



## Staff Report

**TO:** Mayor, and City Council Members  
**FROM:** Christina Taylor, Community Development Director  
**DATE** March 17, 2020  
**SUBJECT: Annual Development Agreements Review**

---

### Background and Analysis:

The City of Beaumont Resolution No. 1987-34, adopted May 11, 1987, sets forth the regulations and requirements for the City to enter into a development agreement. The resolution contains seven articles addressing the development agreement process. The articles are as follows:

1. Applications;
2. Notices and Hearings;
3. Standards of Review, Findings and Decision;
4. Amendment and Cancellation of Agreement by Mutual Consent;
5. Recordation;
6. Periodic Review; and
7. Modification or Termination.

Article 6 of Resolution 1987-34 requires all development agreements be reviewed by the Planning Commission annually. The intent of the annual review is to determine if the property owner (or parties to the development agreement) are complying with the terms of agreement. The City is required to notify the property owners in writing of the annual review and to publish a notice of public hearing. If the Commission finds the parties to the agreement to be compliant, the review period is concluded. If the Commission finds the parties non-compliant, it may take actions per the resolution.

The City has six active development agreements. Of the six active agreements, four are subject to review at this time. Each of the development agreements have specific terms and conditions agreed to by the City and property owner. The following information provides a brief summary of the agreement.

## **Pardee Homes**

### **Entitlements:**

Sundance Specific Plan, EIR Addendum, Tentative Maps for a maximum of 4,450 single-family residential dwelling units and associated improvements.

### **Terms:**

25 years beginning 08/2004 and expiring 8/2029.

### **Status:**

Compliant with terms of the agreement.

### **Key Points:**

Revision to original DA for Deutsch SP,  
Allows for CFD,  
Fee rates are not locked in, and  
Extends validity of tract maps for length of the DA.

## **SDC Fairway Canyon LLC**

### **Entitlements:**

Specific Plan 318, EIR and Addendum, Findings of Substantial Conformance, Vesting Tentative Map for a maximum of 4,355 residential units.

### **Terms:**

25 years beginning 11/2002 and expiring 11/2029.

### **Status:**

Compliant with terms of the agreement.

### **Key Points:**

Allows Phasing,  
Allows for CFD, and  
Fee rates are not locked.

## **LV Heartland LLC**

### **Entitlements:**

General Plan Amendment, Specific Plan, EIR, Tentative Maps for a maximum of 1,224 residential units.

### **Terms:**

25 years beginning 12/1993, Amended 11/2016 and expiring 12/2028.

**Key Points:**

Option for one, five (5) year extension if permits for at least 500 residential lots have been issued prior to original expiration – 196 units occupied to date, 341 total permits anticipated by end of 2020;

Amendment acknowledged SunCal bankruptcy and reassigned ownership to LV Heartland LLC;

Allows for CFD;

Provides for establishment of an HOA;

Outlines HOA obligations - Exhibit C identifies landscaping, walls, monuments streetlights, parks, open space and drainage maintenance obligations of the HOA;

Requires a Phasing Plan for phasing of the development;

Fee rates are not locked in;

Extends validity of tract maps for ten years with opportunity for two, one (1) year extensions; and

Allows for vesting tentative maps.

**City Ventures****Entitlements:**

General Plan Amendment, Sunny-Cal Specific Plan, EIR, Annexation, Tentative Maps on approximately 200 acres of land for a maximum of 597 single-family residential dwelling units and associated improvements.

**Terms:**

25 years beginning 9/2007 and expiring 2032.

**Key Points:**

Allows for CFD,

Allows for phasing,

Fee rates are not locked in, and

Provides a Statement of Benefits to the City (Exhibit E).

This review of development agreements is intended to refamiliarize the Planning Commission and City Council with these agreements and reestablish the procedure, per Resolution 1987-34, by which these agreements will be reviewed. Beginning December 2020, each agreement will be reviewed annually at the Planning Commission meeting closest to the anniversary date of the development agreement. On March 10, 2020, the Planning Commission conducted a review of these development agreements and found each to be compliant with their respective requirements.

**Fiscal Impact:**

None. The cost of preparing the staff reports and conducting annual reviews is covered by the required fee established in the City's fee schedule.

**Recommended Action:**

Receive and file.

**Attachments:**

- A. Resolution 1987-34
- B. Annual Development Agreement Review Letter to Owner
- C. Pardee Homes Development Agreement
- D. SDC Fairway Canyon LLC Development Agreement
- E. LV Heartland LLC Development Agreement
- F. City Ventures Development Agreement