

1348/13

BOOK 1348 PAGE 13

SCALE: 1" = 200'

SHEET 3 OF 9 SHEETS

TRACT No. 062845

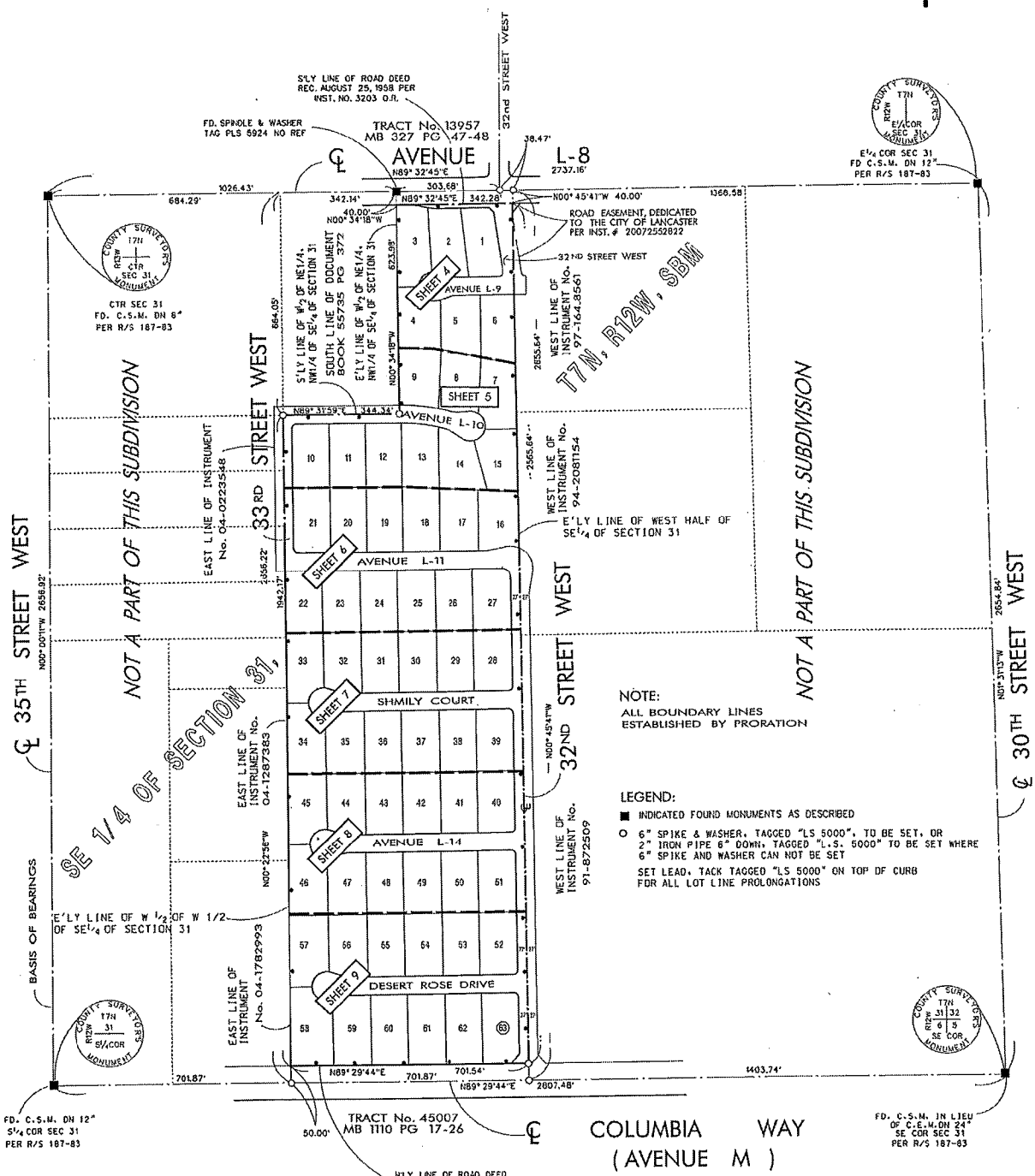
IN THE CITY OF LANCASTER, COUNTY OF LOS ANGELES,
STATE OF CALIFORNIA

WILLIAM S. KISH L.S. 5000

35.91 ACRES

63 LOTS

SURVEY DETAIL AND INDEX SHEET



NOTE:
ALL BOUNDARY LINES
ESTABLISHED BY PRORATION

LEGEND:
■ INDICATED FOUND MONUMENTS AS DESCRIBED
○ 6" SPIKE & WASHER, TAGGED "LS 5000", TO BE SET, OR
6" IRON PIPE 6" DOWN, TAGGED "L.S. 5000" TO BE SET WHERE
6" SPIKE AND WASHER CAN NOT BE SET
SET LEAD, TACK TAGGED "LS 5000" ON TOP OF CURB
FOR ALL LOT LINE PROLONGATIONS

● ● ● ● ●
INDICATES THE BOUNDARY OF THE LAND
BEING SUBDIVIDED BY THIS MAP

**AMENDMENT TO UNDERTAKING AGREEMENT
(SUBDIVISION IMPROVEMENTS)**

TRACT NO. 062845

THIS AMENDMENT made this _____ day of _____, 20__ by and between the City of Lancaster, (the “City”) and Davidon Homes, (the Subdivider”).

R E C I T A L S

A. The City approved Tentative Map No. __062845 on February 21, 2006 (the “Tentative Map”), subject to certain conditions of approval set forth in Resolution No. 06-08, which conditions include construction of certain public improvements as set forth hereinbelow.

B. The City and Subdivider entered into that certain Undertaking Agreement dated April 27, 2012 (“Agreement”).

C. The Agreement requires Subdivider to complete all Work required thereunder on or before April 27, 2014 (“Completion Date”).

D. Subdivider desires to extend the Completion Date.

E. City desires to impose additional conditions on the Map.

F. This Agreement is executed pursuant to the provisions of the Subdivision Map Act of the State of California and applicable City ordinances.

NOW, THEREFORE, in consideration of the mutual covenants herein contained and of the approval of the Map and of the acceptance of the dedications therein offered, and in order to insure satisfactory performance by the Subdivider of Subdivider’s obligations under said Subdivision Map Act and said ordinance, the parties agree as follows:

1. Performance of Work.

