

result, interest from brick-and-mortar retailers has significantly increased since the beginning of 2022.

BACKGROUND

The property that is the subject of the Development Agreement (Attachment 6) is approximately 30.42 acres in size, is generally bounded on the west by Pedley Road, on the east by Bravo Estates Mobile Home Park, and on the north by the State Route 60. The property is referred to “Project Site” and includes the following Assessor’s Parcel Nos: 169-070-028, 169-070-029, and 169-004-027.

The site is zoned General Commercial (C-1/C-P), and Scenic Highway Commercial (C-P-S). The site is located at the southeast corner of Pedley Road and State Route (SR-60). Table 1 provides general property information for the Project Site and Figure 1 provides an aerial image of the Project Site.

TABLE 1: PROJECT SITE INFORMATION

APN	GP Land Use	Zoning	Acreage
169-040-027	Commercial Retail (CR)	General Commercial (C-1/C-P)	30.42 Ac
169-070-028		Scenic Highway Commercial (C-P-S)	
169-070-029			

FIGURE 1: AERIAL IMAGE OF PROJECT SITE, 2020



When the City approved the Project in 2015, the City approved the DA together with six other entitlements:

- (1.) **Development Agreement No. 1402 (DA1402):** To establish a binding agreement between the City and the Applicant that specifies required contributions to the City and penalties if the Applicant exceeds the established time limitations for finishing grading and constructing the shopping center. See Attachment 6.
- (2.) **General Plan Amendment No. 1203 (GPA1203):** Changing the land use designation of 5.8 acres from Medium High Density Residential (MHDR) to Commercial Retail (CR)
- (3.) **Change of Zone No. 1201 (CZ1201):** Changing the zoning of 5.8 acres from Mobilehome Park(R-T) to Scenic Highway Commercial (C-P-S).
- (4.) **Tentative Parcel Map No. 36060 (TPM36060):** A Schedule E commercial subdivision of 30.42 gross acres into 13 commercial parcels.
- (5.) **Variance No. 1403 (VAR1403):** A variance for a deviation from the development standards regarding height, sign area, and number of permitted pylons and monument signs within the Project site.
- (6.) **Site Development Permit No. 31203 (SDP31203):** A Site Development Permit to allow 265,978 square feet of commercial development on the site.
- (7.) **Conditional Use Permit No. 1202 (CUP1202):** To permit the operation of a “gasoline service station with the concurrent sale of beer and wine for off-premise consumption and convenience store including the sale of motor vehicle fuel. Due to an over-concentration of alcohol licenses within the Project’s census tract, a Determination of Public Convenience or Necessity (PCN) will be required for the building denant at a future date. The CUP also includes the sale of alocholic beverages in other retail stores within the shopping center such as a drug or general merchandise store. All retail “off-premise” sales of alocholic beverages from this site will require each tenant to apply for and be granted a PCN by the Planning Comission.

FIGURE 2: APPROVED SITE PLAN AND AERIAL IMAGE



The Project site plan includes 12 commercial buildings and the associated site improvements. The site plan shows a total of 265,978 square feet of development. Table 2 demonstrates the type of buildings that are part of this Project:

TABLE 2. PROJECT BUILDING DETAIL

Building Number	Proposed Use	Building Size (Square Feet)
Retail #1	General Retail	18,000
Retail #2	General Retail	42,500
Retail #3	General Retail	20,000
Retail #4	Grocery	95,513
Retail #5	General Retail	27,152
Retail #6	General Retail	10,000
Retail #7	Food Retail	9,000
Retail #8	Drug Store	15,500
Retail #9	General Retail	10,000
Restaurant #1	Sit Down	11,000
Restaurant #2	Fast Food	3,813
Gas Station w/ C. Store		3,500

On May 13, 2015, the Planning Commission held a public hearing on the Development Agreement, Land Use Approvals, and the proposed Environmental Impact Report and recommended approval to the City Council. On October 15, 2015 the City Council adopted Resolution No. 2015-53 certifying the Environmental Impact Report, the Project and the Development Agreement. On October 15, 2015 the City Council introduced Ordinance No. 2015-16 and on November 5, 2015 held the second reading and adopted Ordinance No. 2015-16 approving this Development Agreement.

