

RESOLUTION 99-194

APPROVING THE PRELIMINARY/FINAL DEVELOPMENT PLAN  
AND VESTING TENTATIVE SUBDIVISION MAP  
FOR REDBRIDGE  
LOCATED ON THE EAST SIDE OF LAMMERS ROAD  
APPROXIMATELY 1,800 FEET NORTH OF OLD SCHULTE ROAD  
THE APPLICANT IS SURLAND DEVELOPMENT  
APPLICATIONS 10-99-D AND 4-99-TSM

WHEREAS, The City Council of the City of Tracy adopted the Planned Unit Development Ordinance on June 5, 1990, and

WHEREAS, The City Council of the City of Tracy adopted the Initial Study/Negative Declaration with mitigation measures for the Corral Hollow West project on December 6, 1994, and

WHEREAS, The proposed 438 unit Redbridge project, subject to the conditions of approval and the mitigation measures listed in the Corral Hollow West Expanded Initial Study/Negative Declaration is substantially consistent with the Corral Hollow West Concept Development Plan, and

WHEREAS, The Planning Commission held a public hearing on the Redbridge Preliminary/Final Development Plan and Vesting Tentative Subdivision Map on May 26, 1999, recommending approval, and

WHEREAS, The City Council of the City of Tracy held a public hearing on the Redbridge Preliminary/Final Development Plan and Vesting Tentative Subdivision Map on June 1, 1999;

NOW, THEREFORE, BE IT RESOLVED, That the City Council hereby approves the Redbridge Preliminary/Final Development Plan, Application 10-99-D and Vesting Tentative Subdivision Map, Application 4-99-TSM subject to the conditions and based on the findings contained in the staff report dated June 1, 1999.

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The foregoing Resolution 99-194 was adopted by the Tracy City Council on the 1<sup>st</sup> day of June, 1999, by the following vote:

AYES:	COUNCIL MEMBERS:	IVES, MATTHEWS, TOLBERT, TUCKER, BILBREY
NOES:	COUNCIL MEMBERS:	NONE
ABSENT:	COUNCIL MEMBERS:	NONE
ABSTAIN:	COUNCIL MEMBERS:	NONE

ATTEST:

Sharon Smith  
City Clerk

Dan Bilbrey  
Mayor

PLANNING DIVISION CONDITIONS OF APPROVAL  
FOR THE REDBRIDGE SUBDIVISION  
as revised from the June 1, 1999 City Council meeting

A. General Provisions and Definitions

1. These Vesting Tentative Subdivision Map Conditions of Approval (hereinafter "Conditions of Approval") shall apply to the real property described by the Redbridge Subdivision Vesting Tentative Map, (hereinafter "Project"), generally located on the east side of Lammers Road, approximately 1,800 feet north of Old Schulte Road and the Union Pacific Railroad.
2. The following definitions shall apply to these Conditions of Approval:
  - a. "Applicant" means any person, or other legal entity, defined as a "Subdivider".
  - b. "City Engineer" means the City Engineer of the City of Tracy, or any other duly licensed engineer designated by the City Manager, or the Public Works Director, or the City Engineer to perform the duties set forth herein.
  - c. "City Regulations" means all written laws, rules, and policies established by the City, including those set forth in the City of Tracy General Plan (also known as the Urban Management Plan), the Tracy Municipal Code, ordinances, resolutions, policies, procedures, and the City's Design Documents (including the Standard Plans, Standard Specifications, Design Standards, and relevant Public Facility Master Plans).
  - d. "Community Development Director" means the Community Development Director of the City of Tracy, or any other designated by the City Manager or the Community Development Director to perform the duties set forth herein.
  - e. "Conditions of Approval" shall mean the conditions of approval applicable to the vesting tentative map and Preliminary and Final Development Plan for the Redbridge Subdivision. The Conditions of Approval shall specifically include all Community Development Department Conditions set forth herein, as well as all Public Works Conditions set forth a Addendum "B" attached hereto and incorporated herein by reference.
  - f. "Previous Conditions of Approval" shall mean the conditions of approval applicable to the Corral Hollow West Planned Unit Development, as approved by the City Council on December 6, 1994.
  - g. "Project" means the real property described by the Redbridge Subdivision vesting tentative map, generally located on the east side of Lammers Road approximately 1,800 feet north of Old Schulte Road and the Union Pacific Railroad
  - h. "Subdivider" means any person, or other legal entity, who applies to the City to divide or cause to be divided real property within the Project boundaries,

or who applies to the City to develop or improve any portion of the real property within the Project boundaries. The term "Subdivider" shall include all successors in interest.

3. The Subdivider shall comply with all laws (federal, state, and local) related to the development of real property within the Project, including, but not limited to: the Planning and Zoning Law (Government Code sections 6500, et seq.), the Subdivision Map Act (Government Code sections 66410 et seq.), the California Environmental Quality Act (Public Resources Code sections 21000 et seq.), "CEQA"), and the Guidelines for the California Environmental Quality Act (California Administrative Code title 14, sections 15000, et seq., "CEQA Guidelines").
4. Unless specifically modified by these Conditions of Approval, the Subdivider shall comply with all City Regulations.
  - a. The term "City Regulations," as used in Condition A(2), above, shall include, but not be limited to Resolution 97-191. Generally, Resolution 97-191 provides that no final map within the Project boundaries shall be approved by the City until after (among other things) the City has adopted, by resolution, a Plan C Finance Plan. It is anticipated that the "Plan C Finance Plan" will include: the formation of a Community Facilities District for the financing of water and wastewater improvements; the adoption of an Impact Fee Ordinance, and implementing impact fee resolutions for the financing of roadways, storm drainage, and public building improvements; and the previously adopted Plan C Park Fee.
5. Unless specifically modified by these Conditions of Approval, the Subdivider shall comply with all Previous Conditions of Approval.
6. Unless specifically modified by these Conditions of Approval, the Subdivider shall comply with all mitigation measures identified in the Corral Hollow West Planned Unit Development Negative Declaration and Expanded Initial Study, as approved by the City Council on December 6, 1994 (including all documents in support thereof, such as the Mitigation Monitoring Program), City File 3-93-PRE/A.
7. Pursuant to Government Code Section 66020, including Section 66020(d)(1), the City HEREBY NOTIFIES the Subdivider that the 90-day approval period (in which the Subdivider may protest the imposition of any fees, dedications, reservations, or other exactions imposed on this Project by these Conditions of Approval) has begun on the date of the conditional approval of this Project. If the Subdivider fails to file a protest within this 90-day period, complying with all of the requirements of Government Code Section 66020, the Subdivider will be legally barred from later challenging any such fee, dedications, reservations or other exactions.

