



## CITY OF FULLERTON

Community Development Department

Item No. 3  
December 12, 2018  
7:00 p.m.  
Public Hearing

**TO: Chair Dunlap and  
Members of the Planning Commission**

### APPLICATION

PRJ18-00376 / ZON18-00072

### APPLICANT

Larry Rovira

### LOCATION

1155 West Orangethorpe Avenue

### SUMMARY AND APPLICATION REQUESTED

The applicant is requesting approval of a Conditional Use Permit to operate a student housing dormitory affiliated with California State University, Fullerton, for a maximum of ten students, on property located at 1155 West Orangethorpe Avenue.

### CEQA DETERMINATION

Categorically exempt per California Environmental Quality Act (CEQA) Guidelines Section 15301 (Class 1 – Existing Facilities).

### AUTHORIZATION/GUIDELINES

Fullerton Municipal Code (FMC) Table §15.17.020.A requires a Conditional Use Permit for a dormitory use in the Single-Family Residential (R-1) zones.

### PUBLIC OUTREACH

On November 28, 2018, the City sent 123 Public Hearing Notices to owners and tenants of properties within a 300 foot radius of the project site. Notification was posted in two locations (one on the north side of the property adjacent to Porter Avenue and one on the south side of the property adjacent to Orangethorpe Avenue) on the same date. Additionally, the Public Hearing Notice was published in the Fullerton News Tribune on November 29, 2018. The notice was also posted on the City's website and at the Maintenance Services Department, Main Library, Museum

### THE EDUCATION COMMUNITY

303 West Commonwealth Avenue, Fullerton, California 92832-1775  
(714) 738-6598 • Fax (714) 738-3110 • Web Site: [www.ci.fullerton.ca.us](http://www.ci.fullerton.ca.us)



Center and City Hall on the Public Notice Boards. Following the on-site posting of this action, the City has received several phone inquiries from nearby residents regarding the proposed use. The comments provided were related to compatibility of the use, concerns about noise generated by the use and parking. Each of these items has been considered in the analysis section of this report.

## PROJECT BACKGROUND

<i>Applicant:</i>	Larry Rovira
<i>Property Owner:</i>	Larry and Theresa Rovira
<i>Property Location:</i>	1155 West Orangethorpe Avenue
<i>General Location:</i>	North side of Orangethorpe Avenue, approximately 250 feet east of Orchard Avenue
<i>Parcel Number:</i>	072-343-19
<i>Existing Community Development Type (General Plan Land Use Designation):</i>	Low-Density Residential
<i>Existing Zoning Classification:</i>	R-1-7,200 (Single-Family Residential, 7,200 square foot minimum lot size)
<i>Site Size:</i>	28,560 square feet
<i>Circulation:</i>	The site is accessed via one through driveway with access from both Porter Avenue, which is a local street and Orangethorpe Avenue which is classified as a major arterial highway.
<i>Parking:</i>	The subject site currently contains a two-car garage at the northwest corner, with a driveway located on the easterly side of the site which runs along the entire length (approximately 238 feet long) of the property.
<i>Existing Conditions:</i>	The subject site is developed with a single-family residential dwelling of approximately 3,700 square feet with existing landscaping, garage and water tower.
<i>Surrounding Land Uses and Zoning:</i>	<u>North, South, East &amp; West</u> – Properties zoned R-1-7.2 (Single-Family Residential, 7,200 square foot minimum lot size)

## PROJECT DESCRIPTION

The applicant proposes to operate a student housing dormitory for a maximum of ten students, affiliated with California State University, Fullerton. The applicant has submitted plans to staff which indicate no physical changes to the main dwelling, garage or pump house. The site plan identifies a total of 16 parking stalls on-site (14 open parking stalls and 2 stalls within the existing garage), which are meant to accommodate the students living at the property and any guests. In addition, the applicant has indicated all students must follow "house rules" which are attached for review (Attachment 3). Furthermore, the University has provided a letter acknowledging the applicant's intent to offer student housing to its students (Attachment 4).

### **Site Background**

The subject property is designated as a Local Historical Landmark (HL-61), known as the Gardiner House, and has been so since 1998. The applicant proposes no physical changes to any of the structures on-site. The Gardiner House is one of two homes constructed for the Gardiner family, which was instrumental in the early formative years of the City. The structures on-site have been well maintained since its construction in 1923, and the house retains all of its distinguishable Colonial Revival architectural features. The mature, lush landscaping has continued to thrive and adds character to the overall site.

### **ANALYSIS**

Pursuant to Fullerton Municipal Code (FMC) Table 15.17.020.A, a Dormitory use in the R-1 Zone requires a Conditional Use Permit. Section 15.70.010.A allows the Planning Commission to grant a Conditional Use Permit pursuant to the findings listed in Section 15.70.040.D. The Fullerton Municipal Code defines a Dormitory as:

*“A building intended or used principally for sleeping accommodations, where such building is related to an educational or public institution, including religious institutions but excluding fraternities and sororities.”*

Based on the operational plan provided, staff has concluded the proposed use falls within the definition of Dormitory. FMC Section 15.70.040 provides the framework for the analysis of conditionally permitted uses, requiring evaluation of the proposed business with respect to its compatibility with surrounding land uses and its potential impacts upon the health, safety and general welfare of persons working or residing in the vicinity. For the proposed dormitory use, the primary issues to consider are parking, noise, operational characteristics, and in this particular instance, the proper maintenance of the historic structures on-site.

