



STAFF REPORT

CITY of YORBA LINDA

PUBLIC WORKS DEPARTMENT

DATE: JULY 19, 2022

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: JAMIE LAI, P.E., DIRECTOR OF PUBLIC WORKS / CITY ENGINEER
PREPARED BY: REGINA HU, P.E., PRINCIPAL CIVIL ENGINEER

SUBJECT: EXECUTE SUBDIVISION IMPROVEMENT AGREEMENT AND ACCEPT SECURITY BONDS FOR TRACT 18123 (SHEA HOMES "SAFFRON")

RECOMMENDATION

It is recommended that the City Council:

- (1) Authorize the Mayor to sign and the City Clerk to attest the Subdivision Improvement Agreement; and
- (2) Authorize the City Clerk to accept the following bonds:

<u>Bond</u>	<u>Bond No.</u>	<u>Amount</u>
Rough Grading Bond	CMS345872	\$328,000.00
<u>On-site Storm Drain Improvements</u>		
Performance Bond	0235930	\$690,000.00
Labor & Materials Bond	0235930	\$690,000.00
<u>On-site Street Improvements</u>		
Performance Bond	0244640	\$491,000.00
Labor & Materials Bond	0244640	\$491,000.00
<u>Off-site Street Improvements</u>		
Performance Bond	0244642	\$89,000.00
Labor & Materials Bond	0244642	\$89,000.00
Monumentation Bond	0244641	\$20,000.00

BACKGROUND

Developer: SHEA HOMES
Number of Parcels: 23 numbered lots
Acreage: 12.10 Net Acres (13.10 Gross Acres)
Zoning: R-PD (1.77 du/ac)
Single Family Residential – Planned Development

The project site is located along Bastanchury Road and is bounded by Lakeview Avenue on the north, Casa Loma Avenue to the west, Eureka Avenue to the east, as illustrated in Attachment 1.

DISCUSSION

Municipal Code requirements pertaining to subdivisions (Tract Maps and/or Parcel Maps) are governed by the Subdivision Map Act (State of California Government Code § 66410 – 66499.58), and Title 17 (Subdivisions of Land) of the Yorba Linda Municipal Code. Furthermore, all subdivision maps shall comply with the provisions of the City Zoning Code, and all other ordinances, statutes and laws pertaining to the use, sale, leasing, or subdivision of land.

The conditions of approval as approved in Planning Commission Resolution No. 5455 for Amended Vesting Tentative Tract Map (VTTM) No. 18123 require the posting of a security to ensure completion of improvements in conformance with the street improvement plans to the satisfaction of the City Engineer. In addition, the Subdivision Map Act requires a subdivision monument security. With City Council acceptance, the above listed bonds satisfy the applicable conditions of approval.

The Subdivision Improvement Agreement will ensure that the improvements (according to the conditions of approval, City standards, and plans previously approved) will still be constructed in the event the developer relinquishes ownership of the lot through, for example, sale or insolvency. This agreement also notes that it shall be binding upon all successors of the property and assigns to owner's right, title, and interest in and to the property and any portion thereof.

Staff and the City Attorney's office have reviewed and approved the attached subdivision improvement agreement (Attachment 2) and staff recommends that the City Council authorize the Mayor to execute the Agreement.

The final street improvement and grading plans to be constructed in the public right-of-way and on-site have been reviewed and signed by the City Engineer. The approval of the Final Tract Map 18123 is forthcoming pending review and approval by the County of Orange Surveyor and will be recommended for City Council approval at a future date to be determined.

FISCAL IMPACT

The costs of processing, filing, and recording these documents will be recovered from developer deposits currently on account with the City. Any remaining balance will be refunded upon project closeout. All required site improvements will be constructed at the developer's expense.

ALTERNATIVES

The proposed recommendation to accept bonds and approve Subdivision Improvement Agreement is advisable as this allows the developer to move forward with financing the project and reduces unnecessary risk to the City.

ATTACHMENTS

Attachment 1: Vicinity Map

Attachment 2: Subdivision Improvement Agreement