Section 1 of the Agreement is amended and restated to read as follows:

“Subdivider, at its sole cost and expense, will improve Tract No. 062845, by the grading and paving of streets, construction of curbs and gutters, crossgutters and sidewalks, installation of drainage and sanitary sewerage facilities, provision of an underground utility and street lighting system, installation of street signs, parkway trees, a water system and all related facilities, and such other improvements required by the ordinances of the City and/or the City Council in the approval of said Tract/Parcel Map, together with appurtenances, contingencies and engineering costs and as more particularly shown in the improvement plans for contingencies and engineering costs and as more particularly shown in the improvement plans for said Tract/Parcel Map **as well as all improvements identified in the “Attachment to PC Resolution No. 06-08, Tentative Tract Map No. 062845 Conditions List (Revised)” dated N/A and attached hereto as Exhibit “A”** (the “Improvements”). Subdivider will do all work and furnish all materials necessary, in the opinion of the City Engineer, to complete said Improvements in accordance with the plans and specifications on

Subdivider will do all work and furnish all materials necessary, in the opinion of the City Engineer, to complete said Improvements in accordance with the plans and specifications on file in the office of the City Engineer or with any changes or modifications required or ordered by the City Engineer which, in his opinion, are necessary or required to complete the Improvements (the "Work"). Subdivider shall maintain the Improvements and adjacent public facilities clear of all debris, weeds, and other materials which inhibit the performance of the Improvements or become a public nuisance. Should the Subdivider fail to act promptly in accordance with this requirement the City may, at its option, perform the necessary work and the Subdivider shall pay to the City the actual cost of such maintenance plus fifteen (15) percent.

