

**TO: THE CITY OF FULLERTON CITY COUNCIL:**

**We, the undersigned, are duly registered and qualified voters of the City of Fullerton, County of Orange, State of California, and we are not less than ten per cent of the number of registered voters within the boundaries of the City of Fullerton. Pursuant to California Constitution Article II section 11, and California Elections Code section 9237, we hereby protest the adoption of RESOLUTION NO. 2017-02 approved by the Fullerton City Council on January 17, 2017. The entire text of RESOLUTION NO. 2017-02 and its attachments are set forth below commencing on the next page.**

**We, the undersigned, demand that RESOLUTION NO. 2017-02 be reconsidered by the Fullerton City Council and repealed, or if not entirely repealed, that RESOLUTION NO. 2017-02 be submitted to a public vote of the VOTERS OF THE CITY OF FULLERTON at the next regular election.**

**The title of the resolution is as follows:**

**RESOLUTION NO. 2017-02  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON,  
CALIFORNIA, APPROVING A GENERAL PLAN REVISION TO  
REDESIGNATE THE PROPERTY AT 600 WEST COMMONWEALTH  
AVENUE FROM COMMERCIAL TO URBAN CENTER MIXED-USE AND  
THE PROPERTY AT 628 WEST WILLIAMSON AVENUE FROM  
INDUSTRIAL TO URBAN CENTER MIXED-USE**

The following is provided by California Elections Code sections 101:

**"NOTICE TO THE PUBLIC  
THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR  
A VOLUNTEER. YOU HAVE THE RIGHT TO ASK."**

**RESOLUTION NO. 2017-02**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING A GENERAL PLAN REVISION TO REDESIGNATE THE PROPERTY AT 600 WEST COMMONWEALTH AVENUE FROM COMMERCIAL TO URBAN CENTER MIXED-USE AND THE PROPERTY AT 628 WEST WILLIAMSON AVENUE FROM INDUSTRIAL TO URBAN CENTER MIXED-USE.

PRJ15-00271- LRP15-00021

APPLICANT: RED OAK INVESTMENTS  
PROPERTY OWNER: TIMOTHY MULLAHEY

THE CITY COUNCIL OF THE CITY OF FULLERTON HEREBY RESOLVES AS FOLLOWS:

1. That an application was filed to amend the General Plan Community Development Type (land use designation) for the properties at 600 West Commonwealth Avenue and 628 Williamson Avenue from Commercial and Industrial to Urban Center Mixed-Use on properties described as:

Orange County Assessor's Parcel Nos. 032-081-30, 032-081-10,  
032-081-29 and 032-084-04

2. That the City Council, after due notice thereof, duly held a public hearing on said application.

3. That the City of Fullerton prepared an Initial Study and Mitigated Negative Declaration pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15070, and in conformance with the Local CEQA Guidelines. The Mitigated Negative Declaration evaluates the overall project including General Plan Revision, Zone Amendment, and Major Site Plan and concludes that with the adoption of Mitigation Measures, the project will not have a significant adverse impact on the environment. The City Council has considered the Mitigated Negative Declaration and comments received during the public review process.

4. That the City Council does hereby APPROVE General Plan Revision PRJ15-00271 – LRP15-00021.

5. That the facts and reasons for said recommendation of APPROVAL of the proposed General Plan Revision LRP15-0002 are hereby found and declared to be as follows:

**General Plan Revision:**

Government Code 65353(a) authorizes the City Council to review and recommend action on a proposed amendment to a City's General Plan.

Finding: That the proposed project will further the goals, objectives and policies of the plan and not obstruct their attainment.

Fact: The proposed project supports the following General Plan Goals and Policies:

Goal 1: Resilient and vital neighborhoods and districts

- Policy 1.4 – Connection and Integration of Uses: Support projects, programs and policies to improve connections between housing, shops, work places, schools, parks and civic facilities, and integrate uses where possible and appropriate.
- Policy 1.9 – Housing Choice: Support projects, programs, policies and regulations to create housing types consistent with market demand for housing choices.
- Policy 1.10 – Focus Area Planning: Support projects, programs, policies and regulations to evaluate ways to contribute to the resiliency and vitality of neighborhoods and districts as part of community-based planning of Focus Areas.

The proposed project requires the demolition of the existing automobile-oriented businesses on the site to develop a mixed-use development on the site. The project would include a mix of multi-family housing types including studios, 1-bedroom, 2-bedroom, and 3-bedroom residential units. Surrounding residential uses include both single-family and multi-family housing. Implementation of the proposed project would help fulfill The Fullerton Plan's objective for new housing located west of Harbor Boulevard in the Commonwealth Corridor.

