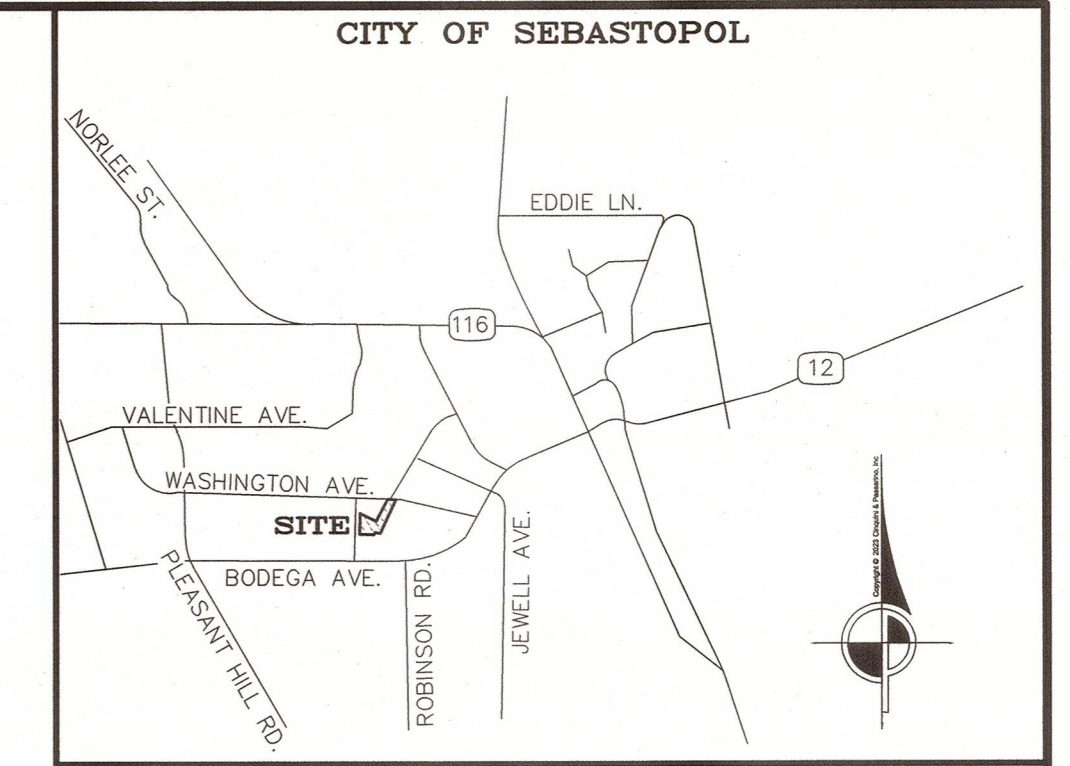
LOT A
 OWNER ERIC & TIFFANY LUCAS
 ADDRESS 7710 WASHINGTON AVENUE SEBASTOPOL, CA 95472
 PHONE NUMBER TIFFANY: (707) 481-0086 ERIC: (707) 237-1040
 SITE ADDRESS 7710 WASHINGTON AVENUE SEBASTOPOL, CA 95472
 VESTING DOCUMENT DN 2011-026998
 APN 004-223-026
 EXISTING SIZE 12381 SQUARE FEET
 PROPOSED SIZE 12610 SQUARE FEET
 ZONING R4 - SINGLE FAMILY RESIDENTIAL

LOT B
 OWNER SEBASTOPOL PACIFIC ASSOCIATES, A CALIFORNIA LIMITED PARTNERSHIP
 ADDRESS 430 E. STATE ST., SUITE #100 EAGLE, IDAHO 83616
 PHONE NUMBER (208) 908-4873
 SITE ADDRESS 7760 & 7716 BODEGA AVENUE, SEBASTOPOL, CA 95472
 VESTING DOCUMENT DN 2021-131844 & DN 2021-131845
 MERGER DOCUMENT DN 2023-003038
 APNS 060-230-067 & 004-211-007
 EXISTING SIZE 156270 SQUARE FEET
 PROPOSED SIZE 156041 SQUARE FEET
 ZONING R7 - MULTIFAMILY RESIDENTIAL