B. Community Development Department Conditions of Approval

1. All conditions of the Public Works Department (per memorandum attached as Exhibit B) shall be met.
2. The number of dwelling units in Redbridge (Vesting Tentative Subdivision Map) shall not exceed 438 single family lots.
3. The subdivision shall be developed as indicated in the booklet entitled Redbridge Final Development Plan, and Vesting Tentative Subdivision Map, May, 1999. The project shall be developed in conformance with all applicable City Regulations of the City of Tracy, including, but not limited to the Tracy Municipal Code and Standard Plans.
4. All dwelling setbacks and design shall be consistent with the Design Guidelines of the Final Development Plan for the Redbridge project, except where modified by these conditions.
5. No garage shall exceed 50 percent of the lot width.
6. Final building architecture shall be substantially consistent with that depicted in the booklet entitled Redbridge Preliminary/Final Development Plan May, 1999.
7. The Subdivider shall, prior to the issuance of a building permit for any dwelling unit, evidence compliance with the Comprehensive School Facilities Capital Improvement and Finance Plan, applicable to the Tracy School District.
8. Final heights of all soundwalls shall be established by a qualified acoustic consultant and approved by the Community Development Director prior to approval of Final Map(s). All soundwalls shall be designed and constructed in accordance with the City of Tracy's Parks and Parkways Design Manual.
9. Written approval of all streets names from the Fire Department shall be submitted to the Community Development Department by the developer, including the name of a deceased Tracy Veteran, prior to approval of the Final Map.
10. A ten (10') foot wide public utilities easement shall be dedicated on all street frontages within the proposed subdivision.
11. All roadways shall be constructed to provide temporary all-weather turnarounds on roads at phase boundaries.
12. The Subdivider shall pay a fee for habitat mitigation established by the City or, if adopted by the City, the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan, payable at the time of approval of any Final Map(s).

13. All garage setbacks from the alleys shall be a minimum of 15 feet. Side entry garages shall have a minimum setback of 5 feet from the rear property line. The 3,000 and 5,500 square foot lots only may have a setback of 10 feet off the edge of pavement to the face of the garage door in the alleys.
14. As a part of the subdivider's application for the first final map within the Project, the subdivider shall submit draft covenants conditions and restrictions ("CC&Rs") which establish to the satisfaction of the City Engineer that all improvements to be maintained by the homeowners association are adequately addressed. At a minimum, the CC&Rs shall include provisions which: (a) require City consent to any proposed change to the CC&Rs affecting the issues required by these Conditions; and (b) provide a right, but not an obligation, for the City to enforce the issues required by these Conditions. The draft CC&Rs related to these issues shall be subject to the review and approval of the Planning Commission and City Council prior to or concurrently with the review and approval of the first final map within the Project, and the approved CC&Rs shall be recorded against the Project prior to, or concurrently with the recordation of the first final map within the Project.
15. As a part of the Subdivider's application for the first final map within the Project, the Subdivider shall submit a draft notice to all prospective home buyers which establishes to the satisfaction of the Community Development Director that prospective home buyers will be notified regarding the extent of improvements to be maintained and enforced by the homeowners association, as required by these Conditions. The draft notice to these issues shall be subject to the review and approval of the Planning Commission and City Council prior to, or concurrently with the review and approval of the first final map within the Project, and the approved notice shall be provided by the Subdivider to each prospective home buyer to the purchase of each home for the Project.
- 16(a) The Subdivider shall provide a minimum of 22 feet clear within the alleys, 14 feet of pavement and 4 feet each side of turf block. No shrubs or trees shall be planted in the 4 foot landscape area, for fire fighting equipment to maneuver. The Subdivider shall install all appropriate signage in the alleys, including: no parking in alleys, and no obstructions in alleys(including basketball standards and street hockey nets). The Subdivider shall provide lighting in the alleys to the satisfaction of the City (including photo cell lights attached to each garage). All improvements in the alleys shall be maintained by the homeowners association.
- (b) The Subdivider shall provide notice to all home buyers and through the CC&Rs that there is no parking in the alleyways and that no obstructions shall occur in alleyways which would prevent emergency vehicles from responding in the alleys.

- (c) For all private streets and alleys, the Subdivider shall offer a public access easement and no person (including the Subdivider, the homeowners association, or any property owner) shall excavate within the easement without first obtaining an encroachment permit from the City in accordance with the Tracy Municipal Code. In accordance with California Vehicle Code section 21107.5, all private streets shall be open for public use, and no person shall erect a sign to indicate that any private street within the Project is not subject to public traffic regulations or control.
  - (d) The Subdivider shall post signs at all entrances and exits to the Project, in a form satisfactory to the City Engineer, which indicate that all streets within the Project are privately maintained.
  - (e) After the completion of construction of Schulte Road, connecting Corral Hollow Road and Lammers Road, the Subdivider or the homeowners association may apply to the City to vacate the public access easement identified in Condition B(16)(c), above. If the City Council makes findings required by California Streets and Highways Code section 8300, *et seq.*, the City shall vacate the public access easement; provided, however, that the vacation of the easement shall be subject to a condition, to be imposed at the discretion of the City Council at the time of vacation, for the homeowners association to either: (i) assume all responsibility for enforcement of traffic regulations on the private streets and alleys within the Project; or (ii) post all necessary signs, to the satisfaction of the City Engineer, to allow the City to continue enforcement of traffic regulations in accordance with California Vehicle Code section 21107.7.
  - (f) Unless otherwise specifically provided in these Conditions, all improvements on private parks, private streets, and alleys (including landscaping, lighting, and all signage) shall be maintained by the homeowners association.
17. For lots of 3,000, 5,500, 6,000, 8,000 and 10,000 square feet the following minimum requirements shall apply:  
The front setback on the 3,000, 5,500, 6,000, 8,000 and 10,000 square foot lots shall be 15 feet from the face of curb. The side yard setbacks shall be a minimum of 5 feet with a minimum of 10 feet between structures, except on corner lots which shall have a minimum of 10 feet on the street side. The side yard setback may be 7 feet on one side and 3 feet on the other side with a minimum of 10 feet between structures. This provision shall only apply if field conditions so dictate and with the approval of the Community Development Director. The rear setback shall be 15 feet from the property line.
18. The front setback on the 15,000 square foot lots shall be a minimum of 20 feet from the face of curb. The side yard setback shall be a minimum of 10 feet with a minimum of 20 feet between structures except corner lots which shall have a

minimum of 10 feet on the street side. The rear yard setback shall be 30 feet from the property line.

