

**STAFF REPORT**  
**City of Lancaster**

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11/12/14
MVB

Date: November 12, 2014

To: Mayor Parris and City Council Members

From: Robert C. Neal, Director of Public Works

Subject: **Amendment to Subdivision Undertaking Agreement for Conditional Use Permit No. 05-11**

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**Recommendation:**

Approve and accept an amendment to the Subdivision Undertaking Agreement submitted by AVI MMK Management, Inc. (“Developer”) for Conditional Use Permit No. 05-11, located on the south side of Avenue I, approximately 260 feet west of 20<sup>th</sup> Street West, extending the date of completion to June 30, 2015.

**Background:**

In the Subdivision Undertaking Agreement, the Developer agrees to complete the improvements under which the project was conditioned. These improvements usually consist of curbs, gutters, sidewalks, asphalt pavement, drainage basins, storm drains, water and sewer systems, landscaping, and street lighting systems. The improvement securities posted with the undertaking agreement secure the completion of the conditioned improvements. If the Developer fails to complete these improvements, the City may use the posted securities to pay for the completion of the improvements.

On October 9, 2013, the City and Developer entered into a Subdivision Undertaking Agreement to complete the required improvements for Conditional Use Permit No. 05-11. The agreement expired October 9, 2014. On October 1, 2014, the City Engineer received a letter from the Developer requesting an extension.

Staff recommends that Council approve an Amendment to the existing Subdivision Undertaking Agreement submitted by AVI MMK Management, Inc. for Conditional Use Permit No. 05-11, extending the date of completion to June 30, 2015.

GA:lcs

**Attachments:**

Map  
Amendment to Subdivision Undertaking Agreement