



# ***Agenda Report***

## ***Fullerton City Council***

**MEETING DATE:** FEBRUARY 2, 2021

**TO:** CITY COUNCIL / SUCCESSOR AGENCY

**SUBMITTED BY:** KENNETH A. DOMER, CITY MANAGER

**PREPARED BY:** MEG MCWADE, PUBLIC WORKS DIRECTOR  
YELENA VORONEL, CITY ENGINEER

**SUBJECT:** FINAL MAP FOR TRACT NO. 19008 – 751 EAST BASTANCHURY ROAD

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### SUMMARY

This action would approve the Final Map for Tract No. 19008 (751 East Bastanchury Road) for a residential subdivision for condominium purposes.

### RECOMMENDATIONS

1. Find that Final Map for Tract No. 19008 conforms to all applicable requirements.
2. Approve Final Map.
3. Accept easements for public service, sewer, water, police patrol, emergency vehicle access, fire protection and refuse collection, as dedicated.
4. Adopt Resolution No. 2021-XX.

RESOLUTION NO. 2021-XX – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING A SUMMARY ABANDONMENT VACATING AN EASEMENT FOR PUBLIC SEWER AND INCIDENTAL PURPOSES WITHIN THE BOUNDARY OF THE MAP OF TRACT NO. 19008

5. Authorize Mayor and City Clerk to enter into a subdivision agreement with subdivider in a form approved by the City Attorney.

### PRIORITY POLICY STATEMENT

This item matches the following Priority Policy Statement:

- Infrastructure and City Assets.

## FISCAL IMPACT

All streets, hardscape, landscape and irrigation, sewer, water, drainage, storm water quality facilities and lighting constructed within this map area will be private and will be maintained by the new Homeowner's Association. Therefore, there will be no additional maintenance costs to the City for the development of this project.

## DISCUSSION

Tract No. 19008 is located on the north side of East Bastanchury Road, approximately 150 feet west of Puente Street. The project is surrounded by Beechwood School to the north, single family homes on the east and south (Morningside Residential Community on the south side of Bastanchury Road), and Loma Vista Memorial Park to the west (Attachment 2). The existing site was undeveloped, and covered with grass and weeds, and is now undergoing grading operations for the project.

The Final Map creates a single-lot subdivision for residential condominium purposes, providing for 33 residential condominiums and common areas including private drives. The development has one access point to the site from East Bastanchury Road that extends west into the site providing access to 33 luxury townhomes.

City Council approved the General Plan Revision, Zoning Amendment, Tentative Tract Map, Major Site Plan and Mitigated Negative Declaration for the subject development on February 4, 2020. City Council's adopted Resolutions Nos. 2020-11 through 2020-15 are attached for reference (Attachment 3).

The subdivider, Fullerton 33 LLC, a limited liability corporation, has posted the necessary subdivision agreement (Attachment 4), bonds and cash fees.

The Final Map has been checked, is in substantial conformance with the approved Tentative Tract Map and is in conformance with the Subdivision Map Act and Title 16 of the Fullerton Municipal Code.

A City easement for public sewer and incidental purposes traverses the project site, from Beechwood School to Bastanchury Road which was conveyed to the City in 1964 (as Instrument No. 9177, Book No. 7297, Page No. 645 of Official Records). This existing easement is recommended to be vacated, because the existing sewer line is located outside of the existing easement. Furthermore, as part of this final map approval, a new sewer easement will be established near the easterly boundary of the property. State law mandates that if an easement is not used for its intended purpose, or will not have any future use, then it should be relinquished. Pursuant to Section 8333 of the Streets and Highways Code, a summary abandonment vacating the subject portion of the existing easement for sewer line and incidental purposes may be processed as this existing easement has been superseded by a new sewer easement (dedicated on the new tract map) and no other public facilities are located within said easement.

Attachments:

- Attachment 1 – Resolution No. 2021-XX
- Attachment 2 – Vicinity Map
- Attachment 3 – February 4, 2020 City Council Agenda Report
- Attachment 4 – Subdivision Agreement
- Attachment 5 – Final Tract Map 19008