19. The minimum lot width shall be 30 feet and the minimum lot depth shall be 100 feet. For the 5,500 square foot lots the minimum lot width shall be 55 feet and the minimum lot depth shall be 100 feet. The 6,000 square foot lots shall have a minimum lot width of 60 feet and a minimum lot depth of 100 feet. The 8,000 square foot lots shall have a minimum lot width of 80 feet and a minimum lot depth of 100 feet. The 10,000 square lots shall have a minimum lot width of 100 feet and a minimum lot depth of 100 feet. The 15,000 square foot lots shall have a minimum lot width of 120 feet and minimum lot depth of 120 feet.
20. The architecture shall be reviewed by the Planning Commission and City Council for the Manor, Lanes, Laurel Brook and Cottages product line prior to the issuance of any building permit for phases in which this product line is to be constructed.
21. The maximum lot coverage shall be 45%. Lot coverage means all structures in total on a lot.

REDBRIDGE SUBDIVISION, TRACT NO. 2848  
(SERPA/PERRY PROPERTY)  
Northeast Corner of Schulte Road and Lammers Road  
APN's 240-060-03, 04, & 10

VESTING TENTATIVE SUBDIVISION MAP  
30-97-D & 12-97-TSM

PUBLIC WORKS DEPARTMENT CONDITIONS OF APPROVAL  
ENGINEERING DIVISION

A. General Provisions and Definitions.

All terms of the section "General Provisions and Definitions" of Community Development Department's Conditions of Approval shall apply.

B. Conditions of Approval Prior to Signature on Tentative Subdivision Map. Prior to signature of the Tentative Subdivision Map by the City Engineer, the Subdivider shall make the modifications to the tentative map as required by these Conditions of Approval, to the satisfaction of the City Engineer, including, but not limited to, the following:

1. The Subdivider shall show locations of the 1-foot reserve street dedications and restricted access along the frontage of the Property on Lammers Road.
2. Charges related to street right-of way widths and functional classifications per the recommendations of the Circulation Analysis for West Tracy Plan "C" properties date November 30, 1998 prepared by Fehr & Peers, Inc. (hereinafter "Traffic Analysis") approved by the City Engineer and as specified in Condition I-2 below. The Traffic Analysis is on file with the City Engineer, and is incorporated herein by reference.
3. Show all Public Utility Easements, 10 feet in width behind the right of way.
4. Modifications to the storm drainage system as specified in Condition J-9.
5. For private streets all City utilities (storm drain, sanitary sewer and water mains) shall be in public utility easements and the City shall have access and the right to maintain the utilities 24 hours a day, 365 days a year without prior notice to any agency or Home Owners Association.

The City will maintain utilities in the following manner:

- a) The City will maintain water lines up to the individual meters installed within PUE in accordance with the City Standard.
- b) The City will maintain main sewer lines within street paved widths. Sewer laterals to individual units will be maintained up to the clean outs within the PUE areas.



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- c) The City will maintain storm drains within the street paved widths. Storm drainage inlets and catch basins on private streets will not be maintained by the City and will be maintained by homeowners association.
    - d) All other maintenance is the obligation of the Homeowners Association.
  6. The Subdivider shall provide a conceptual plan layout for Lammers Road from Old Schulte Road north to the New Schulte Road. The intersection of New Schulte Road and Lammers per the Roadway Master Plan is an urban interchange, the impacts of the urban interchange to Redbridge/Lammers Road must be incorporated.
- C. Conditions of Approval Prior to Complete Final Map Applications. No application for any final map within the Project boundaries will be accepted by the City as complete until the Subdivider provides all documents required by City Regulations and these Conditions of Approval, to the satisfaction of the City Engineer, including, but not limited to, the following:
  1. The Subdivider has completed all requirements set forth in Condition B, above.
  2. One reproducible copy of the approved tentative map for the Project within ten (10) days after Subdivider's receipt of notification of approval of the tentative map.
  3. The final map application.
  4. The final map prepared in accordance with the Subdivision Ordinance and the City Design Documents.
  5. The improvement plans for all improvements (on-site and off-site) required to serve the development project described by the final map in accordance with the Subdivision Ordinance, the City Design Documents, Precise Plans and Master Utility Plans for Plan "C" Properties, Expanded Initial Study for the Corral Hollow West Planned Unit Development (hereinafter "Expanded Initial Study") and these Conditions of Approval. The improvement plans shall specifically include, but not be limited to, the following items:
    - a. All existing utilities.
    - b. All supporting calculations, specifications, and reports related to the design of the improvements.
    - c. The plans shall be drafted on mylar furnished by the City.
  6. The grading plan in accordance with applicable sections of Tracy Municipal Code.
  7. The landscape, irrigation, and retaining wall plans.
  8. Private utility and joint-trench plans.

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9. A detailed phasing plan showing construction limits and logical sequence of construction of street improvements and utilities. The phasing plan shall clearly identify the improvements to be constructed with each phase of the Project.
  10. A construction cost estimate for all required public facilities, prepared in accordance with City Regulations.
  11. Payment of all fees required by these Conditions of Approval and City Regulations.
- D. Conditions of Approval Prior to Approval of Final Map. No final map within the Project boundaries will be approved by the City until the Subdivider demonstrates, to the satisfaction of the City Engineer, compliance with all required Conditions of Approval, including, but not limited to, the following:
1. The Subdivider has completed all requirements set forth in Condition C, above.
  2. The Subdivider has obtained the approval of all other public agencies with jurisdiction over the required public facilities.
  3. The final map shall include dedications or offers of dedication of all rights-of-way and easements required to serve the development project described by the final map, in accordance with City Regulations and these Conditions of Approval.
  4. Horizontal and vertical control for the Project shall be based upon the City of Tracy coordinate system and at least three 2nd order Class 1 control points establishing the "Basis of Bearing" and shown as such on the final map. The final map shall also identify surveyed ties from two of the control points to a minimum of two separate points adjacent to or within the property described by the final map.
  5. Execution of all agreements, posting of all improvement security, and providing documentation of insurance, as required by these Conditions of Approval.
  6. Payment of all fees required by these Conditions of Approval and City Regulations.
  7. All public facilities required to serve the property development within the final map boundaries, including water and wastewater capacity, have been financially assured by the Subdivider. The Subdivider acknowledges that complex planning and financing are involved in providing the public facilities required to serve the property. Such public facilities are not now available. The City will make reasonable efforts to facilitate the necessary planning, but cannot and does not guarantee that sufficient public facilities, and the resulting capacity, will be available before expiration of the tentative map for this Project (under Government Code Section 66452.6 and relevant City Regulations).
  8. All requirements of Resolution No. 97-191 have been satisfied.