### **Parking**

Minimum parking requirements for a dormitory use are specified in FMC Section 15.17.080.A.3, which calls for one-half parking space per resident. The applicant is proposing to add fourteen open parking stalls; the property currently has an enclosed two-car garage, for a total of sixteen stalls on-site for the proposed dormitory use. Based on the maximum number of ten student residents, the applicant is proposing a one and one-half space parking ratio per resident; which is well above the minimum one-half space required per code. In addition, recommended conditions limit the number of guests allowed on the property to the number of available on-site parking spaces, restrict access to the property from Porter Avenue to emergency personnel only and prohibit resident and guest parking on Porter Avenue. In addition, a condition is included that requires installation of a solid view obscuring gate to remain closed and locked at all times, except when accessed by emergency personnel only. Students are unlikely to park on Porter if there is no access provided to the property.

### **Noise/Operational Characteristics**

Noise generated by the dormitory was also identified as a potential impact to the single-family residences in the area. Students often have a propensity to congregate and socialize within their habitable space; this can become an issue if not properly monitored by the property owner. The applicant states there will be an on-site “in-residence house manager” residing at the property. In addition, the Community Development and Police Departments have formulated conditions to

mitigate potential issues related to noise impacts. These conditions include a prohibition on live music on the property at any time and on outdoor amplified music.

### **Maintenance of Site**

The property was designated a Local Landmark in September 1998, per Planning Commission Resolution 49-77. The Fullerton Plan (General Plan) includes a Historic Preservation Element to guide the preservation, protection, restoration and rehabilitation of historical resources. The designation of properties as Local Landmarks is a way in which the City demonstrates the value it places on its heritage and helps to preserve its past. Adaptive reuse of property is permitted under the zoning ordinance, with the caveat that proposed changes to the building's exterior or to its interior features that contribute to the historic character of the building, shall first undergo review by the City.

Other aspects of site maintenance pertain to general upkeep of buildings and grounds, landscaping and refuse disposal. To protect the historic resource and the character and integrity of the surrounding neighborhood, recommended conditions limit the number of dormitory residents and address general upkeep of the property, front yard landscape restoration, disposal of trash and outdoor storage.

### **Recent Actions Occurring on Site**

Since the current property owner/applicant has purchased the property in January 2018, there have been two code enforcement cases recorded on-site.

- The first case was opened in February of 2018 – notes state that a Fraternity is organizing on-site without an approved Conditional Use Permit. Case was closed in April of 2018.

The owner/applicant met with City staff and agreed to rent out no more than three rooms to no more than a maximum of three people per Fullerton Municipal Code Section 15.17.030.O and the case was closed.

- The second case was opened in December of 2018 – notes state that there are approximately 9 students living on-site which would violate Fullerton Municipal Code Section 15.17.030.O.

Code Enforcement staff received the complaint and is currently working towards establishing the complaint; case is ongoing and has yet to be resolved.

<b>REQUIRED FINDINGS</b>
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Section 15.70.010.A allows the Planning Commission to grant a Conditional Use Permit pursuant to the findings listed in Section 15.70.040.D. In order to grant the Conditional Use Permit, the Planning Commission shall first make the findings listed below. If the Planning Commission can make the following findings, then it is appropriate to recommend approval of the project. Conversely, the inability to make these findings would result in a recommendation for denial. The information and analysis presented in the Staff Report and the following facts and findings form the basis for the staff recommendation. Those required findings are as follows:



Finding: That the proposed use is conditionally permitted in the zone and complies with all applicable zoning standards.

Fact: Fullerton Municipal Code (FMC) Section Table 15.17.020.A allows a dormitory use in the R-1 zone (Single-Family Residential), with the approval of a Conditional Use Permit.

Fact: As proposed, the project complies with the development standards related to dormitory use including the provision of sufficient on-site parking.

Finding: That the proposed use is consistent with the goals and policies of the General Plan of the City or any specific plan applicable to the area of the proposed use.

Fact: Policy 4.8 of The Fullerton Plan supports projects which seek co-benefits with historic preservation including the provision of housing. The proposed adaptive reuse of the property for student housing will allow a new complementary use of the property which also maintains its historic character.

Finding: That the proposed use as conditioned will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity.

Fact: The proposed dormitory use is allowed in the R-1-7.2 zone subject to a Conditional Use Permit. A Conditional Use Permit requires evaluation of a proposed use for compatibility with its surroundings, and for the imposition of conditions which will help assure that the use will not adversely affect the area in which it is located. The recommended conditions of approval related to occupancy limits, noise, parking, property maintenance and house rules adequately address areas of concern related to compatibility with adjacent residential properties.

Fact: The size (0.65 acres) of the property and location (adjacent to Orangethorpe Avenue) in combination with the Historic Designation make it well-suited for adaptive reuse as student housing than for single-family residential use.

Finding: That the project or use demonstrates compliance with the Design Criteria specified in Section 15.47.060 of Chapter 15.47.

Fact: The applicant is not proposing any new square footage and is not proposing significant exterior changes that would require a Site Plan Review pursuant to Chapter 15.47. The project makes few if any changes to the building and adds on-site parking. It also allows for preservation of a Local Historical Landmark.

## **ENVIRONMENTAL REVIEW**

The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines 15301 (Class 1 – Existing Facilities). This Categorical Exemption includes projects which consist of the operation, repair and permitting, leasing or minor alteration of existing private structures.

## GENERAL PLAN CONSISTENCY

The subject property has a General Plan land use designation of Low-Density Residential and a zoning designation of R-1-7.2 (Single-Family Residential minimum lot size 7,200 sq. ft.) which is consistent with the General Plan designation. Applicable General Plan policies include:

**P4.9 Historic Building Retrofits** Support projects, programs, policies and regulations to encourage the retrofit of historic buildings in ways that preserve their architectural design character, consistent with life safety considerations, maintaining the unique visual image of Fullerton.