2. Extension of Term.

Section 18 of the Agreement is amended and restated to provide as follows:

"Subdivider shall complete all of said Work on or before _____, or within such further time as may be granted by the City Council."

3. Agreement Remains in Effect.

Except as expressly revised herein, the terms, conditions and requirements set forth in the Agreement shall remain in full force and effect. Any terms not defined in this Amendment shall have the meaning set forth in the Agreement.


IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the day and year first above written.

APPROVED:

CITY OF LANCASTER

By: City Engineer

SUBDIVIDER



(Signature)

DIRECTOR, LAND ACQUISITION & DEVELOPMENT

(Office Held)

Davidon Homes
Partnership or Corporation represented, if applicable

APPROVED AS TO FORM:

By: City Attorney

ALL SIGNATURES MUST BE ACKNOWLEDGED BY NOTARY

WHEREAS, this Commission hereby adopts the following findings in support of approval of this map:

1. The proposed design and improvement of the 63-lot subdivision are consistent with the General Plan land use designation of NU (Non-Urban Residential) for the subject property.
2. The site is physically suitable for the type and proposed density of development because adequate roadway capacity and infrastructure exist or can be provided, and the site has no topographical constraints.
3. The design and improvement of the subdivision are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because the site is not within a sensitive habitat area and all potential impacts are less than significant as noted in the environmental review section of the staff report.
4. The design and improvement of the subdivision are not likely to cause serious public health problems because adequate sewer and water systems will be provided to the project.
5. The design and improvement of the subdivision will not conflict with easements acquired by the public at large, for access through or use of property within the proposed subdivision because all such easements have been incorporated into the proposed public streets (or will be abandoned), based on staff review of a preliminary title report.
6. The proposed subdivision may have a beneficial effect on the housing needs of the region because an additional 63 dwelling units could be provided, and the City has balanced these needs against the public service needs of its residents and available fiscal and environmental resources.
7. The proposed subdivision provides, to the extent feasible, for the future passive or natural heating or cooling opportunities in the subdivision because the size and configuration of the parcels would allow for such systems, and

WHEREAS, this Commission, after considering all evidence presented, further finds that approval of the proposed tentative subdivision map will promote the orderly growth and development of the City.

NOW, THEREFORE, BE IT RESOLVED:

1. This Commission hereby approves the Mitigated Negative Declaration prepared for this project with the finding that although the proposed tentative tract map

RESOLUTION NO. 06-08

A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF LANCASTER, CALIFORNIA, APPROVING
TENTATIVE TRACT MAP NO. 062845

WHEREAS, a tentative subdivision map has been filed by Bruce Gale for M62, LLC for the division of 37.02± gross acres located on the northwest corner of Avenue M and 32nd Street West, as shown on the attached site map; and

WHEREAS, staff has conducted necessary investigations to assure the proposed division of land would be consistent with the purposes of the City's Subdivision Ordinance, the State Subdivision Map Act, and the regulations of the SRR Zone; and

WHEREAS, a written report was prepared by staff which included a recommendation for approval of this tentative map subject to conditions; and

WHEREAS, public notice was provided as required by law and a public hearing was held on January 17, 2006; and

WHEREAS, the initial study was performed for this project in accordance with the requirements of CEQA; and

WHEREAS, this Commission hereby finds that the Initial Study determined that the proposed subdivision could have a significant effect on the environment; however, there will not be a significant effect in this case with the implementation of mitigation measures as detailed in Exhibit "A"; and

WHEREAS, this Commission hereby finds, pursuant to Section 21082.1 of the Public Resources Code, that the Mitigated Negative Declaration prepared for the proposed project reflects the independent judgment of the City of Lancaster; and

WHEREAS, this Commission hereby certifies that it has reviewed and considered the information contained in the Mitigated Negative Declaration prepared for the proposed division of land in compliance with the California Environmental Quality Act and the State Guidelines for the Implementation of the California Environmental Quality Act prior to taking action; and

WHEREAS, based on the Initial Study prepared for the project, this Commission hereby finds that the proposal will have a de minimis impact on wildlife resources as defined in Section 711.2 of the fish and Game Code of the State of California and hereby authorizes staff to file a Certificate of Fee Exemption pursuant to Section 753.5, Title 14, California Code of Regulations; and

could have a significant effect on the environment, there will not be a significant effect in this case because mitigation measures have been applied to the project.