The Development Agreement vested the Applicant’s rights to develop the Project and extended each of the adjudicative entitlements for the term of the DA. Pursuant to the terms of the DA, there is a 7-year term that commenced on the “Effective Date” of December 7, 2015.

On February 1, 2018, the City and Applicant executed the First Operating Memorandum to the Development Agreement (“First OM”) to confirm that the Effective Date of the Development Agreement is December 7, 2015, and to correct minor errors. The First OM became part of the Development Agreement and is required to be attached as an addendum. The Development Agreement is currently valid through December 7, 2022. See Attachment 7.

The amendment extends the Term of the Development Agreement from December 7, 2022 to December 7, 2029.

ANALYSIS

The DA established a binding agreement between the City and the Applicant that specifies required contributions to the City and penalties if the Applicant exceeds the established time limitations for finishing grading and constructing the shopping center. The following are provisions of the Development Agreement:

1. Grading: Given that the grading activity is such a major component of the Project and that it has the ability to be very disruptive to the community, a series of milestones and penalties were incorporated to protect the health, safety and welfare of the City, its residents and property owners.
2. Grading Milestones: The Development Agreement provides an initial grading permit approval period with the ability of extensions of times. If the Applicant takes 5 years to complete the grading, critical public improvements will be completed and the City will have \$2 million. Similar provisions have been established to ensure the installation of landscaping should grading activities continue beyond a specific time.
3. Architectural Approvals: The Conditions of Approval established four architectural styles that include Mission, Art Deco, and Craftsman. The Development Agreement included provisions allowing the Community Development Director to approval the final architecture to expedite the Project completion.

The amendment would result in the extension of the expiration date by seven years and correction of two minor clerical errors relating to subsequent development approvals and development impact fees. It does not change any of the other conditions. The City maintains the right to review the Development Agreement as the Project is developed to ensure that the Applicant is acting in good faith with the conditions of the agreement as applicable. The Pedley Crossing Shopping Center is a large development that will likely take several years to build out. Extending the term will provide additional time to make the Project a reality.

GENERAL PLAN FINDINGS

The proposed amendment is consistent with the 2017 City of Jurupa Valley General Plan, including the goals and objectives in that it:

1. Provides necessary services to the nearby community and freeway passerby.
2. The Project will generate new short term and long-term quality employment opportunities within the City.
3. New business in the City will serve to attract additional new commercial uses and thus generate additional long-term jobs within the City.
4. The Project will expand and enhance the City's tax base through increased property values and consumer purchasing. The Project will generate new tax revenues that will assist the City in funding public services for the residents and businesses within the City. New sales tax revenues will be generated for the City at the retail and restaurant uses. Additionally, the City's portion of the property taxes generated by the construction of the Project will be substantially increased.
5. The Project preserves and enhances the job/housing balance described in the City's General Plan and various regional plans.
6. The Project will promote the stability and diversification of the City's economy.

PUBLIC NOTICE

The Project was advertised in the Press Enterprise Newspaper on September 4th, 2022. Additionally, public hearing notices were mailed to property owners within 1,000 feet of the Project site. As of the writing of this report, no written communication or phone calls indicating support or opposition have been received.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The proposed amendment does not result in any physical environmental impacts not already analyzed in the approval of the Pedley Shopping Center. Based on the Previous Environmental Document (PED) prepared for the Pedley Shopping Center, all potentially significant effects have been avoided or mitigated according to the Final Environmental Impact Report (EIR), State Clearinghouse (SCH) #2008121072, and City of Jurupa Valley Master Application 1202 (MA1202), certified on October 15, 2015. Therefore, the Project is “within the scope” of the previously certified EIR. According to PRC §21166 and CEQA Guidelines §15162, CEQA does not require the preparation of any further environmental review.

Prepared by:



*Rob Gonzalez
Senior Planner*

Submitted by:



*Joe Perez
Community Development Director*

Reviewed by:

//s// Maricela Marroquin

Maricela Marroquin
Deputy City Attorney

ATTACHMENTS

1. Planning Commission Resolution No. 2022-09-14-03
2. Draft Development Agreement Ordinance
 - a. Exhibit A. Draft First Amendment to Development Agreement
3. Previous Environmental Determination For DA1402A1
4. Project Narrative
5. Approved Plans for Shops at Pedley
6. Adopted Development Agreement
7. Adopted First Operating Memorandum