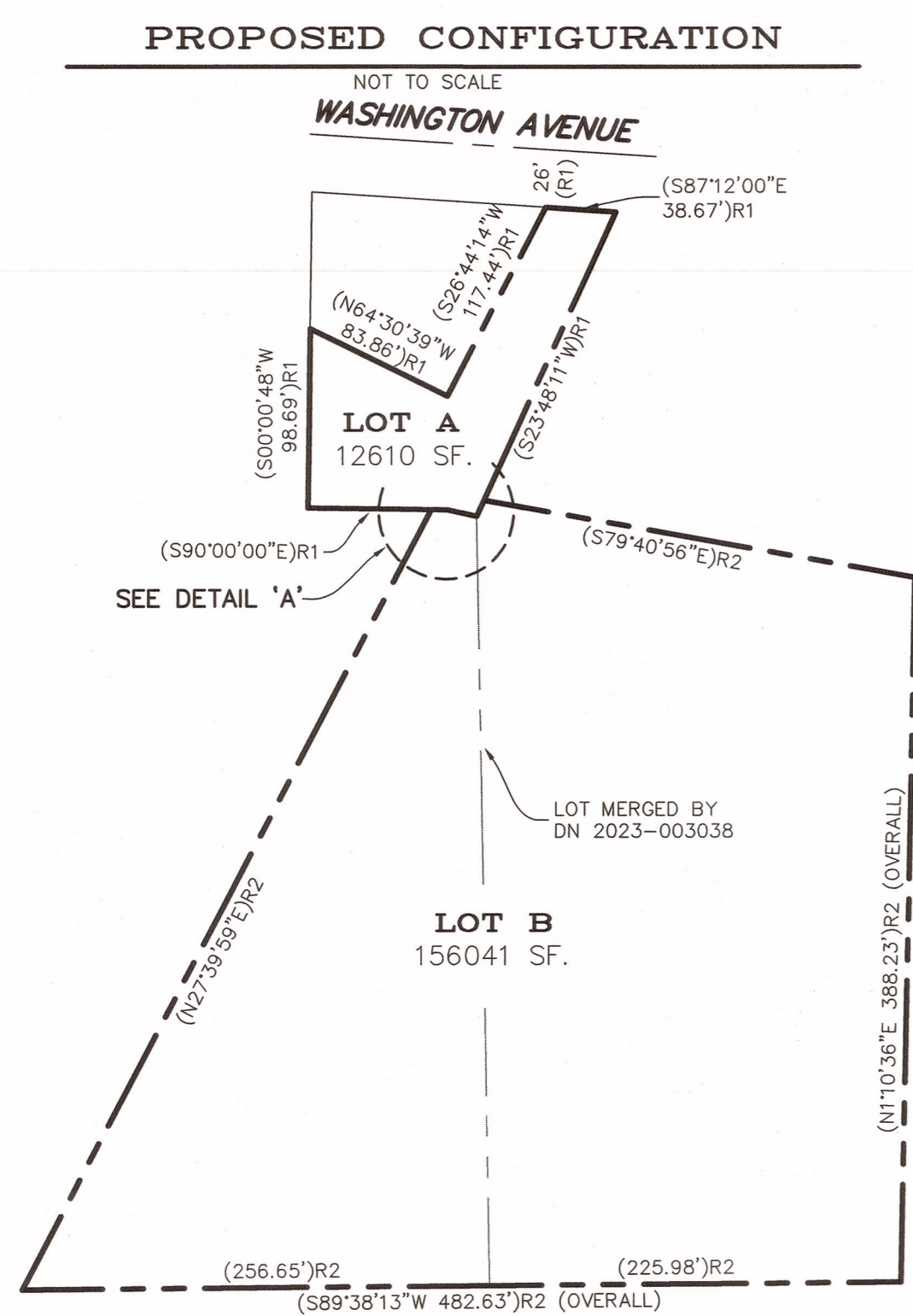
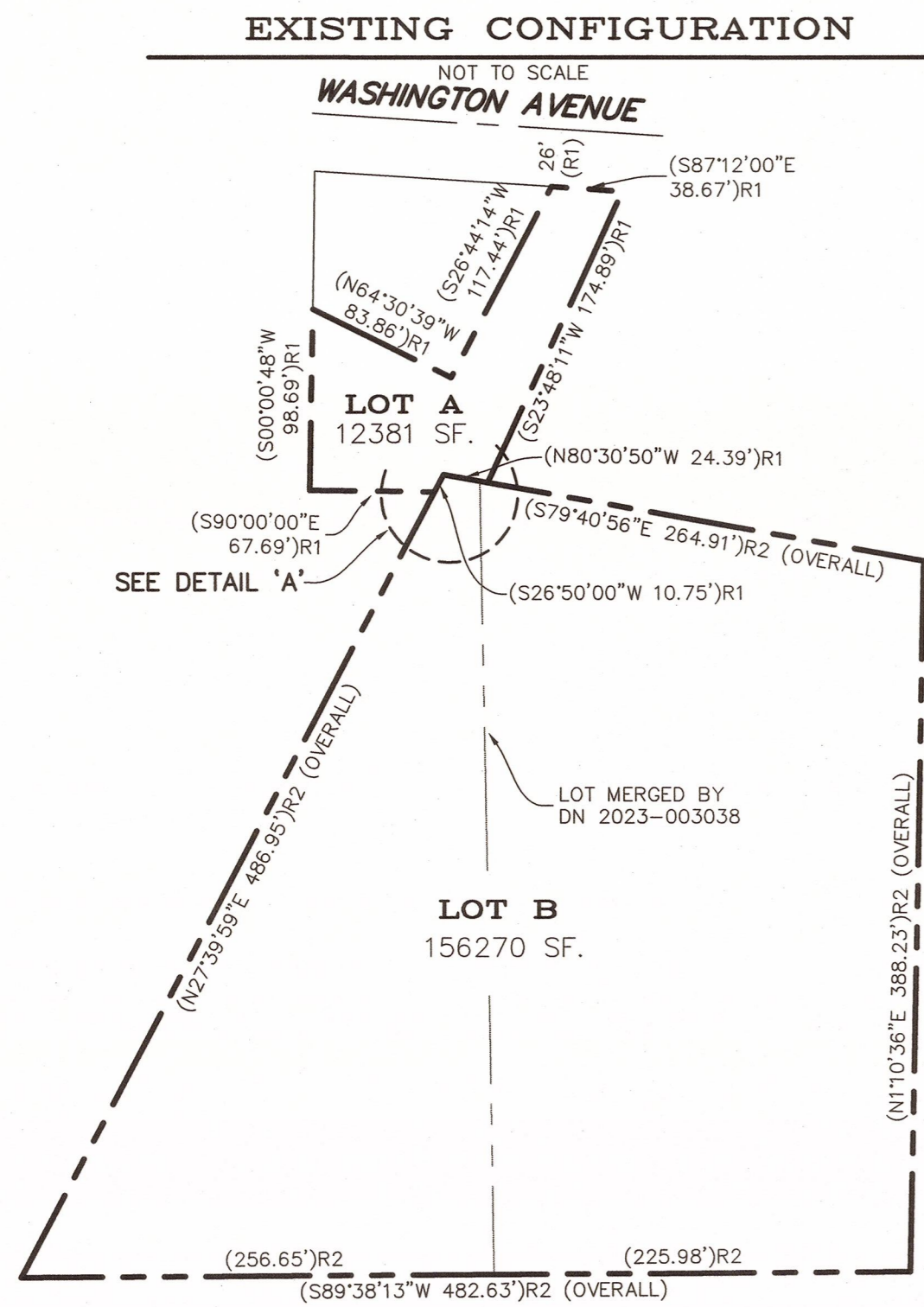
PCL. A
 OWNER ERIC & TIFFANY LUCAS
 ADDRESS 7710 WASHINGTON AVENUE SEBASTOPOL, CA 95472
 PHONE NUMBER TIFFANY: (707) 481-0086 ERIC: (707) 237-1040
 239 SQUARE FEET TO BE TRANSFERRED FROM LOT B TO LOT A.