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- E. Conditions of Approval Prior to Approval of Building Permit. No building permit within the Project boundaries will be approved by the City until the Subdivider demonstrates, to the satisfaction of the City Engineer, compliance with all required Conditions of Approval, including, but not limited to, the following:
1. The Subdivider has completed all requirements set forth in Condition D, above.
  2. Payment of all fees required by these Conditions of Approval and City Regulations, including, but not limited to the development impact fees required by the Plan C Finance Implementation Plan..
- F. Conditions of Approval Prior to 61<sup>st</sup> Building Permit. The 61<sup>st</sup> building permit within the Project boundaries will not be approved by the City until the Subdivider provides documentation which demonstrates, to the satisfaction of the City Engineer, that:
1. The Subdivider has completed all requirements set forth in Condition E, above.
  2. The Subdivider shall provide a secondary emergency vehicular access points to either Lammers Road or New Schulte Road (to be located north of the Project) as required by Condition No. I-6, below.
- G. Conditions of Approval Prior to Certificate of Occupancy. No certificate of occupancy within the Project boundaries will be approved by the City until the Subdivider provides documentation which demonstrates, to the satisfaction of the City Engineer, that:
1. The Subdivider has completed all requirements set forth in: Condition E and (prior to certificate of occupancy for the 61<sup>st</sup> building permit) Condition F, above.
  2. The Subdivider has completed construction of all public and private facilities required to serve the building for which a certificate of occupancy is requested. Unless specifically provided in these Conditions of Approval, or some other City Regulation, the Subdivider shall take all actions necessary to construct all public facilities required to serve the Project, and the Subdivider shall bear all costs related to construction of the public facilities (including all costs of design, construction, construction management, plan check, inspection, land acquisition, program implementation, and contingency).
- H. Conditions of Approval Prior to City Release of Improvement Security.
1. The City shall not release any improvement security until after the Subdivider provides as-built plans, to the satisfaction of the City Engineer. Within twenty (20) days after the City's approval of the final map, the City shall provide the Subdivider one (1) set of reproducible duplicates on polyester film of all approved Improvement Plans. Upon completion of the construction by the Subdivider, the City shall temporarily release the originals to the Subdivider so that the Subdivider will be able to document revisions to show the "As Built" configuration of all improvements. The Subdivider shall submit

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these As Built Plans (or Record Drawings) to the City Engineer within 30 days after City Council acceptance of the public improvements.

2. The City shall not release any improvement security for labor and materials (also known as payment) until the statutory time has passed for claimants to file claims with the City on the security. Generally, claimants have six months after acceptance of improvements to file a claim.

I. Street Improvements

1. The Subdivider is proposing all on-site streets, including the back alleys, as private to be maintained by the Homeowner Association. The conditions, covenants, and restrictions (CC&R's) will be subject to review and approval by the City Council prior to approval of any final map. The Subdivider shall submit CC&R's to the Community Development Department for review and Council approval. The Subdivider shall request approval of the City Council for new City Standards for private streets and alley ways prior to signing of the Vesting Tentative Subdivision Map. The Subdivider may propose the on-site streets as public prior to signing of the vesting tentative subdivision map or during the approval process of the tentative map. In such event, the Tentative Map will be amended to comply with the City's street standards or certain specific street standards will be revised. The Subdivider shall be responsible to initiate such revisions and pay for all costs of analysis, reports, and staff time.
2. The Subdivider shall dedicate right-of-way, design, and construct all roadway improvements (on-site and off-site improvements) required for the Project in conformance with the recommendations of the Traffic Analysis, Expanded Initial Study for the Project and City Regulations. Based on the recommendations of the Traffic Analysis, several design elements of the traffic circulation system are required to be modified prior to approval of the Tentative Subdivision Map.
  - a) The right-of-way width of Lammers Road east from the centerline to be 72' to 82' (includes 25'-35' landscaping strip).
  - b) The Subdivider shall revise the Tentative Subdivision Map to provide a 10 foot wide bike/pedestrian pathway and a 5 foot wide sidewalk from Lammers Road on Redbridge Road and Redbridge Circle. The cross section for such street shall be revised.
  - c) The Subdivider shall revise the Tentative Subdivision Map to reflect a minimum width in accordance with American Disability Act requirements for all sidewalks separated from the curb by a landscape strip except for the sidewalk noted in Condition 2(b).
3. The Subdivider shall dedicate all right-of-way required for the ultimate section and street improvements on Lammers Road within the Project boundaries, in accordance with City Regulations.

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4. The Subdivider shall submit for review a detailed design of Lammers Road interim improvements necessary for traffic circulation at the time of submittal of Subdivision Improvement Plans. The Subdivider shall dedicate right-of-way, within the project boundaries, for the ultimate frontage improvements of the easterly half street section of Lammers Road. The improvements shall include but not be limited to curb, gutter, sidewalk, landscape with automatic irrigation, street lighting, street pavement, storm drainage, signing and striping. The improvements shall also include construction of medians, left-turn lanes, pavement transitions, barricades, traffic signals, and other improvements required to serve the Project. The improvements shall also include all interim improvements required to create a safe transition to existing street sections, including, but not limited to, paving, signing, markings and other improvements. Ultimate improvement at the intersection will be funded and constructed simultaneously with the widening of Lammers Road by future developments. The Subdivider shall bear all costs related to the construction of the Lammers Road interim improvements. The Subdivider shall not be entitled to credits or reimbursements for these costs.
5. The Subdivider shall design and install landscaping with Motorola automatic irrigation system on frontage streets and subdivision entries in accordance with City's Parks and Parkways Design Manual. Type and location of trees on residential streets shall be per City's Park and Parkways Design Manual.
6. Before issuance of 61st building permit, the Project shall have secondary emergency vehicular access connection to either New Schulte Road or Lammers Road.
7. Pavement markings and traffic signs shall be constructed in accordance with City Regulations. The roadways shall be signed and clearly marked for parking on only one side of the road which have 30-feet or less of asphalt concrete pavement.
8. All streets shall be paved and improved after underground utilities are installed in accordance with City of Tracy Standard Specifications for public streets.
9. Pavement design shall be based on State of California "R" value method, using Traffic Indices specified in Design Standards, to the satisfaction of the City Engineer.
10. The street longitudinal grade on any street shall not be less than 0.4%. Street crown shall have a minimum slope of 2%.
11. Slope easements shall be dedicated to the City where cuts or fills do not match existing ground or final grade.
12. Valley gutters shall not be used to provide drainage across any through street, alley way or through intersections. Concrete valley gutters may be allowed at the entrance of cul-de-sacs only.

