

RESOLUTION NO. 2021-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION, INCLUDING ANALYSIS OF THE POTENTIAL ENVIRONMENTAL EFFECTS OF THE PROJECT, PROJECT DESIGN FEATURES, STANDARD CONDITIONS, MITIGATION MEASURES AND MITIGATION MONITORING AND REPORTING PROGRAM FOR A PROPOSED MIXED-USE PROJECT WITH 20 RESIDENTIAL APARTMENTS INCLUDING FIVE PERCENT (ONE UNIT) DEED-RESTRICTED UNITS FOR VERY-LOW-INCOME WITH 1,152 SQUARE FEET OF GROUND FLOOR COMMERCIAL SPACE ON A 0.56-ACRE PROPERTY LOCATED ON THE NORTHWEST CORNER OF HIGHLAND AVENUE AND VALENCIA DRIVE

PRJ2020-00003 – ZON-2020-0019, ZON-2021-0002, LRP-2020-0005, LRP-2020-0006

APPLICANT: PROGENY 1, LP
PROPERTY OWNER: MCEB, LLC

RECITALS:

WHEREAS, the applicant filed applications with the City of Fullerton Community and Economic Development Department for a Major Site Plan (ZON-2020-0019), Minor Exception (ZON-2021-0002), General Plan Revision (LRP-2020-0005) and Zoning Amendment (LRP-2020-0006) to develop a mixed-use project with 20 residential apartments including 5% (one unit) deed-restricted units for very-low-income and 1,152 square feet of ground floor commercial space more specifically described as Orange County Assessor's Parcel Nos. 032-181-18 and 032-181-20.

WHEREAS, the City of Fullerton, as Lead Agency, prepared a Draft 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 analysis identified mitigation measures to reduce or avoid significant effects on the environment. The City prepared a Mitigation Monitoring and Reporting Program to ensure and document compliance with the mitigation measures during project implementation.

WHEREAS, the City of Fullerton is the Lead Agency on the project and the Planning Commission is an advisory body to City Council, which is the decision-making body for the applications associated with the proposed project.

WHEREAS, the City provided a Notice of Intent to Adopt a Mitigated Negative Declaration to all owners, to the properties within 300 feet of the project site, to potentially interested public agencies and to the Orange County Clerk-Recorder, advertising a 20-day public review period.

WHEREAS, the City received comments on the Mitigated Negative Declaration and prepared responses to comments.

WHEREAS, the Planning Commission considered the information contained in the Draft Initial Study / Mitigated Negative Declaration dated July 16, 2021, and Technical Appendices, the Final Initial Study including Comments, Responses to Comments and Errata dated August 25, 2021, and the Mitigation Monitoring and Reporting Program.

WHEREAS, the Planning Commission recommend that City Council adopt the Mitigated Negative Declaration and Mitigation and Monitoring and Reporting Program for the Highland Valencia Mixed Use Development Project, PRJ2020-00003.

RESOLUTION:

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

City Council, resulting from its consideration and the administrative record during the public review process, finds as follows:

1. The Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for PRJ2020-00003 adequately address the anticipated environmental impacts of the project. On the basis of their review, City Council finds no evidence from which it can be fairly argued that the project will have a significant adverse effect on the environment and that the Mitigated Negative Declaration reflects the Lead Agency's independent judgement and analysis.

THEREFORE, the City Council of the City of Fullerton hereby adopts the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Highland Valencia Mixed Use Development Project, PRJ2020-00003, at 415 South Highland Avenue.

ADOPTED BY THE FULLERTON CITY COUNCIL ON OCTOBER 19, 2021.

Bruce Whitaker
Mayor

Lucinda Williams, MMC
City Clerk

Date

Attachment:

- Exhibit A - Mitigation Monitoring and Reporting Program (pg 167-169 Environmental Docs)