

ORDINANCE NO. XXXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ADOPTING THE HUB SPECIFIC PLAN TO IMPLEMENT THE LAND USE REGULATIONS 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-2020-00008.

WHEREAS FMC Section 15.21.040 establishes that the City should adopt a Specific Plan concurrently with or after the adoption of a Specific Plan District zoning following the provisions of the Zoning Amendment in Chapter 15.72, as authorized by and consistent with Government Code 65450 through 65457.

WHEREAS FMC Section 15.72.050 states that the Planning Commission must review such a request to determine if the proposed Specific Plan is consistent with the objectives of the zoning ordinance and the General Plan. If consistent, the Planning Commission makes a recommendation of approval to the City Council.

WHEREAS the City of Fullerton Planning Commission recommended that City Council approve PRJ2020-0003 including Major Site Plan (ZON-2020-0019), Minor Exception (ZON-2021-0002), General Plan Revision (LRP-2020-0005) and Zoning Amendment (LRP-2020-0006).

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.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF FULLERTON DOES ORDAIN AS FOLLOWS:

In all respects as set forth in the Recitals of the Ordinance.

1. The City Council, pursuant to FMC Section 15.21.040 and 15.72.050.B finds as follows:

Finding: That the amendment is consistent with the objectives of the Zoning Ordinance and the General Plan.

Fact: The Specific Plan District zoning classification can be utilized for a site that has unique characteristics including a unique mix of land uses and specific community objectives.

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 as identified in the City's general plan (The Fullerton Plan).

Fact: The project implements the Planning Objectives for the Education Focus Area which include adding student and faculty-housing as well as retail and gathering spaces that serve the students, faculty and population-at-large.

Fact: The Hub Specific Plan identifies development standards, land use regulations, infrastructure and maintenance responsibility for the subject property.

Fact: Government Code 65450 authorizes the use of a Specific Plan as a zoning tool to implement the general plan.

Fact: As detailed in The Fullerton Plan Consistency Analysis, Exhibit A, attached hereto, 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.

Therefor, the City Council does hereby approve said Specific Plan LRP-2020-0018, subject to the following conditions of approval:

1. Approval of Specific Plan LRP-2020-0018 is contingent on the approval of Major Site Plan (ZON-2020-0074), Tentative Parcel Map (SUB-2020-0003), General Plan Revision (LRP-2020-0016) and Zoning Amendment (LRP-2020-0017). Should City Council not approve Specific Plan LRP-2020-0018, Major Site Plan (ZON-2020-0074), Tentative Parcel Map (SUB-2020-0003), General Plan Revision (LRP-2020-0016) and Zoning Amendment (LRP-2020-0017) 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.
3. This action approves a resident and guest parking rate of [REDACTED] per unit.

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

Bruce Whitaker
Mayor

ATTEST:

Lucinda Williams, MMC
City Clerk

Attachments:

- Exhibit A – The Fullerton Plan Consistency Analysis (att 9)
- Exhibit B – The Hub Fullerton Specific Plan (att 18)