



# ***Agenda Report***

## ***Fullerton City Council***

**MEETING DATE:** FEBRUARY 4, 2020

**TO:** CITY COUNCIL / SUCCESSOR AGENCY

**SUBMITTED BY:** KENNETH A. DOMER, CITY MANAGER

**PREPARED BY:** MATT FOULKES, COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR

**SUBJECT:** GENERAL PLAN REVISION, ZONING AMENDMENT, TENTATIVE TRACT MAP, MAJOR SITE PLAN AND CERTIFICATION OF A MITIGATED NEGATIVE DECLARATION FOR A NEW 33-UNIT RESIDENTIAL DEVELOPMENT AT 751 EAST BASTANCHURY ROAD

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### **SUMMARY**

On January 8, 2020, the Planning Commission recommended that the City Council approve a General Plan Revision, Zoning Amendment, Tentative Tract Map, Major Site Plan and Certification of a Mitigated Negative Declaration for a new 33-unit residential development at 751 East Bastanchury Road. Pursuant to the Fullerton Municipal Code, the City Council is the final approval body for requests to amend a property's General Plan designation and zoning classification.

### **RECOMMENDATION**

Adopt the following resolutions:

RESOLUTION NO. 2020-XX – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, CERTIFYING A MITIGATED NEGATIVE DECLARATION, INCLUDING PROJECT DESIGN FEATURES. STANDARD CONDITIONS, MITIGATION MEASURES, MITIGATION MONITORING AND REPORTING PROGRAM AND ANALYSIS FOR A PROPOSED 33-UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT ON A 2.4 ACRE PROPERTY LOCATED ON THE NORTH SIDE OF BASTANCHURY ROAD, APPROXIMATELY 150 FEET WEST OF PUENTE STREET, ADDRESSED 751 EAST BASTANCHURY ROAD

RESOLUTION NO. 2020-XX – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING A GENERAL PLAN REVISION TO CHANGE THE COMMUNITY DEVELOPMENT TYPE FROM GREENBELT CONCEPT

TO LOW-MEDIUM DENSITY RESIDENTIAL ON A 2.4 ACRE PROPERTY LOCATED ON THE NORTH SIDE OF BASTANCHURY ROAD, APPROXIMATELY 150 FEET WEST OF PUENTE STREET, ADDRESSED 751 EAST BASTANCHURY ROAD

RESOLUTION NO. 2020-XX – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING A ZONING AMENDMENT TO CHANGE THE ZONING CLASSIFICATION FROM O-G (OIL AND GAS) TO PRD-I (PLANNED RESIDENTIAL DEVELOPMENT-INFILL) ON A 2.4 ACRE PROPERTY LOCATED ON THE NORTH SIDE OF BASTANCHURY ROAD, APPROXIMATELY 150 FEET WEST OF PUENTE STREET, ADDRESSED 751 EAST BASTANCHURY ROAD

RESOLUTION NO. 2020-XX – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING A ONE-LOT TENTATIVE TRACT MAP FOR CONDOMINIUM PURPOSES OVER A 2.4 ACRE PROPERTY LOCATED ON THE NORTH SIDE OF BASTANCHURY ROAD, APPROXIMATELY 150 FEET WEST OF PUENTE STREET, ADDRESSED 751 EAST BASTANCHURY ROAD

RESOLUTION NO. 2020-XX – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING A MAJOR SITE PLAN APPLICATION FOR A 33 UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT, INCLUDING SITE, ARCHITECTURAL AND LANDSCAPE CONCEPT PLANS, ON A 2.4 ACRE PROPERTY LOCATED ON THE NORTH SIDE OF BASTANCHURY ROAD, APPROXIMATELY 150 FEET WEST OF PUENTE STREET, ADDRESSED 751 EAST BASTANCHURY ROAD

#### PRIORITY POLICY STATEMENT

This item matches the following Priority Policy Statement:

- Fiscal and Organizational Stability.

#### FISCAL IMPACT

All City costs associated with the application review, processing, environmental analysis, plan check, permitting and inspections are paid entirely by the applicant. Additionally, the applicant will pay all associated impact fees related to parks, schools, utilities and others as well as bonds related to off-site improvements or mitigation measures identified in the Mitigated Negative Declaration.

#### DISCUSSION

The proposed project includes development of the 2.4 acre site with 33 residential condominium units. The proposed units are clustered in seven buildings, six of which contain five units each and one containing three units. All buildings will be two stories (maximum 30 feet) in height. The unit mix for the project consists of 7 two-bedroom units and 26 three-bedroom units, ranging in size from 1,123 to 1,536 square feet. Each unit includes an attached two-car garage and private open space in the form of a fenced yard area, covered porch or balcony.

Common areas include open space (approx. 18,000 square feet), vehicular and pedestrian circulation paths / drives, guest parking (33 spaces), private parking (66 garage spaces), gated entrance and trash enclosures. Interior streets, sidewalks and

parking areas will be privately owned and maintained by the Homeowner's Association (HOA). If approved, construction is projected to occur in three phases with anticipated completion in mid-2021.