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13. All traffic control devices, including stop signs, one way sign, do not enter sign, speed limit signs, street name signs, legends, markings and striping shall be installed in accordance with a detailed striping and signing plan prepared by the Subdivider and approved by the City Engineer.
14. The Subdivider shall design and install street lights in accordance with City Standards and at locations approved by the City Engineer.
15. The Subdivider shall design and install masonry soundwall and landscaping with Motorola automatic irrigation system along the full frontage of Lammers Road in accordance with the City's Park and Parkways Design Manual. Landscape plans shall be signed and stamped by registered Landscape Architect. Structural calculations for the design of the wooden fence shall be stamped and signed by a registered Structural Engineer.  
  
The wooden fence along the southern boundary of the property including the necessary berm shall be a private improvement which shall be maintained by the Subdivider. The Subdivider shall address access, maintenance and liability issues relating to the wooden fence, including easements (if required) from Union Pacific Railroad Company to the satisfaction of the City Engineer prior to approval of any final map(s).
16. The Subdivider shall provide street names prior to approval of Final Map, subject to the approval of the Fire Department.
17. The Subdivider shall design, construct, and dedicate improvements on a separate parcel (0.0057 acres) for emergency vehicle access required by the Public Works Department and Fire Department prior to the 61<sup>st</sup> building permit. The Subdivider shall bear all costs of design, construction, and dedication (with no right to credit or reimbursement since these improvements are considered as Subdivider's responsibility). Prior to commencement of construction, the Subdivider shall obtain written permission in a form acceptable to the City from the property owner of parcel described as APN 240-070-03 on the Tentative Subdivision Map for construction use and maintenance of a 12-foot wide paved access road.

J. Storm Drainage Facilities.

1. Prior to approval of any Final Map, the Subdivider shall demonstrate to the satisfaction of the City Engineer, that the storm drainage facilities are adequate to meet Project demands, and that the improvements are consistent with the City's Storm Drainage Master Plan.
2. The Subdivider shall design and construct complete on-site and off-site storm drainage system in accordance with the Storm Drain Master Plan for Corral Hollow West and West Tracy Projects prepared by Thompson - Hysell Engineers and approved by the City Engineer on July 28, 1998, and City Regulations.

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3. The on-site storm drainage system and site grading shall be designed such that the Project has an overland storm water release via public street right-of-way in accordance with City design standards except Green Manor and Castle Haven Court. Overland release through private or public easements on private property will not be permitted. Interim overland drainage release to property owned or controlled by subdivider is allowed, however, all permanent releases must be to public street right-of-way.
4. The Subdivider shall design and construct temporary on-site retention facilities which will be maintained by the Subdivider until all downstream storm drain facilities including the City's Westside Channel Outfall System project is completed, made operational and the subdivision is connected to the West Side Channel Outfall System. The Subdivider shall design and construct the temporary retention basin in accordance with City's standards, to the satisfaction of the City Engineer. The Subdivider shall include calculations for the sizing of the temporary retention basin, including a percolation report, with the design, for review and approval of the City Engineer.

The Subdivider will be responsible for maintenance of the temporary facilities until downstream drainage facilities are available and connection to the permanent system is installed. The Subdivider shall remove the temporary retention basin, and design and construct the permanent connection to the City's Westside Channel Outfall System project, all at the Subdivider's cost. The Subdivider shall post improvement security in a form acceptable to the City to cover the Subdivider's responsibilities to maintain the temporary basin, remove the temporary basin, and design and construct the permanent connection.

5. Temporary storm drain retention basin is not allowed to be placed on school site or park sites. The retention basin shall be located at the downstream end of the on-site storm drain system. Storm drain retention basin and access easements shall be recorded with the first final map.
6. All cul-de-sacs shall be designed in such a way that it will drain away from the cul-de-sac bulb towards the intersecting street except Green Haven and Castle Haven Courts.
7. Storm drain system shall be designed to City Standards. The runoff coefficient shall be consistent with the City standard. No reverse flow shall be permitted in any storm drain line. The use of bubble-up system at the temporary storm drain retention basin will not be permitted.
8. Excess soil from site grading shall be filled and compacted as part of the embankment / berm around the temporary storm drain retention basins. The height of the embankment / berm shall not be more than 6 feet and slope of the embankment / berm shall not be greater than 1' vertical to 3' horizontal. The temporary storm drain basin shall be enclosed with a chain link fence with redwood slats.
9. The Subdivider shall revise the tentative map to extend the storm drain system to the alleys. The use of valley gutters and driveways for the alleys is not permitted.

K. Grading and Erosion Control

1. A Grading Plan prepared by a Registered Civil Engineer and accompanied by Soils Engineering and Engineering Geology reports shall be submitted to the City with Subdivision Improvement Plans. The reports shall provide recommendations regarding adequacy of sites to be developed by the proposed grading and also information relative to the stability of soils. Slope easements shall be recorded per City Regulations.
2. All grading shall require a Grading Permit. Erosion control measures shall be implemented in accordance with plans approved by the City Engineer for all grading work not completed before October 15. Improvement Plans shall designate all erosion control methods and materials to be employed.

L. Water System

1. Prior to approval of Final Map(s), the Subdivider shall demonstrate to the satisfaction of the City Engineer, that water facilities water supply (capacities at the plant and distribution or transmission lines) are adequate to meet project service demands on a permanent basis, and are or will be consistent with the City's Water Master Plans. Water analysis will be required to be performed by the City (or its consultant) to determine whether or not this condition has been satisfied for both interim and ultimate needs of the project.
2. The Subdivider shall design water system facilities in accordance with the recommendations of water network analysis by West Yost & Associates. The Subdivider shall revise (if necessary) the Tentative Subdivision Map to reflect the recommended changes on the water system facilities identified in the technical memorandum. Permanent waterline loops through private lots will not be permitted.

Certain modifications and improvements to City's water distribution system are necessary to be in place and operational prior to construction of any residential structures within the Project, as recommended in the Technical Memorandum. No final maps within the Project will be accepted as complete until these improvements are completed and functional.

3. The Subdivider shall install three way water valves at each water main connection on Old Schulte Road and Lammers Road.
4. The Subdivider shall design and install fire hydrants at locations approved by the Fire Department.
5. In order to provide and maintain effective water distribution to the project, the Subdivider may be required to complete water line connection through adjacent Gabriel Estates Subdivision.



