

STAFF REPORT
City of Lancaster

CC 8
12/11/12
MVB

Date: December 11, 2012

To: Mayor Parris and City Council Members

From: Robert C. Neal, Director of Public Works

Subject: **Subdivision Undertaking Agreements, Securities, and Phasing of Tract Map No. 061206 - Located on the Southeast Corner of Avenue J and 35th Street East**

Recommendation:

Approve the creation of Phases 1 and 2 of Tract Map No. 061206, accept the Subdivision Undertaking Agreement and securities submitted by KB HOME Coastal Inc. (KB HOME) for Phase 1, approve substitution of the Subdivision Undertaking Agreements and securities submitted by Forestar Dorado Skies, L.L.C. (Forestar) for Phase 2, and approve the revised Maintenance Agreement with Forestar.

Background:

On May 26, 2009, Forestar entered into a Subdivision Undertaking and Maintenance Agreement and posted securities to complete the required improvements for Tract Map No. 061206. That portion of the subject property identified as Phase 1 on Exhibit "A" has been conveyed to KB HOME. Forestar has retained ownership of that portion of the subject property identified as Phase 2 on Exhibit "B".

Accepting the Subdivision Undertaking Agreement submitted by KB HOME shall relieve Forestar of the responsibility of completing the required improvements for Phase 1 and make them the responsibility of KB HOME. KB HOME has submitted a Subdivision Undertaking Agreement and will submit securities in accordance with City policy.

Forestar has requested that the City allow the substitution of the May 26, 2009, Subdivision Undertaking Agreement and securities, and has submitted a new Subdivision Undertaking Agreement and securities for Phase 2 in accordance with City policy. Forestar has also requested that the Maintenance Agreement be revised.

Staff recommends that Council approve the creation of Phases 1 and 2 of Tract Map No. 061206, approve the Subdivision Undertaking Agreement and securities submitted by KB HOME for Phase 1, approve the substitution of the Subdivision Undertaking Agreement and securities submitted by Forestar for Phase 2, and approve the revised Maintenance Agreement with Forestar.

MC:lcs

Attachments:

Exhibits "A" and "B"
Undertaking Agreements
Maintenance Agreement