NOTES

1. ALL EXISTING TREES ARE TO REMAIN.
2. CONTOURS ARE BASED ON LIDAR DATA FROM THE COUNTY OF SONOMA VEGETATION, HABITAT & LIDAR DATA COLLECTED IN 2013 IN COMBINATION WITH GROUND DATA COLLECTED IN THE FIELD WITHIN THE VICINITY OF THE PROPOSED LOT LINE ADJUSTMENT.
3. A PRELIMINARY TITLE REPORT PREPARED WITHIN THE LAST THREE MONTHS SHALL BE INCLUDED WITH THE SUBMITTAL THE LOT LINE ADJUSTMENT APPLICATION.
4. 7710 WASHINGTON AVENUE IS ON CITY OF SEBASTOPOL WATER AND SEWER.



DETAIL 'A' - LOT LINE ADJUSTMENT AREA



LEGEND

- IRON PIPE AS SHOWN ON R2
- PROPOSED PROPERTY BOUNDARY
- - - BOUNDARY LINE TO BE EXTINGUISHED
- - - ADJONER'S PROPERTY BOUNDARY
- CENTERLINE
- WOOD & WIRE FENCE LINE
- WOOD FENCE LINE
- N LANDS TO BE COMBINED
- N LANDS PREVIOUSLY COMBINED BY LOT MERGER
- DN DOCUMENT NUMBER
- C CALCULATED
- ()R# RECORD DATA AS NOTED
- SF. SQUARE FEET
- PCL. PARCEL
- S.C.R. SONOMA COUNTY RECORDS

REFERENCES

- R1 PARCEL MAP NO. 145; 660 MAPS 43-45 S.C.R.
- R2 RECORD OF SURVEY; 809 MAPS 42 S.C.R.

BASIS OF BEARINGS

THE BASIS OF BEARINGS OF THIS SURVEY IS IDENTICAL TO THE RECORD OF SURVEY RECORDED IN BOOK 809 OF MAPS, PAGE 42, SONOMA COUNTY RECORDS.

PURPOSE STATEMENT

THE PURPOSE OF THIS LOT LINE ADJUSTMENT IS TO RECONFIGURE LOTS A AND B AS SET FORTH IN THE SETTLEMENT AGREEMENT DATED JUNE 9, 2021 BETWEEN THE LUCASES RESIDING AT 7710 WASHINGTON AVENUE, SEBASTOPOL, CA 95472 (APN 004-223-026) AND PACIFIC WEST COMMUNITIES, INC. AN IDAHO CORPORATION, THE DEVELOPER ACTING ON BEHALF OF SEBASTOPOL PACIFIC ASSOCIATES (OWNER), FOR THE PARCEL LOCATED AT 7760 BODEGA AVENUE, SEBASTOPOL, CA 95472 (APN 060-230-067). THIS LOT LINE ADJUSTMENT IS TO SATISFY THE TERMS OF AGREEMENT OF SAID SETTLEMENT AND TO RESOLVE THE DISPUTES DESCRIBED THEREIN.

SURVEYOR'S STATEMENT

THIS LOT LINE ADJUSTMENT SITE MAP WAS PREPARED BY ME OR UNDER MY SUPERVISION IN NOVEMBER 2022 AT THE REQUEST OF ERIC AND TIFFANY LUCAS.

Anthony G. Cinquini
 Anthony G. Cinquini, P.L.S./8614
 2/24/2023
 DATE:



Job Name:	LANDS OF ERIC & TIFFANY LUCAS	DRAWN BY: CAF	CHECKED BY: AGC
Scale:	1"=5'	SHEET: 1 OF 1	JOB NUMBER: 9992-22
Description:	LOT LINE ADJUSTMENT	DWG. PATH: Y:\9992\Cad\	DWG. FILE: 9992LA.dwg
		DATE/TIME: Feb 23, 2023 - 9:16am	

CINQUINI & PASSARINO, INC.
 LAND SURVEYING
 1360 N. Dutton Ave. #150 Santa Rosa, Ca. 95401
 Phone: (707) 542-6268 Fax: (707) 542-2106
 WWW.CINQUINIPASSARINO.COM

SCALE: 1"=5'