2. This Commission hereby adopts the Mitigation Monitoring Program, Exhibit "A".
3. This Commission hereby approves Tentative Tract Map No. 062845, subject to the conditions attached hereto and incorporated herein.

PASSED, APPROVED and ADOPTED this 21st day of February, 2006, by the following vote:

AYES: Commissioners Baldus, MacPherson and Salazar; Vice Chairman Mann; Chairman Smith

NOES: None

ABSTAIN: None

ABSENT: None



RONALD D. SMITH, Chairman
Lancaster Planning Commission

ATTEST:



BRIAN S. LUDICKE, Director of Community Development
City of Lancaster

MITIGATION MONITORING PLAN TTM 062845 EXHIBIT "A"

Pg. No.	Mitigation Measures/Conditions of Approval	Monitoring Milestone (Frequency)	Responsible Party	Method of Verification
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BIOLOGICAL RESOURCES

- | | | | | |
|----|---|--|---|---|
| 1. | <p>A pre-construction spring-time survey (i.e. April-May) for sensitive plants, such as Kern County Evening Primrose and Mojave spinesflower and Lancaster milkvetch, shall be conducted by a qualified biologist. The results of the survey shall be presented in written form to CDFG. If sensitive plants are found on the site, CDFG and the lead agency shall determine appropriate additional mitigation measures for this project.</p> | <p>Prior to ground disturbing (vegetation removal, grubbing, grading or construction) activities the City must receive a letter from a qualified biologist advising site free from sensitive plants and wintering/nesting birds.</p> | <p>Community Development Department/Engineering responsible for reviewing letter.</p> | <p>Prior to final approval of grading plan or issuance of a stockpile permit.</p> |
| 2. | <p>Prior to vegetation removal of the site, a spring-time survey shall be made to determine presence/absence of nesting birds such as loggerhead shrike, Cooper's hawk, and LeConte's thrasher. If any of these species are found nesting on the site, construction activities shall be halted and the CDFG would be consulted regarding the necessary management and mitigation requirements for that particular species.</p> | <p>Prior to ground disturbing (vegetation removal, grubbing, grading or construction) activities the City must receive a letter from a qualified biologist advising site free from sensitive plants and wintering/nesting birds.</p> | <p>Community Development Department/Engineering responsible for reviewing letter.</p> | <p>Prior to final approval of grading plan or issuance of a stockpile permit.</p> |