The subject property was recently sold after being under family ownership for many years. The size of the property, at approximately four times the area of surrounding properties, and its corresponding property value was such that all potential purchasers were interested in either subdividing the property or repurposing the site. The project applicant's proposal for adaptive reuse allows for retention of the historic home and site.

## RECOMMENDED ACTION

Adopt Planning Commission Resolution No. PC-2018-28, including recommended conditions, entitled:

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT FOR A STUDENT DORMITORY ON A HISTORIC PROPERTY LOCATED IN THE R-1-7.2 ZONE AT 1155 WEST ORANGETHORPE AVENUE.**

**DATED:** December 6, 2018

Prepared by:

Reviewed and approved for Agenda by:

  
Christine Hernandez  
Associate Planner

  
Matt Foulkes  
Planning Manager

### Attachments to Report

1. Draft Planning Commission Resolution PC-2018-28
2. Submitted Plans
3. Student Housing Rules/Regulations
4. California State University Housing Letter
5. Site Photos
6. Public Hearing Notice
7. Notification Map

RESOLUTION NO. PC-2018-28

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT TO ALLOW A STUDENT DORMITORY ON A HISTORIC PROPERTY LOCATED IN THE R-1-7.2 (SINGLE FAMILY RESIDENTIAL, MINIMUM LOT SIZE 7,200 SQUARE FEET) ZONE AT 1155 WEST ORANGETHORPE AVENUE.

PRJ18-00376, ZON18-00072

APPLICANT AND PROPERTY OWNER: LARRY AND THERESA ROVIRA

RECITALS:

1. WHEREAS an application was filed for a Conditional Use Permit to allow a student dormitory on a historic property located in the R-1-7.2 zone at 1155 West Orangethorpe Avenue, more specifically described as:

Orange County Assessor's Parcel No. 072-343-19

2. WHEREAS the 28,560 square foot property contains a 3,700 square foot single family residence designated as a Local Historical Landmark (HL-61) and is located in a single family residential district; and

3. WHEREAS the property has frontage on two public streets; the front of the lot faces a major arterial highway (Orangethorpe Avenue) and the rear abuts a local street (Porter Avenue); and

4. WHEREAS the Planning Commission of the City of Fullerton, in compliance with the noticing requirements of Fullerton Municipal Code (FMC) §15.76.060, has held a duly noticed public hearing for PRJ18-00376 - ZON18-00039; and

5. WHEREAS FMC Table 15.17.020.A requires a Conditional Use Permit for a dormitory use in a Single-Family Residential (R-1) zone; and

6. WHEREAS FMC §15.70.040 establishes the criteria to be considered in evaluating a Conditional Use Permit request and authorizes the Planning Commission to approve a project when applicable findings can be made; and

7. WHEREAS this project is categorically exempt from the provisions of the Californian Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15301(a) – Existing Facilities.

## RESOLUTION

NOW, THEREFORE, BE IT FOUND DETERMINED AND RESOLVED by the Planning Commission of the City of Fullerton, as follows:

1. In all respects as set forth in the Recitals of the Resolution.
2. The Planning Commission, pursuant to Fullerton Municipal Code §15.70 finds as follows:

Finding: That the proposed use is conditionally permitted in the zone and complies with all applicable zoning standards.

Fact: Fullerton Municipal Code (FMC) Section Table 15.17.020.A allows a dormitory use in the R-1 zone (Single-Family Residential), with the approval of a Conditional Use Permit.

Fact: As proposed, the project complies with the development standards related to dormitory use including the provision of sufficient on-site parking.

Finding: That the proposed use is consistent with the goals and policies of the General Plan of the City or any specific plan applicable to the area of the proposed use.

Fact: Policy 4.8 of the Fullerton Plan supports projects which seek co-benefits with historic preservation including the provision of housing. The proposed adaptive reuse of the property for student housing will allow a new complementary use of the property which also maintains its historic character.

Finding: That the proposed use as conditioned will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity.

Fact: The proposed dormitory use is allowed in the R-1-7.2 zone subject to a Conditional Use Permit. A Conditional Use Permit requires evaluation of a proposed use for compatibility with its surroundings, and for the imposition of conditions which will help assure that the use will not adversely affect the area in which it is located. The recommended conditions of approval related to occupancy limits, noise, parking, property maintenance and house rules adequately address areas of concern related to compatibility with adjacent residential properties.

Fact: The size (0.65 acres) of the property and location (adjacent to Orangethorpe Avenue) in combination with the Historic Designation make it well-suited for adaptive reuse as student housing than for single family residential use.

Finding: That the project or use demonstrates compliance with the Design Criteria specified in Section 15.47.060 of Chapter 15.47.



Fact: The applicant is not proposing any new square footage and is not proposing significant exterior changes that would require a Site Plan Review pursuant to Chapter 15.47. The project makes few if any changes to the building and adds onsite parking. It also allows for preservation of a Local Historical Landmark.

THEREFORE, the Planning Commission does hereby APPROVE said CONDITIONAL USE PERMIT (ZON18-00072) subject to the following conditions of approval:

1. The dormitory shall house a maximum of ten residents at any time, with a maximum two occupants per bedroom.
2. The property shall not be used as a fraternity or sorority house. There shall be no meetings, events or activities associated with a fraternity or sorority at the property nor any identification, either physical or electronic identifying the property for fraternity or sorority use.
3. The maximum number of guests shall not exceed the number of available parking spaces within the property (16 spaces) pursuant to the approved site plan.
4. The garage shall be made accessible for the parking of vehicles at all times.
5. Resident and guest parking is prohibited on Porter Avenue.
6. Vehicular access from Porter Avenue shall be restricted for emergency access only and secured with a Knox lock.
7. Prior to occupancy as a dormitory use, an advisory sign shall be posted at the gate facing Porter Avenue stating Emergency Access and No Parking. Gate is to remain locked and closed at all times, unless accessed by Emergency Personnel.
8. Prior to occupancy as a dormitory use, applicant shall install solid fencing where it does not already exist along the Porter Avenue frontage. The existing wrought-iron fencing and gate at the Porter Avenue driveway shall be replaced with solid (view obscuring) fencing and gate.
9. Prior to occupancy as a dormitory use, applicant shall submit plans to the Public Works Department for the removal of the curb cut at the northwest corner of the property, and replace with curb and gutter.
10. Prior to occupancy as a dormitory use, applicant shall remove the shed structure that is adjacent to the two-car garage on the property.
11. Occupants shall, at all times, abide by the "House Rules" established as part of the operation of the dormitory. A copy of the final "House Rules" shall be submitted for review and approval by the Community Development Director and Police Department prior to operation of the dormitory. The House Rules shall include processes to ensure residents adhere to the rules and explicitly state that no live musical performances shall be permitted on the property and no amplified music shall be permitted outdoors or indoors where directed to the outdoors.
12. Property, including buildings, parking/vehicular circulation areas and landscaping shall be maintained in good condition at all times. Existing plant material and trees located along the eastern property line shall be maintained and may not be removed as part of the installation of parallel parking spaces identified on the site plan.
13. Prior to occupancy as a dormitory use, applicant shall replace dead or barren landscaping areas within the front yard and parkway adjacent to Orangethorpe Avenue with groundcover or plant material approved by the Community Development Director.

14. All trash generated by the dormitory shall be placed in trash containers and shall not be placed outside of the containers at any time. Trash container lid shall remain closed when not in use. If there is a need to dispose of oversized items, residents shall contact the City's trash contractor to schedule a pick-up, and such items shall not be placed outdoors before the scheduled pick-up date.
15. Due to the historic nature of the property and building (Fullerton Local Register of Historical Resources HL-61), prior to occupancy as a dormitory use, applicant shall prepare a photo inventory of the exterior of the buildings and grounds. The photos shall be provided to the Community Development Department to serve as a baseline by which to evaluate property maintenance as part of any required project reviews. There shall be no exterior modifications of residence, garage and pump house without prior approval from the City Planning Department.
16. The applicant shall submit an annual review letter for the first two years following approval of the conditional use permit, to be reviewed and considered by the Planning Commission at a duly noticed public hearing. The Planning Commission shall use the following criteria at any annual review, or other hearing as may be scheduled to determine whether the Conditional Use Permit shall be revoked or suspended:
  - a. Has the dormitory generated an excessive number of verifiable complaints from neighborhood residents against its operation, residents or guests?
  - b. Is the dormitory in compliance with all fire, building and zoning codes?
  - c. Has the dormitory management fully and adequately responded, in a timely manner, to correction notices issued by the city and/or complaints from nearby residents?
  - d. Has the dormitory consistently complied with all conditions of its Conditional Use Permit?
17. Prior to occupancy as a dormitory use, applicant shall schedule a Crime Prevention Through Environmental Design (CPTED) evaluation of the property by the Fullerton Police Department and implement the findings and recommendations from that analysis as prescribed by the Chief of Police.
18. Prior to occupancy as a dormitory use, applicant shall provide contact information for on-site management or responsible party and shall provide this information to all adjacent property owners.

ADOPTED BY THE FULLERTON PLANNING COMMISSION ON DECEMBER 12, 2018.

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Nicholas A. Dunlap, Chair

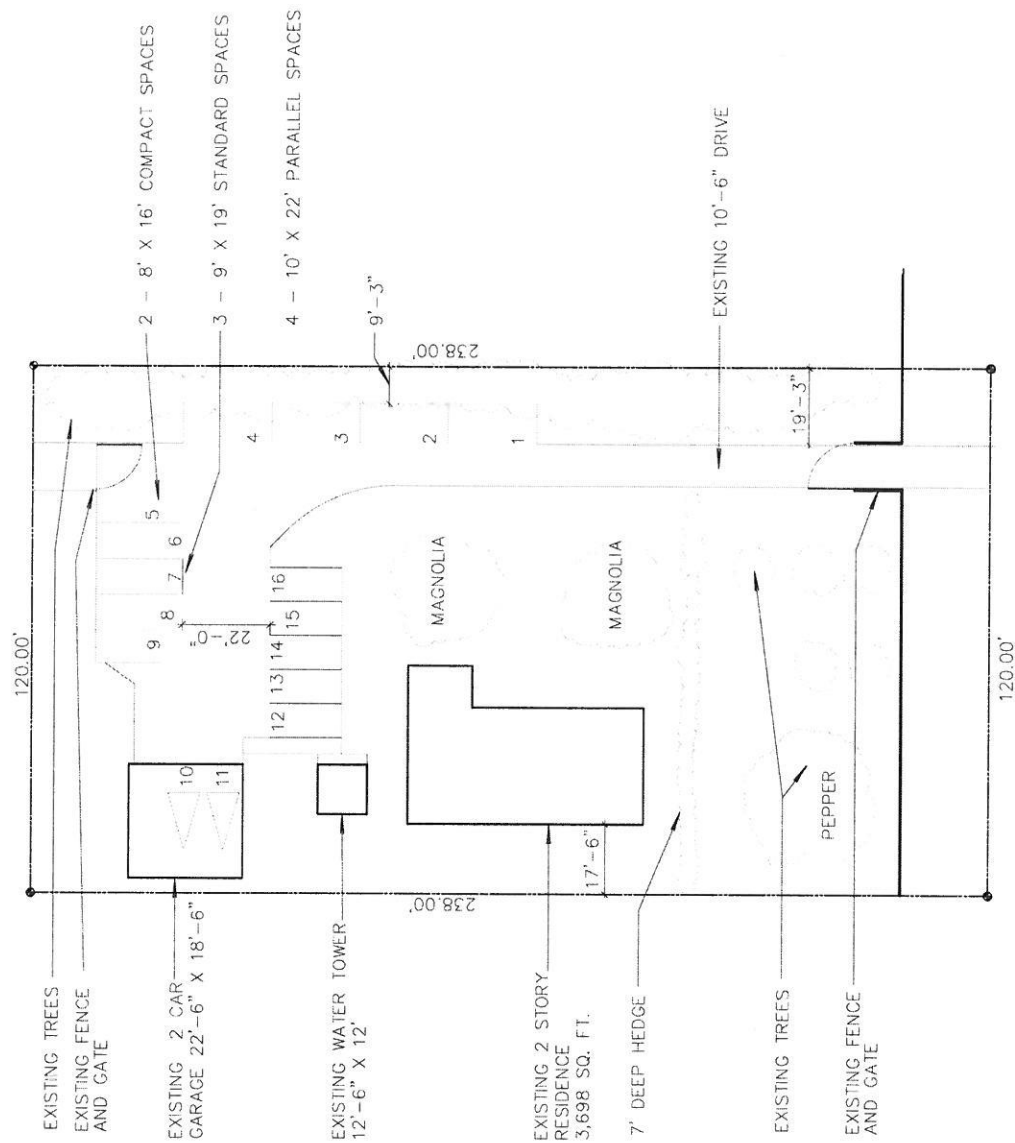
ATTEST:

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Janet Ragland, Recording Clerk

- 1 LOT SIZE = 28,560 S.F.  
64 ACRES OF LAND
- 2 PARKING PROVIDED = 16 SPACES  
BE REBUILT AS BOX SHELVES

PORTER AVENUE



VICINITY MAP



ORANGE THORPE AVENUE

**1155 W. ORANGETHROPE, FULLERTON, CA**  
**RULES & REGULATIONS**

- A. City/Fire Marshal Inspection. Tenant agrees that it shall comply with all fire and security regulations that may be issued from time to time by Landlord and the fire department, and that Lessee shall provide Landlord with the name of a designated responsible member to represent Lessee in all matters pertaining to such fire or security regulations.

Tenant agrees to arrange for an inspection of the Premises by the local fire marshal within ninety (90) days of the Commencement Date (and within 90 days of each annual anniversary of the Commencement Date), and to provide Landlord with written evidence of said inspection and any deficiencies found or noted by the fire marshal within five (5) days of the inspection.

- B. Affixing Items to Premises.

- a. Murals, lawn ornaments, and similar items must be approved by Landlord pursuant of the Lease before being affixed to or displayed from the Premises;
- b. Tenant agrees and understands that only pictures and plaques may be mounted on any wall of the Premises (including individual dorm rooms) with only the use of common picture hangers obtained from local hardware stores (i.e., no nails, no screws, no tape or other adhesive, etc.), and that no other item whatsoever shall be affixed to the interior and exterior walls without Landlord's advance written consent;
- c. Tenant shall not overload the floor of the Premises or mark, drive nails, screw or drill into the partitions, woodwork or plaster or in any way deface the Premises or any part thereof. Nor boring, cutting or stringing of wires or laying of linoleum or other similar floor covering shall be permitted except with the prior written consent of the Landlord and as the Landlord may direct. All ceiling hook installations must be approved by Landlord before installation to prevent damage to concealed heat tapes and wires;
- d. Additionally, Tenant agrees and understands that, except as may be approved by Landlord in writing, no area of the Premises (including any room) may be painted or re-painted, in whole or in part, except in the original paint colors approved by Landlord and as presently used throughout the Premises and then only with Landlord's advance written consent.

- C. Use of Premises. Tenant shall take reasonable steps to insure that:

- a. quit, study hours are maintained Sunday through Thursday 9 PM – 8 AM;
- b. no open parties;
- c. no one tampers with the life safety systems of the Premises;
- d. exit signs must be illuminated at all times;
- e. no bicycles and motorcycles are stored within the Premises;
- f. no firearms or weapons are brought onto or stored within any portion of the Premises;
- g. no fireworks are stored or used on any portion of the Premises;



- h. tenant shall not use or keep in the Premises any kerosene, gasoline or inflammable or combustible fluid or material, or use any method of heating or air conditioning other than that supplied by Landlord. Combustible material must not be stored in areas of gas-using fixtures including water heaters, ranges or dyers;
- i. no candles, incense or any type of smoking or cooking equipment is used in the dorm rooms, including but not limited to toasters, toaster ovens, hot water heaters, hot plates, microwaves, etc.;
- j. no person whomsoever smokes or uses any tobacco products or other similar products in the interior of the Premises. All interior portions of the Premises are **NON-SMOKING** and **TOBACCO FREE**; however, Tenant may designate certain outside areas of the Premises for smoking and tobacco product use;
- k. premises shall not be used for manufacturing or for storage of merchandise;
- l. tenant shall not alter any lock or install any new or additional locks or any bolts on any door of the Premises without the written consent of landlord;
- m. no extension cords are used anywhere on the Premises, provided that UL rated ground surge protectors may be used in place of extension cords;
- n. no person (other than authorized maintenance personnel) gains access or remains on any roof of the Premises. Tenant shall not access the roof at any time. Lessee and tenant assumes all damage to roof areas as a result of violation and breach of said rule;
- o. except for legally permitted service animals, no animal or pet of any kind is brought onto or kept upon any portion of the Premises at any time;
- p. the HVAC system remains operational at all times of the year, including during any holiday breaks (minimum 60 degrees and a maximum of 74 degrees Fahrenheit);
- q. the Premises remains secured and locked at all times to prevent uninvited guests and trespassers from gaining entry into the Premises. Tenant acknowledges and agrees that should any break-in occur over a holiday break or any other period, then upon Landlord's request, Tenant thereafter shall be obligated to hire someone (or member volunteer) to watch over and reside in the Premises during all future breaks and holidays;
- r. tenant agrees that it shall comply with all ABC, ATF, City of Fullerton, and California State University rules and regulations while hosting functions within the premises.

