

RESOLUTION NO. 2021-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING A MAJOR SITE PLAN FOR A 164-DWELLING UNIT RESIDENTIAL COMMUNITY, INCLUDING 49 DETACHED SINGLE-FAMILY RESIDENTIAL HOMES AND 115 TOWNHOMES ON A 12.52-ACRE PROPERTY LOCATED ON THE SOUTHWEST CORNER OF EUCLID STREET AND ROSECRANS AVENUE

PRJ2021-00006 – ZON-2021-0032, SUB-2021-0002,
LRP-2021-0006, LRP-2021-0007, LRP-2021-0008

APPLICANT: SHOPOFF REALTY INVESTMENTS, L.P.
PROPERTY OWNER: SUNRISE VILLAGE OWNER, LLC.

RECITALS:

WHEREAS, the applicant filed applications with the City of Fullerton Community and Economic Development Department for a Major Site Plan (ZON-2021-0032), Tentative Tract Map (SUB-2021-0002), General Plan Revision (LRP-2021-0006), Zoning Amendment (LRP-2021-0007) and Development Agreement (LRP-2021-0008) for the construction of a 164 dwelling unit residential community, including 49 detached single-family residential homes and 115 townhomes on property more specifically described as: Orange County Assessor's Parcel Nos. 287-241-01, -04, and -06 (Lot 1 of Lot Line Adjustment No. 207, in the City of Fullerton, County of Orange, State of California, recorded September 12, 2021, as Instrument No. 2021000509353, of Official Records, in the office of the County Recorder of said county; Together with Parcel 4, in the City of Fullerton, County of Orange, State of California, as shown on a map filed in Book 88, Page 50, of Parcel Maps, in said office of the County Recorder.).

WHEREAS the Planning Commission of the City of Fullerton, in compliance with the noticing requirements of Fullerton Municipal Code (FMC) Chapter 15.76, held a duly noticed public hearing for PRJ-2021-00006.

WHEREAS FMC Section 15.47.040 authorizes the Planning Commission to act on a Major Site Plan, considering compliance with development standards and design review criteria (15.47.060).

WHEREAS the Planning Commission of the City of Fullerton recommended that City Council approve PRJ2021-00006 including Major Site Plan (ZON-2021-0032), Tentative Tract Map (SUB-2021-0002), General Plan Revision (LRP-2021-0006), Zoning Amendment (LRP-2021-0007) and Development Agreement (LRP-2021-0008).

WHEREAS, the City of Fullerton, as Lead Agency, prepared an Initial Study / Mitigated Negative Declaration to identify the potential environmental impacts associated with the

construction and implementation of the project in conformance with the provisions of the California Environmental Quality Act (CEQA) (California Public Resources Code, Sections 21000 et seq.) and CEQA Guidelines (Title 14, California Code of Regulations, Chapter 3, Section 15000 et seq.).

WHEREAS, the Planning Commission and City Council considered the information contained in the Draft Initial Study / Mitigated Negative Declaration dated September 2021 and Technical Appendices, the Final Initial Study including Comments, Responses to Comments and Errata dated October 2021, the Mitigation Monitoring and Reporting Program and the administrative record during the public review process.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FULLERTON RESOLVES AS FOLLOW:

1. In all respects as set forth in the Recitals of the Resolution.
2. City Council, pursuant to FMC Section 15.47.040.B.2.b finds as follows:

Finding: That the proposed use is permitted in the requested PRD-I (Planned Residential Development - Infill) zoning classification.

Fact: The PRD-I zone provides standards for predominantly residential infill development on sites less than 40 acres in size to ensure a quality development compatible with its surroundings. The project proposes a combination of small lot-single-family detached and townhome units on an underutilized commercial retail infill site in a density of 13.1 DU / acre consistent with the Low / Medium Density Community Development Type of The Fullerton Plan. The PRD-I zoning classification is consistent with the Low / Medium Density general plan designation.

Finding: That the project meets all applicable development standards.

Fact: The PRD-I development standards are established based on the type of street or streets on which a site is located and utilize a combination of Building Types and Frontage Types to ensure a quality development compatible with its surroundings. The project is a combination of House and Tuck-Under Building Types and is consistent with development standards.

Finding: That the proposed project design is pleasant in character and harmonious with the past development of Fullerton, illustrating a design compatibility with the desired developing character of the surrounding area.

Fact: The project is designed with a transitional modern architecture style for the single-family detached units and a contemporary style for the town homes. Although different styles, colors are complementary and material commonalities exist throughout the community providing a cohesive design compatible with the surrounding area.

Finding: The project screens exterior trash, storage areas and service yards from view of nearby streets and adjacent structures in a manner compatible with building site design.

Fact: Each single-family dwelling is designed to provide space in the garage, beyond the required parking area, for three-bin residential collection. Each townhome is designed to provide space in the garage, beyond the required parking area, for two-bin multi-family collection.

Finding: The project blends proposed grading with the contours of the project site.

Fact: The existing site slopes from approximately 268 feet (msl) near its northwestern corner to approximately 215 feet msl at its southern boundary. Cut and fill grading activities are anticipated such that the soil would be balanced onsite and requires no import / export of soils. The project generally retains the existing topography in relation to the surrounding streets.

Finding: The traffic patterns of the proposed development will minimize impacts on surrounding properties and streets and accommodate emergency vehicles.