ATTACHMENT TO PC RESOLUTION NO. 06-08

TENTATIVE TRACT MAP NO. 062845 CONDITIONS LIST

GENERAL/ADVISORY

1. All standard conditions as set forth in Planning Commission Resolution No. 06-11 shall apply, except for No. 60.

STREETS

2. Per direction of the Director of Public Works, improve and offer for dedication to rural street standards:
 - Avenue M at 70 feet of an ultimate 100-foot right-of-way
 - Avenue L-8 at 60 feet of an ultimate 80-foot right-of-way
 - 32nd Street West, 33rd Street West, and Avenue L-10 (west of Lot No. 9) at 44 feet of an ultimate 54-foot right-of-way (improved with 30 feet of pavement, 2-foot-wide rolled curb on each side of street, and a 10-foot-wide parkway)
 - Avenue L-10 (east of Lot No. 9), Avenue L-14, Streets "A", "B", "C" and "D" at a 54 foot right-of-way (improved with 30 feet of pavement, 2-foot-wide rolled curb on each side of street, and a 10-foot-wide parkway)
3. Per direction of the Director of Public Works, dedicate the right to restrict direct vehicular access to Avenue L-8, Avenue M, and Lot 63 (east side).
4. Per direction of the Director of Public Works, install a raised landscape median with stamped concrete in Avenue M.
5. Per direction of the Director of Public Works, provide a left-turn lane in the raised median in Avenue M at the intersection of 32nd Street West. The turn pocket shall be at 10 feet in width, and 200 feet in length with a 90-foot transition.
6. Per direction of the Director of Public Works, provide additional dedication and improvement for a right turn lane on Avenue L-8 at the intersection of 32nd Street West. The lane and dedication shall be 12 feet in width and 150 feet in length, with a 90-foot transition.
7. Per direction of the Director of Public Works, provide additional dedication and improvements to install a landscaped island for a 30-foot-radius roundabout on the intersection of 32nd Street West and Street "D".
8. Per direction of the Director of Public Works, construct a 5.5-foot concrete sidewalk on the north side of Avenue L-10, adjacent to Valley View School.
9. The project shall meet all the requirements of the rural street standards per Section 16.20.080.

DRAINAGE

10. Per direction of the Director of Public Works and the Master Plan of Drainage, provide two 60-inch Reinforced Concrete Pipes running west to east in Street "B" and south in 32nd Street West to Avenue M.

LANDSCAPING

11. Along arterials, the applicant shall comply with Section 16.20.235 of the Municipal Code regarding perimeter treatment such as installation of a concrete split rail fence within the 18 foot wide pathway and landscape maintenance district; a split rail fence between the 6 foot wide sidewalk and the decomposed granite pathway; decorative low level ambient lighting fixtures, etc.
12. Prior to occupancy, provide an 18-foot-wide multi-use and landscape easement and maintenance district along a regional, primary or secondary arterial or, in accordance with City policy. The landscape maintenance district shall extend 20 feet into the entrance streets. The irrigation system, landscape plan, and plant materials are subject to approval of the Department of Public Works. The construction materials, color and design of the decorative (slump stone, split-face, brick pilasters) masonry wall abutting the landscape maintenance district are subject to approval of the Director of Community Development. The irrigation and plant materials shall be installed and completed to the satisfaction of the Director of Public Works prior to occupancy of any residence within the development. In addition, add a one- to two course high block wall along the back of the sidewalk to protect landscaping, irrigation, and to prevent runoff.

OTHER CONDITIONS

13. Per direction of the Director of Community Development, prior to vegetation removal of the site, a spring-time survey shall be made to determine presence/absence of nesting birds such as loggerhead shrike, Cooper's hawk, and LeConte's thrasher. If any of these species are found nesting on the site, construction activities shall be halted and the State Department of Fish and Game would be consulted regarding the necessary management and mitigation requirements for that particular species.
14. Per direction of the Director of Community Development, prior to vegetation removal of the site, a spring-time survey shall be made to determine presence/absence of sensitive plants, such as Kern County Evening Primrose and Mojave spineflower and Lancaster milkvetch. If any of these species are found nesting on the site, construction activities shall be halted and the State Department of Fish and Game would be consulted regarding the necessary management and mitigation requirements for that particular species.
15. The applicant shall disclose to all future buyers of lots within the subdivision of occasional glare and light due to outdoor activities at Paraclete High School.

Attachment to PC Res. 06-08

TTM No. 062845

Page 3

16. The project applicant shall obtain a Caltrans transportation permit for the transportation of heavy construction equipment and/or materials on state highways. **(Added per P.C. 2-21-06)**
17. The 30-foot-radius roundabout shall be included in the Landscape Maintenance District. **(Added per P.C. 2-21-06)**
18. The project applicant shall coordinate with the California Department of Fish and Game to determine whether a streambed alteration agreement is required. **(Added per P.C. 2-21-06)**

MITIGATION MONITORING PLAN TTM 062845 EXHIBIT "A"

Mit./ Pg. No. 1	Cond. No. 1	Mitigation Measures/Conditions of Approval	Monitoring Milestone (Frequency)	Responsible Party	Method of Verification
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BIOLOGICAL RESOURCES

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