#### **MINIMUM PERFORMANCE REQUIRMENTS FOR JANITORIAL SERVICES**

The following janitorial services shall be performed not less than two (2) times per month:

1. Sweep and mop all tile/wood floors and vacuum all floors throughout the common areas of the Premises, including bathrooms, kitchen, dining room, hallways, stairs, entry foyer, Ball Room and Study Room.
2. Sweep front and top porch.
3. Pick-up and dispose of trash and debris around entire Premises (interior and exterior).
4. Empty trash cans to dumpster and replace trash bag liners.
5. Place trash cans at back curb on Thursday, and then return them back to their site on property Friday after trash day.

6. Clean bathrooms, including sinks, toilets and shower stalls with appropriate cleaning agents.
7. Clean kitchen and dining areas, including countertops, dining tables, serving tables, appliances, etc. with appropriate cleaning agents.
8. Re-stock paper products in bathrooms and kitchen.
9. Replace light bulbs.
10. Dust furniture, window blinds, pictures, award plaques, etc. throughout Premises, including Ball Room and Study Room.
11. Assist House Manager with keeping inventory of janitorial supplies and ordering additional supplies as needed.
12. Assist House Manager by reporting any damage to the Premises.

Additionally:

13. Once a month, clean windows (interior and exterior) of Ball Room and Study Room and entry door side lights, and dining/recreation room.
14. As needed, spot treat stains in furniture fabrics with appropriate cleaning agents tested for colorfastness.
15. As needed, clean and buff tile/wood floor in dining/recreation room.

**Tenant shall be responsible for the above cleaning of the Premises after every social function; it shall not be the responsibility of any third party janitor or janitorial service to service the Premises after Tenant social functions unless paid by Tenant.**



# CALIFORNIA STATE UNIVERSITY, FULLERTON

Division of Student Affairs

*Associate Vice President*

800 No. State College Blvd., Fullerton, CA 92834/92831 / T 657-278-4688 / E toseguera@fullerton.edu

Mr. Matt Foulkes, Planning Manager

City of Fullerton – Community Development

303 W. Commonwealth Ave.

Fullerton, CA 92832-1775

Dear Matt,

Mr. Larry Rovira has had a long standing positive working relationship with California State University, Fullerton. This letter acknowledges Mr. Larry Rovira's stated intention to operate 1155 W. Orangethorpe Ave., Fullerton, CA 92833 as housing for students attending California State University, Fullerton. Mr. Rovira, through his company SIGMA Property Investments, LLC, owns other properties also used by CSUF students for housing.

Sincerely,

THE CALIFORNIA STATE UNIVERSITY

Bakersfield / Channel Islands / Chico / Dominguez Hills / East Bay / Fresno / Fullerton / Humboldt / Long Beach / Los Angeles / Maritime Academy  
Monterey Bay / Northridge / Pomona / Sacramento / San Bernardino / San Diego / San Francisco / San Jose / San Luis Obispo / San Marcos / Sonoma / Stanislaus