M. Sanitary Sewer System

1. Prior to approval of Final Map(s), the Subdivider shall demonstrate to the satisfaction of the City Engineer, that sewer treatment capacity at the Waste Water Treatment Plant and Waste Water Collection Facilities are adequate to meet project needs on a permanent basis and are or will be consistent with the City's Waste Water Master Plans.
2. The Subdivider shall design sanitary sewer facilities in accordance with the City Standards.
3. The City will not approve any sanitary sewer main to pass through the residential lot(s). The Subdivider shall design the sanitary sewer system accordingly.
4. The Subdivider shall coordinate with the developer of Gabriel Estates to acquire sewer line easements in the undeveloped portion of Gabriel Estates (if required by the City) and shall design and construct the down stream sewer line in Gabriel Estates to provide functional sewer line from Redbridge Subdivision to the Corral Hollow sewer trunk line via Gabriel Estates in accordance with the Sewer Master Plan for Corral Hollow West and West Tracy properties prepared by Thompson-Hysell Consulting Engineering for the City of Tracy. Prior to City approval of the first final map, the Subdivider shall coordinate with Developer of Gabriel Estates for size and location of downstream sewer and lateral connections and will provide a letter from the Developer identifying the terms of agreement. The Subdivider may request eligible reimbursement from the downstream developer via Benefit District. The Subdivider will be responsible to request formation of the Benefit District and will pay all associated fees.

N. Mini and Neighborhood Parks (Revised per Council Meeting of 6/1/99)

1. The Subdivider has proposed to design, and construct four private mini-parks (approximately 0.5 acres, 1.3 acres, 4 acres, and 1.5 acres) to be owned and maintained by the home owners association. The private parks shall be designed and constructed in a manner which meets or exceeds the requirements of the Parks and Parkways Design Manual, and the City's Design Documents as defined in the Subdivision Ordinance, Section 12.08.010. The conceptual design of the private parks shall be subject to the review and approval of the Parks and Community Services Commission. The public park requirements for the Project (including mini parks, neighborhood parks, and community park) have been analyzed by the City in the report entitled: "Plan C Properties Park Impact Fee Justification Study" (hereinafter "Plan C Park Fee Study") which was approved by City Council on June 2, 1998. In accordance with California Government Code Section 66477(e), and in accordance with the procedural requirements of the City's Impact Fee Ordinance (Tracy Municipal Code Title 13), the Subdivider may apply for credit for design and construction of the private parks, as an offset to the portion of the park fee associated with mini/neighborhood parks. The Subdivider shall not receive a credit in excess of the fee components for construction, design, construction management, land acquisition, and contingency for the mini parks and neighborhood park requirements for the Project, as identified in the Plan C Park Fee Study. The Subdivider shall not be entitled to receive a credit for the Community Park portion of the park fee. The timing of completion of park improvements and security for the park improvements shall be in accordance with the phasing plan per Condition C-9 of these Conditions of Approval, and the Subdivision Ordinance.
2. All private parks shall be open to all members of the public in accordance with the rules of operation of City parks, as set forth in Tracy Municipal Code Chapter 4.16. All private parks shall be posted with signs, in a form satisfactory to the City, which indicate any applicable rules of operation of the parks in accordance with the requirements of the Tracy Municipal Code. Upon approval by the City Council of an ordinance which clarifies that the term "park," as defined by Tracy Municipal Code Section 4.16.030, includes private parks within this Project, the City shall enforce violations of the Tracy Municipal Code thereon.

O. Agreements, Improvement Security, and Insurance

1. Inspection Improvement Agreement. Prior to City approval of a final map, the Subdivider may request to proceed with construction with the public facilities required to serve the real property described by the final map only if the Subdivider satisfies all of the following requirements to the satisfaction of the City Engineer:
  - a. The Subdivider has submitted all required improvement plans in accordance with the requirements of City Regulations and these Conditions of Approval, and the improvement plans have been approved by the City Engineer.

- b. The Subdivider has submitted a complete application for a final map which is served by the required public improvements, and the final map is in the process of being reviewed by the City.
  - c. The Subdivider has paid all required processing fees including plan check and inspection fees.
  - d. The Subdivider executes an Inspection Improvement Agreement, in substantial conformance with the City's standard form agreement, by which (among other things) the Subdivider agrees to complete construction of all required improvements, and the Subdivider agrees to assume the risk that the proposed final map may not be approved by the City.
  - e. The Subdivider posts all required improvement security and provides required evidence of insurance.
2. Subdivision Improvement Agreement. Concurrently with the City's processing of a final map, and prior to the City's approval of the final map, the Subdivider shall execute a Subdivision Improvement Agreement (for the public facilities required to serve the real property described by the final map), which includes the Subdivider's responsibility to complete all of the following requirements to the satisfaction of the City Engineer:
  - a. The Subdivider has submitted all required improvement plans in accordance with the requirements of City Regulations and these Conditions of Approval, and the improvement plans have been approved by the City Engineer.
  - b. The Subdivider has submitted a complete application for a final map which is served by the required public improvements, and the final map has been approved by the City Engineer.
  - c. The Subdivider has paid all required processing fees including plan check and inspection fees.
  - d. The Subdivider executes a Subdivision Improvement Agreement, in substantial conformance with the City's standard form agreement, by which (among other things) the Subdivider agrees to complete construction of all required improvements.
  - e. The Subdivider posts all required improvement security and evidence of insurance.
3. Deferred Improvement Agreement. Prior to the City's approval of the first final map within the Project, the Subdivider shall execute a Deferred Improvement Agreement, in substantial conformance with the City's standard form agreement, by which

(among other things) the Subdivider agrees to complete construction of all remaining public facilities (to the extent the public facilities are not included in the Subdivision Improvement Agreement) which are required by these Conditions of Approval. The Deferred Improvement Agreement shall identify timing requirements for construction of all remaining public facilities, in conformance with the phasing plan submitted by the Subdivider and approved by the City Engineer.

4. Improvement Security. The Subdivider shall provide improvement security for all public facilities, as required by an Inspection Improvement Agreement or a Subdivision Improvement Agreement. The form of the improvement security may be a bond, or other form in accordance with City Regulations. The amount of the improvement security shall be in accordance with City Regulations, generally, as follows: Faithful Performance (100% of the approved estimates of the construction costs of public facilities), Labor & Material (100% of the approved estimates of the construction costs of public facilities), and Warranty (10% of the approved estimates of the construction costs of public facilities).
5. Insurance. For each Inspection Improvement Agreement and Subdivision Improvement Agreement, the Subdivider shall provide the City with evidence of insurance, as follows:
  - a. General. The Subdivider shall, throughout the duration of the Agreement, maintain insurance to cover Subdivider, its agents, representatives, contractors, subcontractors, and employees in connection with the performance of services under the Agreement at the minimum levels set forth below.
  - b. Commercial General Liability (with coverage at least as broad as ISO form CG 00 01 01 96) coverage shall be maintained in an amount not less than \$3,000,000 general aggregate and \$1,000,000 per occurrence for general liability, bodily injury, personal injury, and property damage.
  - c. Automobile Liability (with coverage at least as broad as ISO form CA 00 01 07 97, for "any auto") coverage shall be maintained in an amount not less than \$1,000,000 per accident for bodily injury and property damage.
  - d. Workers' Compensation coverage shall be maintained as required by the State of California.
  - e. Endorsements. Subdivider shall obtain endorsements to the automobile and commercial general liability with the following provisions:
    - f. The City (including its elected and appointed officials, officers, employees, agents, and volunteers) shall be named as an additional "insured."