Goal 2: A positive identity and distinctive image.

- Policy 2.6 – Focus Area Planning: Support projects, programs, policies and regulations to create a positive identity and distinctive image as part of community-based planning of Focus Areas.
- Policy 2.7 – Relationship to Street: Support projects, programs, policies and regulations to site and design buildings to create a positive, accessible image along the street and reinforce a vibrant and comfortable public realm.

The project would change the site from automobile-oriented businesses and uses to a mixed-use development. The proposed mixed-use development would range from two to four levels at approximately 51 feet in height. The parking structures would be located in the center of the parcels and would not be visible to nearby residential uses. The modern articulated facades of the proposed buildings would include a mix of metal, fiber cement, and plaster elements. The ground floor of Building 1 would have transparent retail storefront windows along the northern façade, which would front Commonwealth Avenue. The southern façade of Building 2, which fronts the railroad right-of-way, would include a painted art mural.

Goal 3: A supply of safe housing ranging in cost and type to meet the needs of all segments of the community.

- Policy 3.4 – Facilitate Infill Development: The built-out nature of the City requires the evaluation of land currently developed with existing uses for potential residential development. The City will continue to facilitate infill development within feasible development sites for homeownership and rental units through proactive and coordinated efforts with the Successor Agency, Planning Division, private development

and non-profit entities, and other housing-related groups to encourage the construction of housing affordable to extremely-low, very-low, low-, and moderate-income households through a menu of regulatory incentives that will effectively encourage infill development.

- Policy 3.5 – Encourage Mixed Use Development: Due to the limited vacant land resources and the desire of the City to provide connections with jobs, housing, and transportation, the City shall continue to encourage mixed use development to further enhance the viability and success of residential development. Key focus areas shall include the City’s primary activity centers, including the downtown area. The Fullerton Plan identified 12 focus areas in which development character is either in transition or desired. Within 11 of these areas, residential development is established as an appropriate use. The Fullerton Plan further includes density parameters for each focus area, establishing maximums ranging from 30 to 80 units per acre, and creates two additional land use designations for mixed-use developments. The City will continue to encourage mixed use development in the C-3 zone and the two additional Mixed-Use Community Development Types. It is anticipated that future mixed-use development may be implemented by specific plan. The City will further encourage mixed use development through a variety of activities such as organizing special marketing events geared towards the development community, posting the sites inventory on the City’s webpage, identifying and targeting specific financial resources and reducing appropriate development standards.

The project proposes a multi-story residential and commercial development to replace the existing automobile-oriented businesses located on the project site. The project would provide a range of housing options, including studios, 1-bedroom, 2-bedroom, and 3-bedroom residential units. The project site is currently underutilized with a collision repair and auto use which is in the process of relocating. This site has been identified as a potential location for housing since 2010 and is compatible with the residential neighborhood to the east of the project site.

Goal 5: A balanced system promoting transportation alternatives that enable mobility and an enhanced quality of life.

- Policy 5.14 – Fair Share Improvements: Support policies and regulations which require new development to pay a fair share of needed transportation improvements based on a project’s impact to the multi-modal transportation network.

The project site is located along an OCTA bus line (Route 26) which connects the project to the Fullerton Transportation Center. The Fullerton Transportation Center is approximately 0.75 mile east of the project site. The project site increases the number of people who can conveniently access mass transit options, thereby increasing the potential ridership. Additionally, bike locker rooms are associated with Building 1 and Building 2 with a bike kitchen provided in Building 1. Further, conditions of approval have been added to the project regarding off-site improvements including:

- New paving, street trees and sidewalk on Chestnut Place between Commonwealth Avenue and the railroad ROW.
- New paving, street trees and sidewalk on Williamson between Chestnut Place and the western property line.

- New paving, street trees and sidewalk and the southern half of Commonwealth Avenue along the project frontage.
- Undergrounding of all utilities along Commonwealth Avenue, Chestnut Place and Williamson Avenue along the project frontage.
- Payment of a bond for future study and potential traffic related improvements that may be triggered by the proposed project.

Goal 14: An environment with opportunities for community health and wellbeing.

