

RESOLUTION NO. 2022-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP TPM 2020-173 TO CREATE ONE LOT UNDER COMMON OWNERSHIP ON A 3.55-ACRE PROPERTY LOCATED ON THE NORTHEAST CORNER OF CHAPMAN AND COMMONWEALTH AVENUES

PRJ2020-00008 – ZON-2020-0074, SUB-2020-0003, LRP-2020-0016, LRP-2020-0017, LRP-2020-0018

APPLICANT: CS ACQUISITION VEHICLE, LLC (CORE SPACES)
PROPERTY OWNER: EDMUNDO F DIAZ AND LILIA M DIAZ TRUST AND
2751 CHAPMAN LLC

RECITALS:

WHEREAS, the Applicant filed applications with the City of Fullerton Community and Economic Development Department for a Major Site Plan (ZON-2020-0074), Tentative Parcel Map (SUB-2020-0003), General Plan Revision (LRP-2020-0016), Zoning Amendment (LRP-2020-0017) and Specific Plan (LRP-2020-0018) to develop a 420-unit (1,251 bed) student-oriented housing project with 12,438 square feet of ground floor commercial space more specifically described as: Orange County Assessor's Parcel Nos. 338-091-05, -06, and -07.

WHEREAS, the applicant has submitted a Revised Alternative Project with 377 units (1,103 beds) and 12,438 square feet of ground floor commercial space.

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 held a duly noticed public hearing for PRJ-2020-00008.

WHEREAS, FMC Section 16.03.030 authorizes the Planning Commission to act on a Tentative Parcel Map and FMC 15.76.060.C establishes that the City shall process multiple applications for the same project concurrently and review and approve or deny by the highest review authority designated by the Title for any of the applications.

WHEREAS, the Planning Commission of the City of Fullerton recommended that City Council approve PRJ2020-00008 including Major Site Plan (ZON-2020-0074), Tentative Parcel Map (SUB-2020-0003), General Plan Revision (LRP-2020-0016), Zoning Amendment (LRP-2020-0017) and Specific Plan (LRP-2020-0018).

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 have considered the information contained in the Draft Initial Study / Mitigated Negative Declaration dated August 2021 and Technical Appendices; the Final Initial Study including Comments, Responses to Comments and Errata dated September 2021; the Mitigation Monitoring and Reporting Program; the Hub Fullerton Alternative Project CEQA Memo and the administrative record during the public review process.

RESOLUTION

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

1. In all respects as set forth in the Recitals of the Resolution.
2. City Council, pursuant to FMC Section 16.03.030 finds as follows:

Finding: The City Engineer and Director of Community and Economic Development shall examine each tentative parcel map by for its correctness and compliance with City ordinances and policies.

Fact: That Tentative Parcel Map No. 2020-173 meets the requirements of Title 16 of the Fullerton Municipal Code and the State of California Subdivision Map Act. The City Engineer has reviewed the proposed map in relation to the provisions of Title 16 of the Fullerton Municipal Code and the Subdivision Map Act and has found the map in conformance with these regulations.

Finding: That Tentative Parcel Map No. 2020-173 conforms to The Fullerton Plan, as follows:

Fact: The proposed subdivision will consolidate three lots with two owners into a single lot under common ownership the boundaries of which are coterminous with the area of the 3.55-acre site proposed to be redeveloped for student-oriented housing and neighborhood supporting commercial uses in furtherance of the Planning Objectives for the Education Focus Area of The Fullerton Plan. In so much as a building cannot cross property lines and the Applicant desires to acquire the existing three lots and construct the associated buildings over the extent of the property, the proposed subdivision conforms to The Fullerton Plan.

Fact: The project supports multiple goals of The Fullerton Plan supporting the Community Development and Design, Housing, Mobility, Bicycle, Growth Management, Noise, Economic Development, Revitalization, Public Safety, Public

Health, Parks and Recreation, Water, Air Quality and Climate Change and Integrated Waste Management Elements.

THEREFORE, the City Council does hereby approve said Tentative Parcel Map SUB-2020-0003 / TPM 2020-173, subject to the following conditions of approval:

1. Approval of this application is contingent on the approval of Major Site Plan (ZON-2020-0074). Should City Council not approve Major Site Plan (ZON-2020-0074), Tentative Parcel Map (SUB-2020-0003), General Plan Revision (LRP-2020-0016), Zoning Amendment (LRP-2020-0017) and Specific Plan (LRP-2020-0018) shall be similarly denied.
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 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 this Resolution, save and except that caused by the City's active negligence.

ADOPTED BY THE FULLERTON CITY COUNCIL ON JANUARY 18, 2022.

Fred Jung
Mayor

ATTEST:

Lucinda Williams, MMC
City Clerk

Date

Attachments:

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