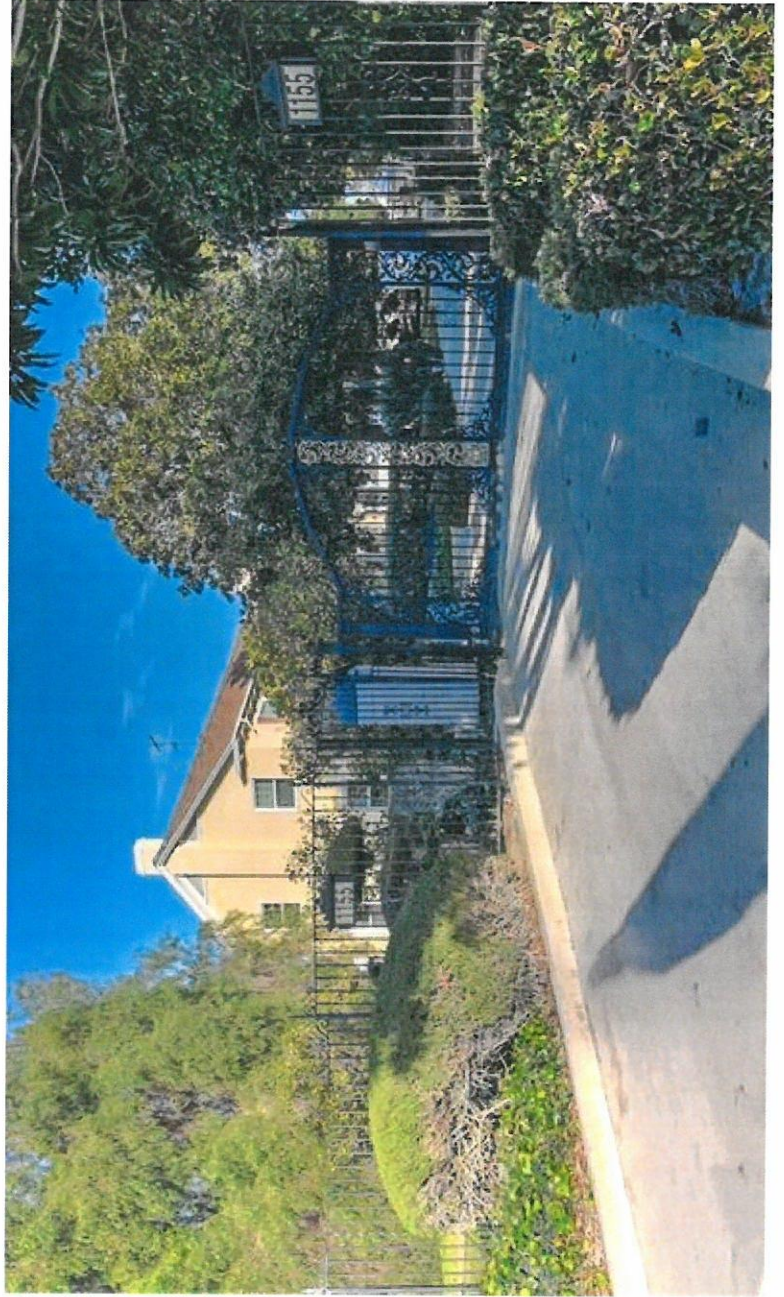


## 1155 West Orangethorpe Avenue

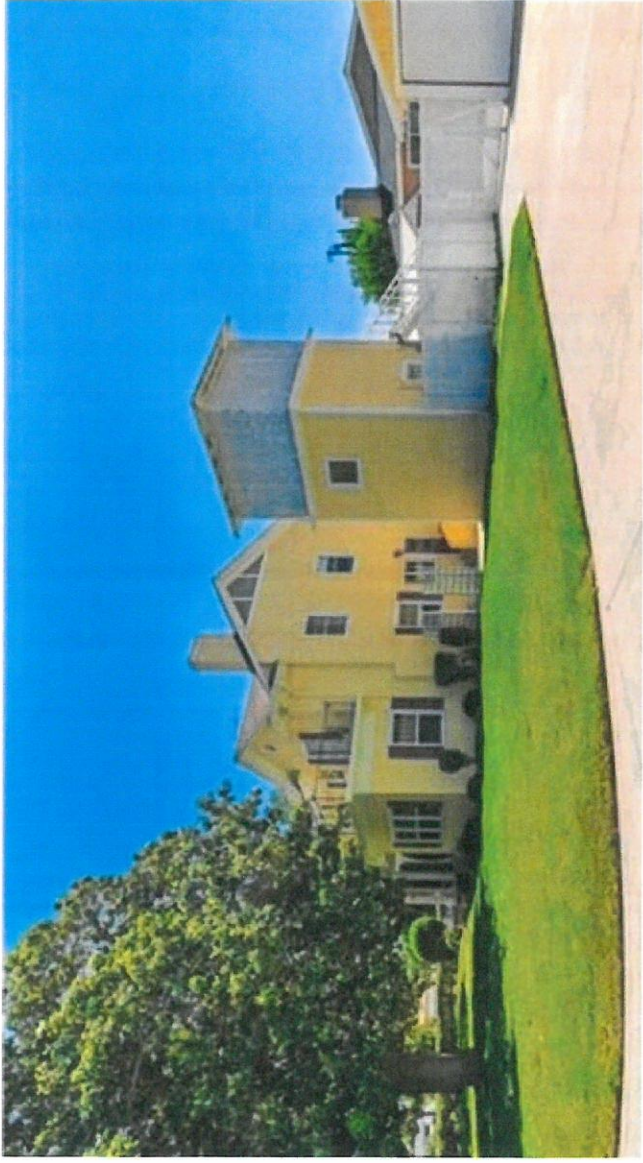
Aerial view of subject site



View of subject site from Orangethorpe Avenue  
looking north







View of dwelling looking south

View of dwelling main entry  
looking west







**FULLERTON PLANNING COMMISSION**  
**NOTICE OF PUBLIC HEARING**  
PROJECT REFERENCE NO.: PRJ18-00376  
**Conditional Use Permit – 1155 West Orangethorpe Avenue**

This notice is provided so that you can ask questions, make comments and stay informed about projects that might be important to you. Please contact us prior to the Public Hearing if you have any questions.

**Meeting Time and Date**

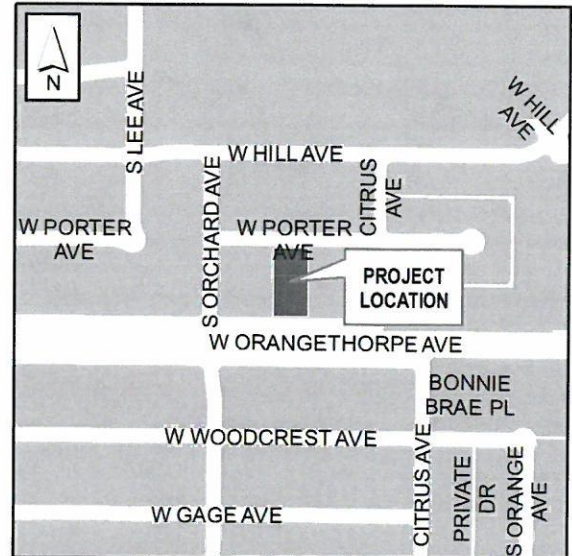
Wednesday, December 12, 2018 at 7:00 p.m.

**Meeting Location**

Fullerton City Council Chamber, 303 West Commonwealth Avenue, Fullerton, CA 92832

**What is the Proposed Project?**

A request for a Conditional Use Permit to allow a student housing dormitory for up to ten students, affiliated with California State University Fullerton, on property zoned R-1 (Single-Family Residential), located at 1155 West Orangethorpe Avenue.



**Why am I Receiving This Notice?**

You are receiving this notice because you live, work or own property within 300 feet of the project site, or you have indicated you wished to be notified about this project or proposal.