- Policy 14.5 Opportunities for Physical Activities: Support policies, programs and regulations that provide for convenient and safe areas that facilitate opportunities for physical activity such as parks, trails, open space, safe streets for bicycling, safe sidewalks for walking, and recreational facilities for residents of all ages and abilities.
- Policy 14.6 Amenities Within a Walkable Distance: Support policies and regulations involving land use and zoning changes that would provide access to daily retail needs, recreational facilities, and transit stops within a walkable distance (i.e., a quarter to a half-miles) of established residential uses.

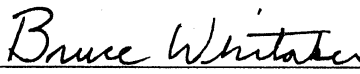
The proposed project includes recreational and fitness facilities as part of the development for the use by the residents. On-site bike lockers on the ground floor level of each parking structure would be provided, for a total of 70 bike lockers. The project site has access to the existing City sidewalk system and is located approximately 0.2 miles southwest of Ford Park and 0.25 mile west of Amerige Park.

Goal 15: Parks, recreational facilities, trails, and programs that promote a healthy community and a desirable quality of life.


- Policy 15.10 Park Dwelling Fee: Support policies and regulations which require new construction of dwelling units in the City to pay a park dwelling fee that provides for the creation and enhancement of open space, parks and recreational facilities accessible to all residents.

The Applicant/Developer of the project would pay the City's prescribed Park Dwelling fee to support the acquisition, development, and maintenance of the City' public park and trail system.

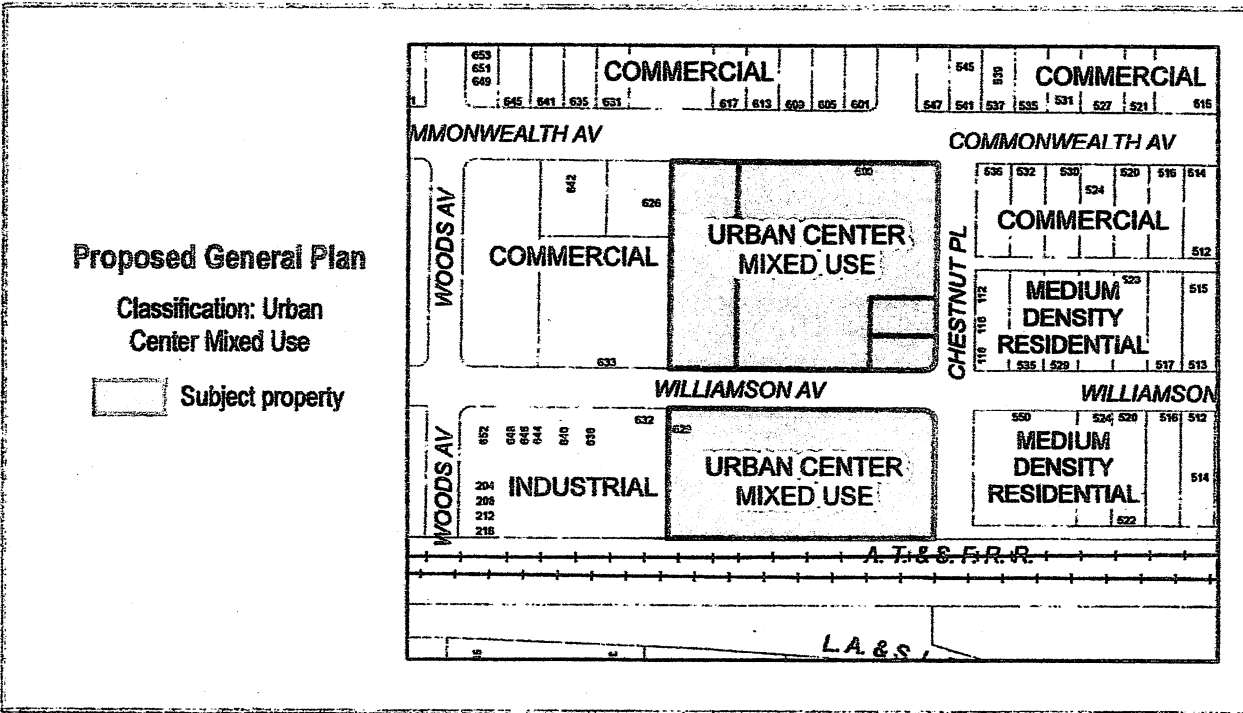
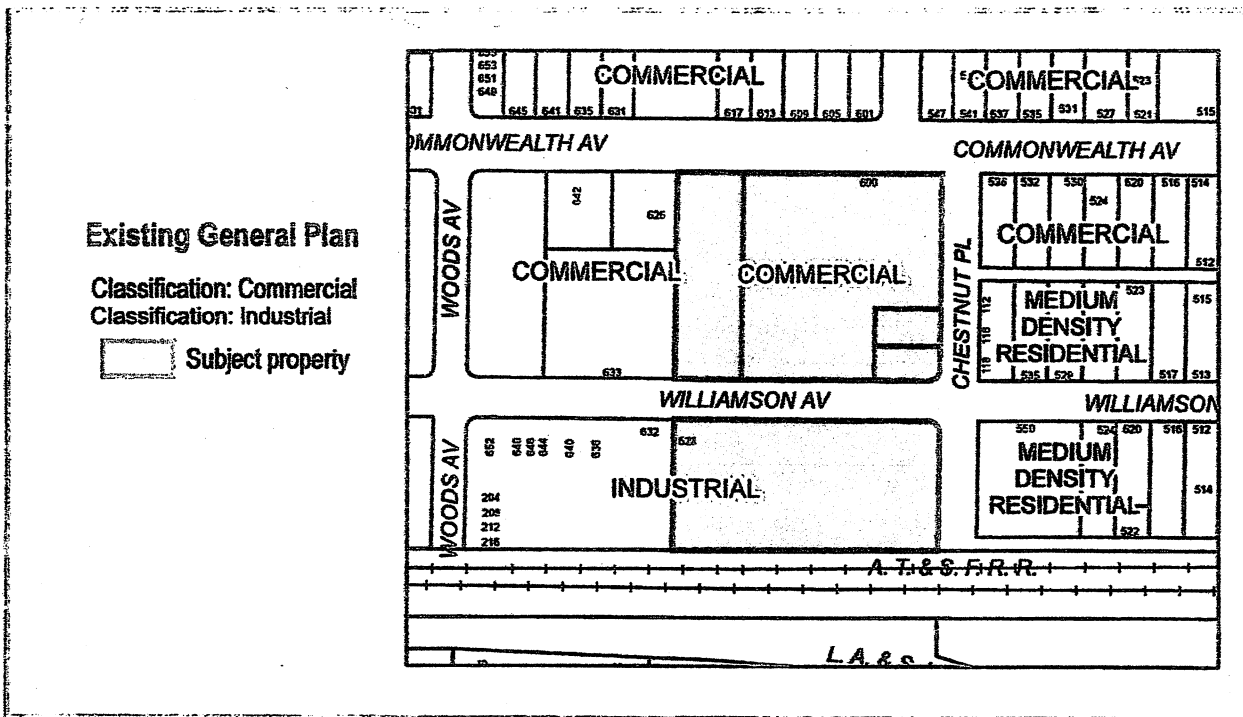
ADOPTED BY THE FULLERTON CITY COUNCIL ON JANUARY 17, 2017.