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- g. For any claims related to this Agreement, Subdivider's coverage shall be primary insurance with respect to the City. Any insurance maintained by the City shall be excess of the Subdivider's insurance and shall not contribute with it.
  - h. Notice of Cancellation. Subdivider shall obtain endorsements to all insurance policies by which each insurer is required to provide thirty (30) days prior written notice to the City should the policy be canceled before the expiration date. For the purpose of this notice requirement, any material change in the policy prior to the expiration shall be considered a cancellation.
  - i. Authorized Insurers. All insurance companies providing coverage to Subdivider shall be insurance organizations authorized by the Insurance Commissioner of the State of California to transact the business of insurance in the State of California.
  - j. Insurance Certificate. Subdivider shall provide evidence of compliance with the insurance requirements listed above by providing a certificate of insurance, in a form satisfactory to the City.
  - k. Substitute Certificates. No later than thirty (30) days prior to the policy expiration date of any insurance policy required by the Agreement, Subdivider shall provide a substitute certificate of insurance.
  - l. Subdivider's Obligation. Maintenance of insurance by the Subdivider as specified in the Agreement shall in no way be interpreted as relieving the Subdivider of any responsibility whatsoever (including indemnity obligations under the Agreement), and the Subdivider may carry, at its own expense, such additional insurance as it deems necessary.
6. The Subdivider may make a written request to the City for the formation of a Benefit District only if the written request is made prior to the approval of the final map for which the public facilities are required, and in accordance with these conditions of approval and City Regulations (including the Tracy Municipal Code).
- a. The written request shall include a description of all information relevant to the formation of the Benefit District, including the following: the public facility for which the Subdivider requests reimbursement; the estimated costs related to the construction of the public facility; the amount of capacity provided by the public facility; the amount of capacity in the public facility which is supplemental to the capacity required to serve the Project, including a detailed description of the method of allocating capacity; and the dollar amount for which the Subdivider requests reimbursement.
  - b. Concurrently with the written request, the Subdivider (hereinafter, "Responsible Subdivider") shall pay the City a processing fee to cover all costs related to the formation of the Benefit District.

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- c. After the City has received the required processing fee from the Responsible Subdivider, the City shall prepare a first draft Benefit District Study, and the City shall provide a written notice to all affected property owners, and the City shall accept written comments on the first draft Benefit District Study for a period not less than 14 days. The written notice shall include, at a minimum, the following elements, each to the satisfaction of the City Engineer:

c(1). A notice of the City's intention to form a Benefit District, and a request for written comments until a specified date not less than 14 days after the date the City sends the written notice.

c(2). A notice of the date, time, and place of a public hearing before City Council to discuss approval of the Benefit District. The hearing will be scheduled no earlier than 14 days after the date the City sends the written notice.

c(3). A description of the geographical area ("Benefit District Area") to be served by the Benefit District Public Facilities. This description shall include a description of the assumptions regarding amounts and locations of the proposed land uses and/or dwelling unit types within the Benefit District Area. The description shall include maps, graphs, tables, and narrative text, and a numbering system to identify each legal parcel within the Benefit District Area.

c(4). A description of the Benefit District Public Facilities. This description shall include an outline of all essential elements of the Benefit District Study in a level of detail satisfactory to the City Engineer.

c(5). An estimate of all costs related to the construction of the public facilities included in the Benefit District Area. The cost estimate shall include costs of design, construction, construction management, plan check, inspection, land acquisition, program implementation, and contingency.

c(6). An identification of the owners of real property, other than the Responsible Subdivider, which benefit from the Benefit District Public Facility ("Benefiting Subdividers"). The identification of real property owners shall be based upon information from the County Assessors office, or any other more accurate evidence of property ownership provided to the City, as of the date of the notice of public hearing.

c(7). A quantification of the capacity (or benefit) created by the Benefit District Public Facilities, a description of how the Responsible Subdivider and the Benefiting Subdividers benefit from the Benefit District Public Facility, a description of the method of spreading the capacity to the Responsible Subdivider and the Benefiting Subdividers, a description of the method of

spreading the cost of the Benefit District Public Facility to the Responsible Subdivider and the Benefiting Subdividers so that there is a reasonable relationship between each development project and the benefit received from the Benefit District Public Facility, and a quantification of the resulting Benefit District Fee.

c(8). A statement that the full text of the final draft Benefit District Study is available for review, upon request, in the office of the City Engineer. The Benefit District Study shall include, at a minimum, the following items prepared to the satisfaction of the City Engineer, in accordance with City Regulations: a preliminary design based upon technical analysis of the Benefit District Public Facilities, and a precise plan line describing the location of the Benefit District Public Facilities. The precise plan line for any roadway shall take into consideration, and coordinate with, the alignment of all other required public facilities including water, wastewater, and storm drainage, as well as other private utilities.

- d. After the City Council approves the Benefit District Study, any final map for any Benefiting Subdivider shall not be approved by the City until the Benefiting Subdivider demonstrates to the satisfaction of the City Engineer that either: (1) the Benefiting Subdivider has entered into a written agreement with the Responsible Subdivider including essential terms in a form substantially the same as that set forth in Condition subsection f, below; or (2) the Benefiting Subdivider has paid a Benefit District Fee to the City (to be reimbursed to the Responsible Subdivider) for the Benefiting Subdividers' proportionate share of all costs related to construction of the Benefit District Public Facilities, in an amount established by the City Engineer (including the City's cost of administering the collection of the fee and reimbursement to the Responsible Subdivider) in accordance with the approved Benefit District Study.
- e. After the City Council approves the Benefit District Study, the Benefit District Fee shall be a fixed dollar amount, and the obligation to pay the Benefit District Fee shall be recorded against the real property of all Benefiting Subdividers. Provided, however, that the Responsible Subdivider or any Benefiting Subdivider may apply for an amendment to the Benefit District Study in the event that the subdivider establishes, to the satisfaction of the City Engineer, that actual construction costs vary from the estimated construction costs by more than 10 percent. The application for the amendment to the Benefit District Study shall include the payment of a processing fee by the Responsible Subdivider to cover the City's estimated costs of reviewing the application. A notice of the request for amendment shall be sent to all Benefiting Subdividers, including all relevant information and notice of public hearing as required by this condition. The amendment shall be subject to the approval of City Council at a duly noticed public hearing.