As proposed, the project requires a General Plan Revision, Zoning Amendment, Tentative Tract Map, Major Site Plan and a Mitigated Negative Declaration.

#### General Plan Revision

The applicant is requesting a General Plan Revision to change the Community Development Type (land use designation) from Greenbelt Concept to Low-Medium Density Residential (6.1-15 units per acre). The Greenbelt Concept designation is commonly utilized for large tracts of land, primarily in the East and West Coyote Hills areas and is reflective of the properties prior use as an oil / gas site. The proposed Low-Medium Density designation is appropriate given the properties frontage on Bastanchury Road, which provides the only means of ingress and egress to the site. Bastanchury Road is classified as a major arterial roadway in the General Plan and in many other areas of the City, a property of this size fronting on a major arterial roadway would be used for higher density housing. However, due to the adjacency of the site to single-family homes located within the President Homes neighborhood, the applicant elected to pursue a more compatible Low-Medium density designation. The proposed development density is better aligned with State and local housing goals that emphasize the need for increased housing production to accommodate existing and future housing needs and to provide housing in a variety of sizes and types to meet the needs of all segments of the community.

#### Zoning Amendment

The property is currently zoned O-G (Oil / Gas) reflecting its historic ownership by Unocal and its prior use for oil exploration and production. This project requests to rezone the property to PRD-I (Planned Residential Development-Infill). The PRD-I classification is intended for use on vacant or underutilized sites less than 40 acres in size, located within or near existing residential neighborhoods. In the PRD-I zone, standards are based on the type of street on which the site is located and the type of housing proposed. The proposed development meets, and in the case of common open space, private open space and setback, exceeds the minimum standards contained in the PRD-I zone for the selected building and frontage types.

#### Tentative Tract Map

The proposed map is for a one-lot subdivision for condominium purposes. The HOA will own and maintain common facilities onsite, such as open space, private streets, guest parking areas, walkways, street lights, etc., while individual condominium units will be under private ownership. Four easements are indicated on the Tentative Tract Map, including:

- Public emergency access easement over all private driveways
- Easement for sanitary sewer running on the east side of the property
- Public water easement for water facilities at the front of the tract near the access drive

- Access and landscape maintenance easement on the south facing slope located along the north side of the tract.

This slope area is owned by the Fullerton School District. The project applicant has negotiated an easement which will allow grading and landscaping of the slope, with a future HOA responsible for ongoing maintenance. The slope is not visible from the school property and is currently not planted or irrigated. Conversely, the slope is highly visible from within the tract and therefore slope plantings and maintenance would benefit future residents.

#### Major Site Plan

A Major Site Plan is required to review site design, circulation and parking, grading, buffering, architectural design and landscaping pursuant to the design criteria contained in Fullerton Municipal Code Section 15.47.060. As proposed, the project complies with all applicable design criteria in FMC 15.47.060 and a more detailed discussion and analysis of the project's compliance is provided in the Planning Commission Staff Report and Resolutions (Attachment 7).

#### Environmental Review

A Mitigated Negative Declaration was prepared to evaluate the potential environmental effects of the project, in conformance with the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15070 and in conformance with the Local CEQA Guidelines. The Mitigated Negative Declaration finds that the project will have a less than significant impact on the environment, with the implementation of project design features, standard conditions of approval and mitigation measures. A Mitigation Monitoring and Reporting Program (MMRP) has also been prepared to document implementation of mitigation measures. A Notice of Determination will be filed for this project.

#### Planning Commission Action

The Planning Commission considered the proposed development project at its meeting on January 8, 2020. Following a presentation by staff, public testimony and consideration by the Planning Commission, the Commission voted 4 - 1 (Commissioner Shanfield opposed) to recommend approval of the requested entitlements to the City Council. As part of the motion to approve the item, the Commission amended / added the following conditions of approval, also reflected in the City Council resolutions:

1. Engineering Letter Condition No. 1 under UTILITIES was amended to remove the requirement to underground the electrical lines on Bastanchury Road. All other overhead services (telecommunication lines) on Bastanchury Road shall be undergrounded.
2. Prior to permit issuance, the developer shall submit a striping plan for a right turn pocket adjacent to the outer lane of westbound Bastanchury Road for review and approval by the City Traffic Engineer. It is understood that this turn pocket will be removed, when Bastanchury Road is restriped to its ultimate lane configuration of three lanes in each direction.

Attachments:

- Attachment 1 – PowerPoint Presentation
- Attachment 2 – Draft Resolution No. 2020-XX (Mitigated Negative Declaration)
- Attachment 3 – Draft Resolution No. 2020-XX (General Plan Revision)
- Attachment 4 – Draft Resolution No. 2020-XX (Zoning Amendment)
- Attachment 5 – Draft Resolution No. 2020-XX (Tentative Tract Map)
- Attachment 6 – Draft Resolution No. 2020-XX (Major Site Plan)
- Attachment 7 – Planning Commission Staff Report and Exhibits
- Attachment 8 – Mitigated Negative Declaration
- Attachment 9 – Plans: Site Plan, Floor Plan and Elevations, Landscape Concept, Tentative Tract Map
- Attachment 10 – Draft January 8, 2020 Planning Commission Minutes