

RESOLUTION NO. 2021-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 OFFICE TO HIGH DENSITY RESIDENTIAL 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 City of Fullerton Community and Economic Development Department received applications 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 City of Fullerton Planning Commission, 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-2020-0003.

WHEREAS FMC Section 2.18.030.E authorizes the Planning Commission to make a recommendation to the City Council regarding general plan amendments, consistent with Government Code 65358.

WHEREAS the City of Fullerton Planning Commission 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 and the administrative record during the public review process.

RESOLUTION

THE CITY COUNCIL OF THE CITY OF FULLERTON HEREBY FINDS, DETERMINES AND RESOLVES AS FOLLOWS:

1. In all respects as set forth in the Recitals of the Resolution.
2. The City Council, finds as follows:

Finding: High Density Residential is a community development type the purpose of which is “to establish and protect opportunities for households that desire dense urban living within a compact, walkable neighborhood that is well served by transit and to provide opportunities for neighborhood support uses and amenities.”

Fact: The project proposes to construct a student-oriented housing project with up to 420 units ranging in size from micro and studio units to two-level townhome units with four beds and four baths on a 3.55 acre at a density of up to 120 du/ac.

Fact: The area north of Chapman Avenue, east of State College Boulevard, is similarly developed with apartments on properties with the High Density Residential community development type as well as office, neighborhood commercial and institutional uses.

Fact: In addition to the area supported by the pedestrian sidewalk and bicycle facility networks, OCTA Route 26 serves the site which connects to the Fullerton Transportation Center in addition to three other routes within a 0.5-mile walk.

Fact: The project includes 12,438 square feet of neighborhood-supporting commercial space on the ground floor at the intersection of Chapman and Commonwealth Avenues with an adjacent outdoor public area, providing an amenity for both residents of the project as well as its neighbors.

Finding: The Education Focus Area, as identified in the City’s general plan (The Fullerton Plan), is centered around the colleges and universities in the area bounded by State College Boulevard on the west, Chapman Avenue on the south, Placentia Avenue / the City of Placentia on the east and extending north of Yorba Linda Boulevard. The Fullerton Plan envisions it as a dynamic neighborhood in which the colleges and universities form the hub where higher density multi-family housing, along with supporting retail and service facilities, will meet the demands of the increasing student population, staff and faculty. The Highly Appropriate community development types include High Density Residential as proposed.

Fact: The project proposes to construct a student-oriented housing project with up to 420 units and 12,438 square feet of neighborhood-supporting commercial space directly south of Hope University and Cal State Fullerton central to the Education Focus Area. The project provides higher density multi-family housing addressing the need for housing for the increasing student population as well as faculty. Additionally, the project provides retail space at the Chapman / Commonwealth intersection which serves as a key gateway to the university area and mirrors the ground floor commercial spaces along the west side of the intersection in the existing student-oriented housing project.

Therefore, City Council does hereby approve of said General Plan Revision LRP-2020-0016, subject to the following conditions of approval:

1. Approval of General Plan Revision LRP-2020-0016 is contingent on the approval of Major Site Plan (ZON-2020-0074), Tentative Parcel Map (SUB-2020-0003), Zoning Amendment (LRP-2020-0017) and Specific Plan (LRP-2020-0018). Should City Council not approve General Plan Revision LRP-2020-0016, Major Site Plan (ZON-2020-0074), Tentative Parcel Map (SUB-2020-0003), Zoning Amendment (LRP-2020-0017) and Specific Plan (LRP-2020-0018) shall be similarly denied.
2. 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 NOVEMBER 2, 2021.

Bruce Whitaker
Mayor

ATTEST:

Lucinda Williams, MMC
City Clerk

Date