**Who to Contact if You Have Questions or Comments**

If you have any questions or would like to comment on the proposed action prior to the public hearing, please contact Christine Hernandez with the Community Development Department at (714) 738-3163 or send an email to [ChristineH@cityoffullerton.com](mailto:ChristineH@cityoffullerton.com).

**Where to Get More Information**

Additional details regarding the proposed project, including the full text of the staff report, may be found on the City website 72-hours prior to the public hearing at: <https://fullerton.legistar.com/Calendar.aspx>. Choose "2018" from the left drop-down menu, "Planning Commission/Landmarks Commission" from the right drop-down menu and click on the "Agenda" link for the December 12, 2018 meeting to download the documents.

**Planning Commission Action Items**

The Fullerton Planning Commission will hold a public hearing to consider a Conditional Use Permit application (ZON18-00072) to allow for a student housing dormitory affiliated with California State University Fullerton. The property is located approximately 250 feet east of Orchard Avenue, on the north side of Orangethorpe Avenue. The Planning Commission will also make a finding that the application is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15301 – Existing Facilities.

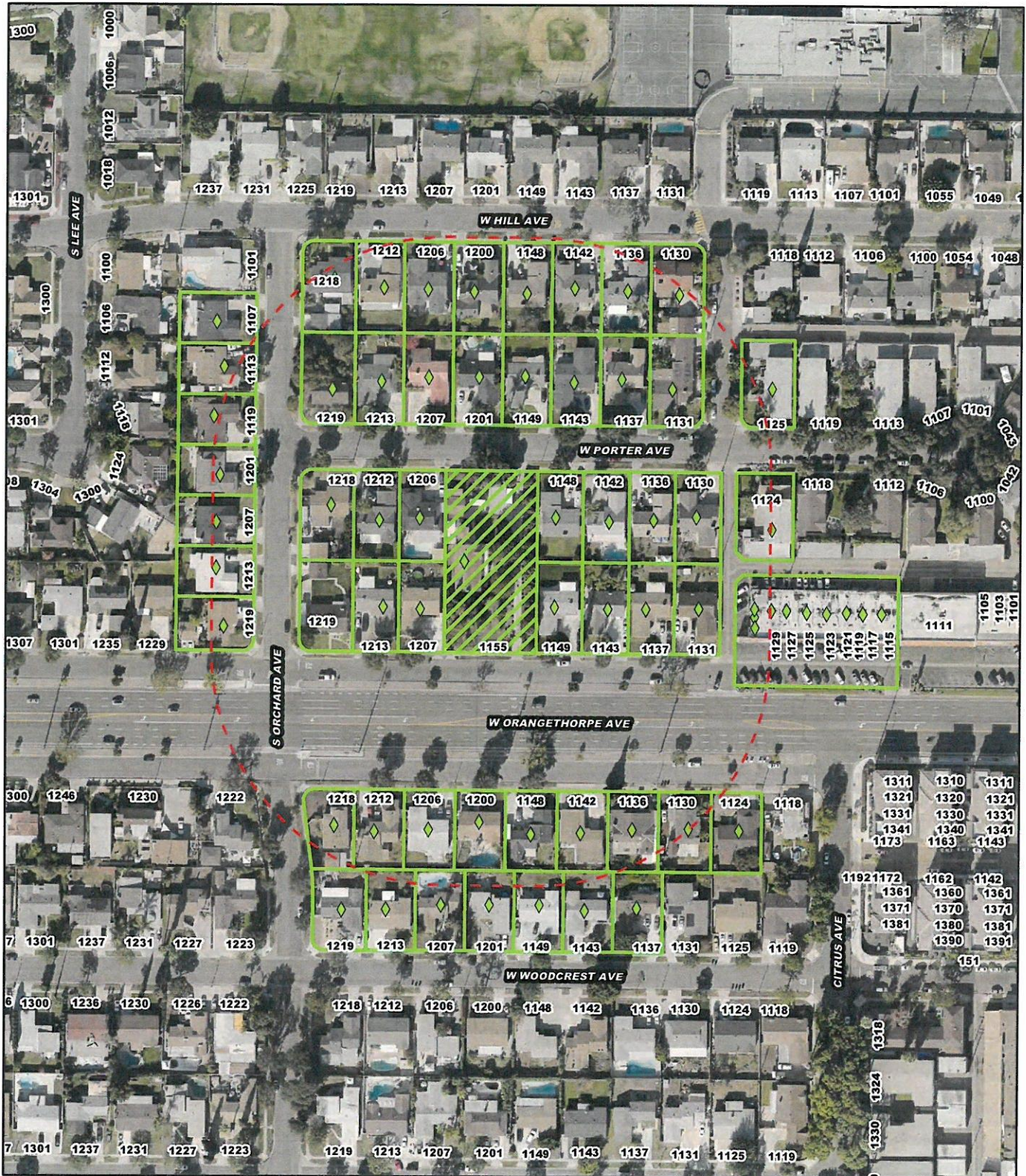
**Si tiene preguntas en español, favor de llamar a Christine Hernandez al (714) 738-3163.**





**한국어 통역이 필요하시면 줄리 리스민에게 연락해주세요 (714) 738-6563.**

If you need any accommodations to ensure your accessibility to the meeting, please contact Janet Ragland at (714) 738-6598.

*If you challenge the decision on the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Fullerton at, or prior to, the public hearing.  
(Government Code 65009 (a))*





-  Project Location
-  Owners Notified
-  Site Address Notified
-  300-foot notification buffer

## Public Notification Map with Zoning Designations

PRJ18-00376, ZON18-00072  
Conditional Use Permit  
1155 W. Orangethorpe Ave.  
(Planning Commission)



0 150 300  
Feet

Path: O:\DevSvcs\Planning\Notices\2018\prj18\_376Noticing.mxd  
Date: 11/13/2018