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- f. The form of the agreement between the Benefiting Subdivider and the Responsible Subdivider, as referenced in Condition subsection d, above, shall contain, at a minimum, all of the following essential elements, to the satisfaction of the City Engineer: (a) Identifying information including: an identification of the legal names of all relevant parties, an identification of the Benefit District Public Facilities which is the subject of the agreement, an identification of the legal descriptions of all real property benefiting from the Benefit District Public Facilities, a quantification of the dollar amount paid by the Responsible Subdivider for the costs related to construction of the Benefit District Public Facilities, a quantification of the Benefiting Subdivider's proportionate share of the costs related to construction of the Benefit District Public Facilities; and (b) The Responsible Subdivider's signed waiver of rights to any reimbursement in language substantially the same as the following: "The Responsible Subdivider hereby acknowledges that it has received valuable consideration from the Benefiting Subdivider, in return for which the Responsible Subdivider hereby waives its right to request reimbursement for the Benefiting Subdivider's proportionate share of the costs related to construction of the Benefit District Public Facilities. The Responsible Subdivider shall indemnify, defend, and hold harmless the Benefiting Subdivider and the City of Tracy (including their officials, officers, agents, and employees) from and against any and all claims, demands, damages, liabilities, costs, and expenses (including court costs and attorney's fees) resulting from or arising out of Benefiting Subdivider's failure to pay an in-lieu fee to the City for costs related to construction of the Benefit District Public Facilities."
- g. The City shall use reasonable efforts to administer the reimbursements from the Benefiting Subdivider to the Responsible Subdivider. The City shall make reimbursement payments to the Responsible Subdivider only to the extent that the City actually receives reimbursement payments from Benefiting Subdividers pursuant to Condition subsection d, above. Under no circumstances will the City be required to make any reimbursement payments to the Responsible Subdivider unless the City has actually received an equivalent sum in reimbursement payments from a Benefiting Subdivider. The City shall make no reimbursement payments to the Responsible Subdivider until after the construction of the Subregional Public Facilities are accepted as complete by the City Council. The right to receive reimbursement payments, if any, shall be personal to the Responsible Subdivider and shall not run with the land.
- h. The Responsible Subdivider shall maintain a file, for a minimum of five years after completion of construction of the Benefit District Public Facility, of all original documents related to: the construction of the Benefit District Public Facility, and all costs for which the Responsible Subdivider seeks reimbursement. The Responsible Subdivider shall provide access to the file to the City, upon reasonable prior notice from the City. After completion of construction of the Benefit District Public Facility, the Responsible Subdivider



shall provide access to the file to any Benefiting Subdivider, upon reasonable prior notice from the Benefiting Subdivider.

P. Fees, Deposits, and Reimbursements

1. Subdivider shall pay all required processing fees in accordance with City Regulations and these Conditions of Approval.
2. This Project shall be subject to the requirements of the Plan C Finance Plan, and the Subdivider shall pay all required fees and taxes required by the Plan C Finance Plan.
3. The Subdivider shall participate in any applicable Benefit Districts, Assessment Districts, or subregional reimbursement areas, in accordance with City Regulations.

Q. Special Conditions

1. The Subdivider shall, to the satisfaction of the affected utility companies and the City Engineer, underground or relocate all utilities within the Property and along on-site street frontages. The Subdivider shall underground or relocate all existing overhead utilities on Lammers Road frontage, or the Subdivider shall pay "in-lieu fees" paid pursuant to the requirements of City Code and the affected utility companies.

Prior to approval of Final Map(s), the Subdivider shall enter into agreement and/or dedicate easement to the utility company(s) for access and maintenance of their overhead facilities that are outside the dedicated right-of-way.

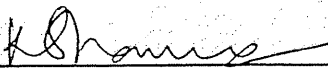
2. The Subdivider shall abandon or remove all existing irrigation structures, channels and pipes as directed by the City after coordination with the irrigation district, if the facilities are no longer required for irrigation purposes. If irrigation facilities including the tile drains, are required to remain to serve existing adjacent agricultural uses, the Subdivider will design, coordinate and perform required modifications to the facilities to the satisfaction of the affected agency and the City. A written permission from the irrigation district or affected owner(s) will be required to be submitted prior to City approval of the final map(s).
3. All existing on-site wells shall be abandoned in accordance with the City and County requirements.
4. Prior to recordation of any final map within the Project, the Subdivider shall coordinate with the City and the School Districts regarding vehicular and pedestrian access to schools from this residential development. The Subdivider shall submit plans to the City showing pedestrian routes, facilities for bus transportation and bike

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paths for approval by the City prior to signing of the vesting Tentative Subdivision Map.

5. If more than one unit is to be recorded on the area of the Tentative Subdivision Map, the Subdivider shall prepare and provide to the City any necessary technical analysis, including any or all of the following: supplemental master plans, subregional studies, or site studies for water mains, sanitary sewers, and storm sewers. Any such required study must be approved by the City prior to the submittal of an improvement plan. Any such required study is subject to review with any requested time extension of approval of the Tentative Subdivision Map.
6. Subdivider shall coordinate with the Tracy Post Master for location of, and installation (by Subdivider) of, cluster type mailbox units. Design and construction criteria shall be in accordance with City requirements.
7. Subdivider, and/or owner of record, is responsible for assuring the maintenance of the park(s) and public improvements installed in the right-of-way. The public improvements include, but are not limited to, street landscaping, street lights, soundwalls, and intersection signals and improvements as defined in California Streets and Highway Code Sections 22525 et. seq. Subdivider shall be responsible for all formation costs. To comply with this obligation, Subdivider, and/or owner of record, shall evidence one of the following prior to approval of Final Subdivision Map(s): (i) participation in an existing Lighting and Landscape District, (ii) formation of a new Lighting and Landscape Maintenance District, or (iii) formation of a Homeowners Association that is required to maintain the public improvements installed in the right-of-way.
8. All solid waste collection shall occur at the front of all lots on the private streets. No collection shall occur in the alley ways.

Prepared By: \_\_\_\_\_ Date: \_\_\_\_\_

Reviewed By:  Date: 6/9/99

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