  
Bruce Whitaker, Mayor

ATTEST:

  
Lucinda Williams, City Clerk

January 23, 2017  
Date



**General Plan Revision**

PRJ15-00271, LRP15-00021  
 600 W. Commonwealth Ave.  
 and 628 W. Williamson Ave  
 General Plan Revision  
 from Commercial and Industrial  
 to Urban Center Mixed Use



City of Fullerton  
RESOLUTION CERTIFICATION

STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) SS  
CITY OF FULLERTON )

RESOLUTION NO. 2017-02

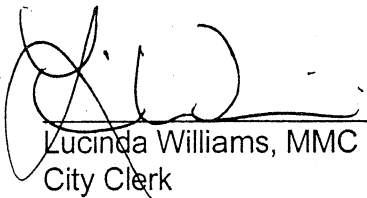
I, Lucinda Williams, City Clerk and ex-officio Clerk of the City Council of the City of Fullerton, California, hereby certify that the whole number of the members of the City Council of the City of Fullerton is five; and that the City Council adopted the above and foregoing Resolution No. 2017-02 at a regular meeting of the City Council held on the January 17, 2017 by the following vote:

COUNCIL MEMBER AYES: Chaffee, Sebourn, Fitzgerald, Silva

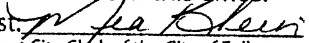
COUNCIL MEMBER NOES: Whitaker

COUNCIL MEMBER ABSTAINED: None

COUNCIL MEMBER ABSENT: None

  
\_\_\_\_\_  
Lucinda Williams, MMC  
City Clerk

The foregoing instrument is a full, true and correct copy of the original on file in this office.

Attest:   
Assistant City Clerk of the City of Fullerton

Date: 1/26/17