Fact: The three stop-controlled driveways, one on Camino Loma, one on Rosecrans Avenue and one on Euclid Street, would provide primary vehicular access to the Project site. The internal roadway network would provide access to all residential units. The Project does not propose restricted driveways or gated entries. The Project would maintain public and reciprocal access as part of the Project. Further, two driveways along internal "Street A" would provide access to the existing office building at 1901 Euclid Street and the adjacent "not-a-part" 1.42-acre commercial parcel. Emergency vehicles would continue to have access to roadways in the area during constriction and after completion of the project.

Fact: Staff prepared a Traffic Impact Analysis under the direction of the City Traffic Engineer at four intersections surrounding the project as well as at the two project driveways in accordance with the City's adopted Transportation Assessment Policies and Procedures (TAPP). The Assessment found no effects on transportation. Furthermore, the project would result in a net reduction of average daily trips as well as a.m. and p.m. peak hour trips.

Finding: Buildings are sited so as to avoid crowding and to allow for a functional use of the space between buildings.

Fact: The single-family units are designed with side and rear yards and the townhomes are distributed in 24 building clusters with entrances facing common open space areas / walkways. The streets are designed to provide sidewalks on either side for walkability throughout the community and connecting to the retail areas nearby.

Finding: Landscaping has been designed to create a pleasing appearance from both within and off the site and to accommodate adequate sight distances for motorists and pedestrians entering and exiting the site.

Fact: Landscaping is proposed in a combination of active and passive spaces both as viewed from the surrounding streets and internal to the neighborhood. No proposed landscaping would conflict with site entry / exit.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FULLERTON RESOLVES AS FOLLOWS:

City Council does hereby approve said Major Site Plan ZON-2021-0032, subject to the following conditions of approval:

Project Specific:

1. Each dwelling owner and tenant shall ensure that the garage remains available and unencumbered to provide the required two parking spaces for each unit.
2. CC&Rs shall include requirements for garage parking and use of guest parking, subject to the review and approval of the Community and Economic Development Director.
3. Garages shall be equipped with hanging storage or shelving units to provide for storage in garages and to maintain the garage for parking of vehicles.

General Conditions:

1. This action approves the applicant submitted plans dated July 6, 2021 and as conditioned herein. The term “approved Major Site Plan” pertains to the aforementioned plans.
2. The construction and operation of the project shall comply with the Standard Conditions (Exhibit A), Engineering Conditions of Approval (Exhibit B) and Mitigation Monitoring and Reporting Program (Exhibit C).
3. The applicant shall submit construction plans to the Community and Economic Development Department for review and issuance of building permit(s). Construction plans shall comply with Fullerton Building Codes as adopted and in effect at time of plan submittal and prepared in substantial conformance with the approved Major Site Plan except to the extent that the conditions herein modify plans or designs.

4. Subsequent changes to the approved Major Site Plan during construction plan review and throughout the construction process require review and pre-approval by the Director of Community and Economic Development or as required by Fullerton Municipal Code Section 15.47.040.D. Building plans or plan revisions, as applicable, shall reflect approved changes prior to receiving final occupancy approvals.
5. Prior to or concurrent with submittal of plans for building permits, the applicant shall provide a materials manual to the Planning Division, documenting the building materials and architectural details including, but not limited to, wall materials, accent materials, windows, railings, doors and exterior lighting for review and approval by the Community and Economic Development Director. The manual shall include cut sheets and/or manufacturer's brochures for details (and samples if required). The review shall verify consistency with the approved Major Site Plan and representations made by the applicant.
6. The applicant shall submit project identification signage under separate permit and shall be architecturally compatible with the style of the development as determined by the Director of Community and Economic Development.
7. Prior to issuance of building permits, the applicant shall submit a Landscape Documentation Package to the City for plan check review and approval in compliance with Fullerton Municipal Code Chapter 15.50. The Landscape Documentation Package includes, but is not limited to, certified landscape and irrigation design plans including water efficiency calculations. The applicant shall install landscaping and irrigation in accordance with the approved landscape plans, with installation completed and a one-year maintenance bond in an amount of \$500, posted as a prerequisite to the final approval of the development and/or occupancy of the units.
8. Applicant / Property Owner is responsible for ensuring that information contained in construction plans and drawings is consistent among architectural, structural, grading, electrical, mechanical, plumbing, fire, utility and public improvement plans as well as other construction drawings for site development pursuant to this parcel map. The Applicant / Property Owner may transfer this responsibility to the Project Architect. While the City aims to correct inconsistencies, they are the ultimate responsibility of the Applicant / Property Owner / Project Architect to remedy, up to and including completing construction revisions prior to receiving final occupancy approvals.
9. The applicant shall agree to indemnify, hold harmless and defend the City of Fullerton, its officers, agents and employees, from any and all liability or claims that may be brought against the City arising out of its approval of the project.

ADOPTED BY THE FULLERTON CITY COUNCIL ON DECEMBER 7, 2021.

Bruce Whitaker
Mayor

ATTEST:

Lucinda Williams, MMC
City Clerk

Date

Attachments:

- Exhibit A – Standard Conditions
- Exhibit B – Engineering Conditions of Approval
- Exhibit C – Mitigation Monitoring and Reporting Program